



# TRAFFICKING IN PERSONS REPORT

## JUNE 2016









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## DEAR READER:

If there is a single theme to this year's *Trafficking in Persons (TIP) Report*, it is the conviction that there is nothing inevitable about trafficking in human beings. That conviction is where the process of change really begins—with the realization that just because a certain abuse has taken place in the past doesn't mean that we have to tolerate that abuse in the future or that we can afford to avert our eyes. Instead, we should be asking ourselves—what if that victim of trafficking was my daughter, son, sister, or brother?

This year's *TIP Report* asks such questions, because ending modern slavery isn't just a fight we should attempt—it is a fight we can and must win.

The *TIP Report* is the product of a yearlong effort requiring contributions and follow-up from employees in the United States and at our diplomatic outposts across the globe, host country governments, and civil society. That effort is well worth it, because this Report is one of the best means we have to speak up for men, women, and children who lack any effective platform to be heard themselves. Because of its credibility, the Report is also a source of validation and inspiration to activists on every continent who are striving to end the scourge of human trafficking.

The purpose of this Report is to enlighten, energize, and empower. That's why it incorporates the insights of NGOs, advocates, and survivors with firsthand experience of this horrific crime. By issuing it, we want to bring to the public's attention the full nature and scope of the \$150 billion illicit human trafficking industry. We want to provide evidence and facts that will help people who are already working to achieve reforms and alleviate suffering. And we want to provide a strong incentive for governments at every level to do all they can to prevent and prosecute trafficking, identify and support victims, and shield at-risk populations.

The United States is committed to working with our international partners to tackle the root causes and consequences of modern slavery and to exchange ideas and innovative practices, but much work remains. Modern slavery is connected to a host of 21st century challenges—from environmental sustainability to advancing the lives of women and girls to combating transnational organized crime. Wherever we find poverty and lack of opportunity—wherever the rule of law is weak, where corruption is most ingrained, where minorities are abused, and where populations can't count on the protection of government—we find not just vulnerability to trafficking, but zones of impunity where traffickers can prey on their victims.

This year's Report underscores the need for increased attention to preventing human trafficking. It encourages governments to identify and acknowledge those most at-risk in society, and to create effective ways to recognize vulnerable populations and help first responders spot the methods used by human traffickers. By understanding the needs of vulnerable groups, governments can partner with NGOs and the private sector to protect the innocent from would-be traffickers.

The magnitude of the challenge is real, but make no mistake: So are the opportunities for progress.

In December, the President appointed 11 trafficking survivors to the first-ever U.S. Advisory Council on Human Trafficking. Their courage and commitment remind us all of our responsibility to take bold action so that, together, we will win more battles in a fight that will surely last for generations. That is why I urge you to read this Report as a call to action—a plea to people everywhere to realize the vision of a world that is more caring and more just—a world free from modern slavery.

Sincerely,

A handwritten signature in black ink, reading "John F. Kerry".

John F. Kerry  
Secretary of State



## DEAR READER:

This year's *Trafficking in Persons Report* focuses on strategies to prevent human trafficking around the globe. As always, the Report analyzes governments' prosecution, protection, and prevention efforts; but this year we feature ways governments can identify people most at-risk and reduce their vulnerability. The more governments understand the needs of these populations, the better they can partner with civil society to support communities and educate individuals to prevent their being exploited.

As a former Assistant United States Attorney and now as Ambassador, I have met trafficking survivors and heard them tell of the schemes traffickers used to recruit and exploit them. Often, traffickers target those struggling to survive, fleeing violence or conflict, looking for someone to care about them, or simply trying to get ahead. In one case I prosecuted, two women were lured to the United States to be nannies in exchange for the opportunity to go to school and

earn money to send home. When they got here, their trafficker instead forced them to work for no pay, kept them isolated, held their travel documents, and threatened them with arrest and deportation. Even so, the first woman did not know she was a trafficking victim; she ran away, but did not seek help from law enforcement as she feared being arrested. The cycle was repeated when the trafficker lured another woman to replace the first; she only sought help after seeing a television show about trafficking and realized there were laws against such abuse.

In cases like these, prosecution and protection efforts are clearly needed, but we must also focus on prevention—on how to stop people from being trafficked. We need to expose the lies traffickers tell to recruit unsuspecting individuals and ensure those who are recruited can safely report any fraud, coercion, or abuse. In addition to tackling specific factors that put people at risk, we should also support organizations, faith groups, and governments to help avert the crime by providing those at risk with real opportunities, including jobs, education, and housing.

Businesses and consumers have a key role to play, too, in helping ensure forced labor is not used to produce the goods and services they sell and purchase. This year I was proud to launch a project called "ResponsibleSourcingTool.org" to help federal contractors and businesses examine their supply chains and work to rid them of unscrupulous labor practices.

A key part of prevention is learning from survivors what would have helped them avoid victimization. In my first year as Ambassador, I have seen our government fulfill President Obama's commitment to truly see and hear survivors of human trafficking. Federal agencies have sought survivor input and funded survivors to develop trainings and new research. The President also appointed 11 survivors to offer recommendations to the Executive branch on a range of U.S. policies and programs to combat human trafficking.

Dr. Martin Luther King, Jr, who has inspired many to continue working toward freedom for all, said: "Injustice anywhere is a threat to justice everywhere." In the United States and around the world, governments, civil society, law enforcement and service providers must seek justice for victims of human trafficking and work to prevent others from becoming victims in the first place.

Sincerely,

A handwritten signature in black ink that reads "Susan Coppedge".

Susan Coppedge  
Ambassador-at-Large to Monitor  
and Combat Trafficking in Persons



*“Today, we continue the long journey toward an America and a world where liberty and equality are not reserved for some, but extended to all. Across the globe, including right here at home, millions of men, women, and children are victims of human trafficking and modern-day slavery. We remain committed to abolishing slavery in all its forms and draw strength from the courage and resolve of generations past.”*

-President Barack Obama





Traditionally, traffickers have subjected women and girls to sex trafficking in brothels, bars, and massage parlors; however, in an attempt to better conceal their crimes, some traffickers have changed tactics and now exploit victims in hotel rooms and private apartments, making them harder for law enforcement to detect.

# CONTENTS

<b>MEETING THE GLOBAL CHALLENGE: EFFECTIVE STRATEGIES TO PREVENT HUMAN TRAFFICKING</b>	<b>7</b>
Vulnerability and Human Trafficking	8
Research, Data Collection, and Program Evaluation	10
Raising Awareness	12
Policies and Programs to Reduce Risk and Empower Vulnerable Individuals	15
Multilateral Collaboration	16
Enhancing Partnerships	18
A Joint Effort	18
<b>TOPICS OF SPECIAL INTEREST</b>	
Challenges in Protecting Vulnerable Populations	20
Protecting Victims from Wrongful Prosecution and Further Victimization	26
The Price of Advocacy	29
Human Trafficking in Conflict Zones	32
Out of Sight: How Isolation Contributes to Human Trafficking	35
Vicarious Trauma	38
The U.S. Advisory Council on Human Trafficking	41
The United Nations Security Council Addresses Human Trafficking	43
<b>CHILD SOLDIERS PREVENTION ACT LIST</b>	<b>24</b>
<b>WHAT IS TRAFFICKING IN PERSONS?</b>	<b>30</b>
The Face of Modern Slavery	30
<b>METHODOLOGY</b>	<b>36</b>
Tier Placement	36
A Guide to the Tiers	39
Funding Restrictions for Tier 3 Countries	39
<b>GLOBAL LAW ENFORCEMENT DATA</b>	<b>40</b>
<b>TVPA MINIMUM STANDARDS</b>	<b>46</b>
<b>2016 TIP REPORT HEROES</b>	<b>48</b>
<b>TIER PLACEMENTS AND REGIONAL MAPS</b>	<b>56</b>
<b>HOW TO READ A COUNTRY NARRATIVE</b>	<b>64</b>
<b>COUNTRY NARRATIVES</b>	<b>65</b>
<b>RELEVANT INTERNATIONAL CONVENTIONS</b>	<b>411</b>
<b>STOPPING HUMAN TRAFFICKING, SEXUAL EXPLOITATION, AND ABUSE BY INTERNATIONAL PEACEKEEPERS AND CIVILIAN PERSONNEL</b>	<b>412</b>
<b>MULTILATERAL ORGANIZATIONS COMBATING TRAFFICKING IN PERSONS</b>	<b>414</b>
<b>GLOSSARY OF ACRONYMS</b>	<b>416</b>
<b>PHOTO CREDITS</b>	<b>417</b>
<b>CLOSING NOTE</b>	<b>418</b>

This Report and subsequent updates  
are available at [www.state.gov/j/tip](http://www.state.gov/j/tip)





In Bolivia, some children are forced to work in the mining sector. Some do not receive proper safety equipment, which puts them at risk for workplace injuries and long-term health problems.



# MEETING THE GLOBAL CHALLENGE: EFFECTIVE STRATEGIES TO PREVENT HUMAN TRAFFICKING

The global anti-trafficking movement, now well into its second decade, has successfully used the 3P paradigm of prosecution, protection, and prevention to strengthen how the world combats trafficking in persons. Governments committed to enhancing **prosecution** of traffickers have enacted laws that criminalize all forms of human trafficking and prescribe sufficiently stringent sentences.

**Protection** efforts have empowered individuals to move beyond their victimization and rebuild their lives with dignity, security, and respect. **Prevention** measures have provided communities around the world with valuable information about the risks of human trafficking, elevating public consciousness about this crime.

Yet so much work remains. Despite sustained anti-trafficking efforts, millions of individuals are bound by mental, physical, and financial coercion and manipulation by traffickers who exploit their vulnerabilities for profit. Whether they are victims of sex or labor trafficking, the suffering of these individuals is unconscionable. Meanwhile, the broader effects of human trafficking on society must also be addressed—from the splintering of families and communities and the distortion of global markets, to the weakening of the rule of law and strengthening of transnational organized criminal networks.

While continued efforts in protection and prosecution are essential, human trafficking prevention strategies deserve commensurate attention and resources. Governments must work in partnership with NGOs, survivors, community and religious leaders, and the private sector to study vulnerable populations and develop targeted strategies to prevent and address the factors that drive modern slavery in their communities. Without prevention, governments are left to respond to the consequences of human trafficking without coming any nearer to seeing its end.

Effective prevention efforts address the tactics of human traffickers head on. With the dissemination of accurate and targeted information, communities will be better prepared to respond to the threat of human trafficking. Strategic intervention programs can reach at-risk populations before they

“*People are not merchandise and cannot be used as bait during an economic and political crisis. Poverty does not justify human trafficking.*”

– Norotiana Ramboarivelo Jeannoda,  
2015 Trafficking in Persons Report  
Hero

are faced with deceitful recruitment practices of those bent on exploiting them for labor or commercial sex. Meaningful partnerships between public and private sectors and civil society can expand awareness, leverage expertise, and facilitate creative solutions.

Over time, new prevention measures and methods will emerge and evolve as governments and anti-trafficking stakeholders apply experience and share lessons learned. Although often

the hardest to measure, prevention efforts can become more sophisticated, scalable, and effective if supported by sufficient resources and political will.

This year’s *Trafficking in Persons Report* focuses on the positive developments and continued challenges of preventing trafficking, and it considers how governments and the broader anti-trafficking community can effectively ensure that those who are vulnerable to human trafficking have the tools and opportunities to avert the risks of exploitation.

## VICTIM STORIES

The victims’ testimonies included in this *Report* are meant to be illustrative 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 photographs are not images of confirmed trafficking victims. They illustrate the myriad forms of exploitation that comprise human trafficking and the variety of situations in which trafficking victims are found.

## VULNERABILITY AND HUMAN TRAFFICKING

Although human trafficking affects every demographic, a common factor across all forms of modern slavery is the victims' vulnerability to exploitation. Systemic social, cultural, and economic policies or practices may marginalize or discriminate against individuals and groups because they are poor, are intellectually or physically disabled, or because of their gender or ethnicity. People may lack access to health and legal services due to their status or language barriers; and some, such as communities in situations of crisis and children, may not be capable of protecting themselves.

Traffickers exploit these disadvantages. They prey on those who lack security and opportunity, coerce or deceive them to gain control, and then profit from their compelled service. To prevent this, governments, with assistance from first responders, NGOs, and local communities, should consider their own populations, cultures, and policies to identify those individuals who may be uniquely vulnerable within their borders. On this basis, communities can develop effective strategies to increase awareness and prevent human trafficking.

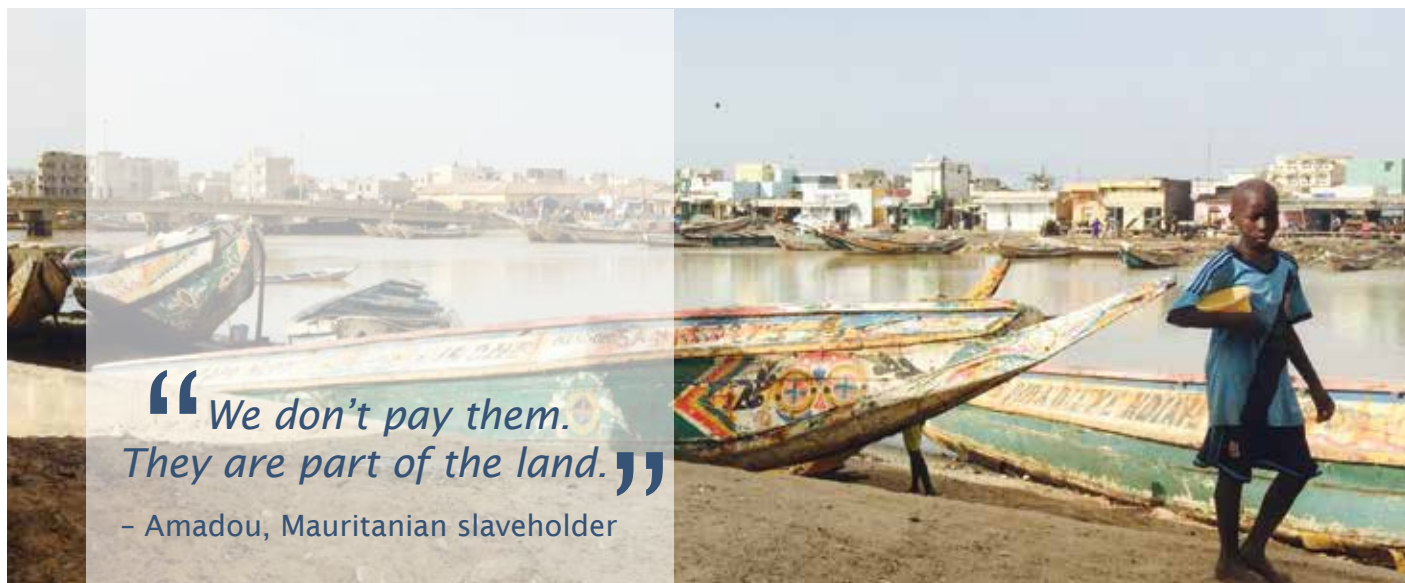
*The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing the *UN Convention Against Transnational Organized Crime* (Palermo Protocol) recognizes the connection between vulnerability and human trafficking, and encourages state parties to take or strengthen measures to alleviate those factors that make people vulnerable to human trafficking, including poverty, underdevelopment, and lack of equal opportunity. Understanding the root causes will help governments shape strategic prevention efforts and also integrate anti-trafficking elements into other programming for vulnerable populations.

This introductory section of the Report focuses on five elements of effective prevention strategies: enhancing understanding through research; raising awareness to prevent recruitment and reduce demand; implementing policies and programs that decrease risks and empower vulnerable groups; capitalizing on the knowledge of experts across the globe by increasing collaboration between and within countries; and facilitating partnerships between governments, civil society, and other anti-trafficking actors.

The pages that follow will also highlight a selection of populations traditionally considered at high risk of human trafficking; however, the list is not exhaustive. Generally, when inequality exists and where certain people lack access to social protection and justice, human traffickers are able to thrive.

### VIETNAM | CHINA

When Ping was 12 years old, an acquaintance offered her and a friend jobs in a different city in Vietnam. Ping and her friend accepted the offer. The recruiter took them to a local bus station and placed them on a bus with their “caretaker.” When they disembarked, the caretaker revealed they were in China and had been sold into prostitution with 20 other girls. When one of the girls refused to do as she was told, the owners beat her severely. Ping suffered in the brothel for almost a year before authorities raided the establishment, rescued the girls, and returned them to Vietnam. Although Ping still suffers from headaches and poor vision—including moments of blindness—as a result of her exploitation, she is training for a career in hairdressing.



In West Africa, traffickers pose as Koranic school teachers and force young students to beg for food and money instead of allowing them to gain an education. In Europe, traffickers subject children—including Roma and disabled children—to forced begging. In South Asia, some traffickers maim children before subjecting them to forced begging to increase the children's profits.



A photograph of two people working in a field of colorful flowers, likely dahlias. The person on the left is wearing a yellow hoodie and a red cap, while the person on the right is wearing a red hoodie and a blue cap. Both are wearing white gloves and are focused on tending to the plants. The field is filled with various colors of flowers, including red, orange, and white, with green foliage in the background.

## 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 for the crime to fall within these definitions.

## HUNGARY | UNITED STATES

Michael was looking for jobs on the internet when he met Lorant, who offered him the chance to earn a lot of money working as a male escort in the United States. Michael and several other men accepted the offer, left Hungary, and traveled to Florida, where Lorant instead forced them into prostitution for 18-20 hours each day without pay. Lorant forced eight men to stay in a one-bedroom apartment, confiscated their identity documents, and threatened to kill them if they asked to leave. Police discovered the trafficking scheme after neighbors reported unusual behavior outside the men's living quarters. Lorant was convicted of human trafficking and racketeering and sentenced to 11 years in prison.

## RESEARCH, DATA COLLECTION, AND PROGRAM EVALUATION

Given the complex nature of human trafficking, it is difficult to amass reliable data to document local, regional, and global prevalence. Over the years, the advocacy of survivors has expanded understanding of the crime, and together with research and program evaluations, has shed light on best practices in victim protection and law enforcement. However, significant gaps in knowledge of how to prevent human trafficking remain. Additional efforts and resources for research, data collection, and evaluation are needed to identify those actions most effective to prevent victimization.

Reliable baseline information, data, and research that illuminates the causes, prevalence, characteristics, trends, and consequences of all forms of human trafficking in various countries and cultures is crucial for developing anti-trafficking prevention strategies and measuring their impact. To target prevention measures more precisely, governments and civil society should encourage and fund research that identifies populations vulnerable to human trafficking, including a more comprehensive understanding of root causes that are specific to states, communities, and cultural contexts. Understanding unique vulnerabilities along with trends in how people cope with these challenges can help in the development of targeted prevention strategies.

When studying migration, for example, research should be designed to study human trafficking in source and destination countries, as well as along migration routes, as prevention measures will vary depending on the target population and objective. This will require cross-national research, information sharing, and bilateral, regional, and international cooperation to provide insight into the various points where individuals come in contact with potential traffickers.

Accurate baseline data is critical not only in the development of prevention measures but also for accurate assessment of the impact of policies and assistance programs, including unintended negative consequences. Fully understanding the impact of a prevention strategy is necessary to scale or modify it based on outcome. Prevention programming should devote both consideration and resources to evaluation.

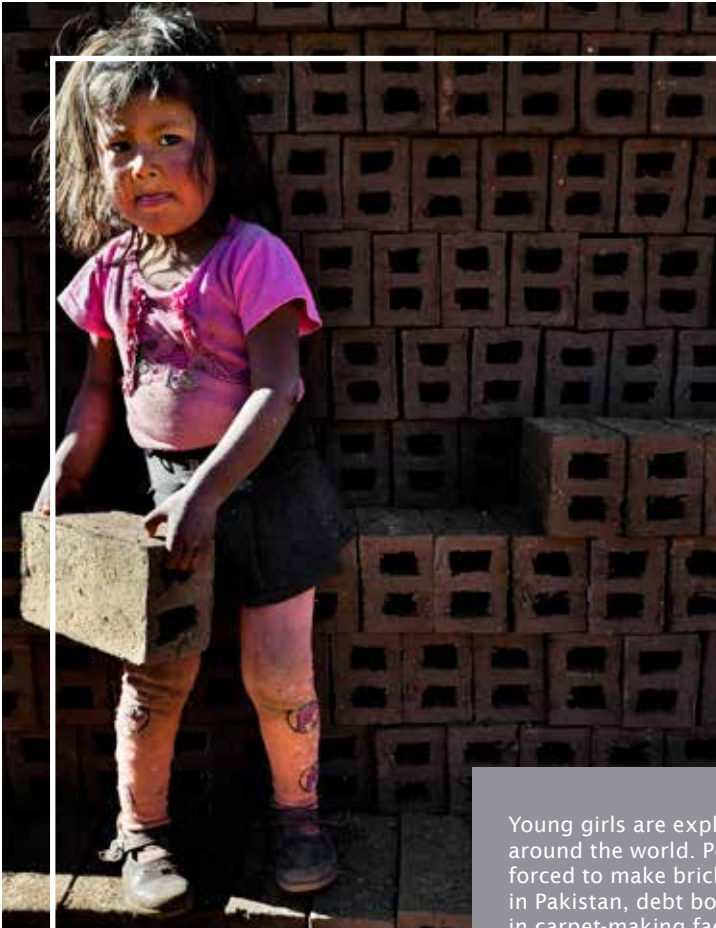
New research and information should be freely shared among stakeholders to enhance the collective ability to respond to human trafficking. Research projects should include recommendations for various stakeholders as well as a dissemination plan to ensure the results are widely circulated.

Reliable research is the backbone of any evidence-based policy or program and anti-trafficking stakeholders have a responsibility to ensure that sufficient attention and funding are dedicated to it.

*“At first, I thought he was my boyfriend. Then he convinced me to have sex with strangers to make money. He was my pimp. I was 15 years old. I was being advertised on the Internet and sold for sex to support my ‘boyfriend.’”*

– Jessica, sex trafficking survivor





Young girls are exploited in forced labor around the world. Peruvian girls are forced to make bricks in the hot sun; in Pakistan, debt bondage traps girls in carpet-making factories; in Ethiopia, girls from rural areas are exploited in domestic servitude; and traffickers in Malawi force girls to labor in the agricultural sector.



## EXAMPLES:

- » In 2015, IOM released a report, *Addressing Human Trafficking and Exploitation in Times of Crisis: Evidence and Recommendations for Further Action to Protect Vulnerable and Mobile Populations*, which looks at armed conflicts, natural disasters, and protracted crises based on research conducted in Syria, Iraq, Libya, Haiti, Nepal, the Philippines, eastern and northern Africa, Yemen, and tsunami-affected areas of Indonesia, Sri Lanka, and Thailand. The report discusses the risks of trafficking in crisis situations and includes evidence-based recommendations for the humanitarian community on preventing and improving of responses to human trafficking before, during, and after a crisis.
- » In 2016, Harvard University released a study, *When We Raise Our Voice: The Challenge of Eradicating Labor Exploitation*, focused on the work of an Indian NGO that developed a community empowerment model to assist vulnerable groups in identifying their priorities and preventing modern slavery. The study reports a decline in human trafficking over a four-year period in the area studied.
- » To help states combat transnational crime, including human trafficking, INTERPOL provides its 190 member countries with resources, including a secure communications network relevant to criminal investigations and humanitarian efforts. At the request of its member countries, INTERPOL publishes “green notices” on persons who present a danger to the public based on their prior criminal history, such as convicted sex offenders and members of violent gangs.

## RAISING AWARENESS

Increasing public awareness about the risks and signs of human trafficking is an important piece of any anti-trafficking prevention strategy, and to date has been the primary prevention measure used by governments and other stakeholders. Typically, public awareness campaigns target either those considered to be most at risk, such as migrant workers; those who may be contributing wittingly or unwittingly to the demand, such as public and private employers; or purchasers of commercial sex; or the general public, who may be able to spot the indicators of human trafficking and report suspicions to law enforcement.

Like other programs, anti-trafficking awareness campaigns must include an evaluation component to assess their impact and improve future campaigns. Often, general public awareness campaigns are limited due to the restrictions inherent in one-dimensional campaign materials such as posters, billboards, or print media advertisements, which often reduce the complexity of human trafficking into images and brief text. While this may help to raise general awareness about the existence of trafficking, it can also misrepresent the victims and confuse the issue. For example, images of physical restraint such as handcuffs or cages may influence what the public believes constitutes human trafficking; yet movement and physical restraint are not required for a crime to be considered human trafficking. Designers of these campaigns should fully understand the scope and scale of the problem in the target community and accurately depict the nature of the crime, its victims, and the perpetrators.

In contrast to broad or national efforts, awareness campaigns can also be designed to target particular individuals, for example by notifying travelers of the illegality of child sex tourism, informing workers of their rights and risks as they migrate for a job, or adopting corporate codes of conduct. Effective targeting should also include awareness-raising among: immigration authorities and law enforcement; diplomatic personnel; medical specialists; educational and social service personnel; and other professionals likely to come into contact with vulnerable individuals, so they are both prompted and equipped to recognize the signs of human trafficking and respond appropriately.

Together, governments, civil society organizations, and companies must collaborate to develop awareness campaigns that have clear objectives and measurable outcomes, that train and educate employees as well as relevant partners, and that promote sound anti-trafficking policies and secure reporting mechanisms.

### FRANCE

When Adelaide and Paul hit hard times, Paul suggested his wife consider prostitution for a year or two to supplement their income. Adelaide agreed, but when she wanted to quit, Paul forced her to continue. He took away her keys and cell phone, and would not let her leave the house or care for their son. He listed her on four escort websites, controlled what she wore and ate, and collected all the money she earned. Paul used psychological coercion and threatened Adelaide to keep her in prostitution; when she threatened to leave, he vowed he would find her. Paul was finally arrested and awaits trial, where he faces up to 10 years' imprisonment if convicted.

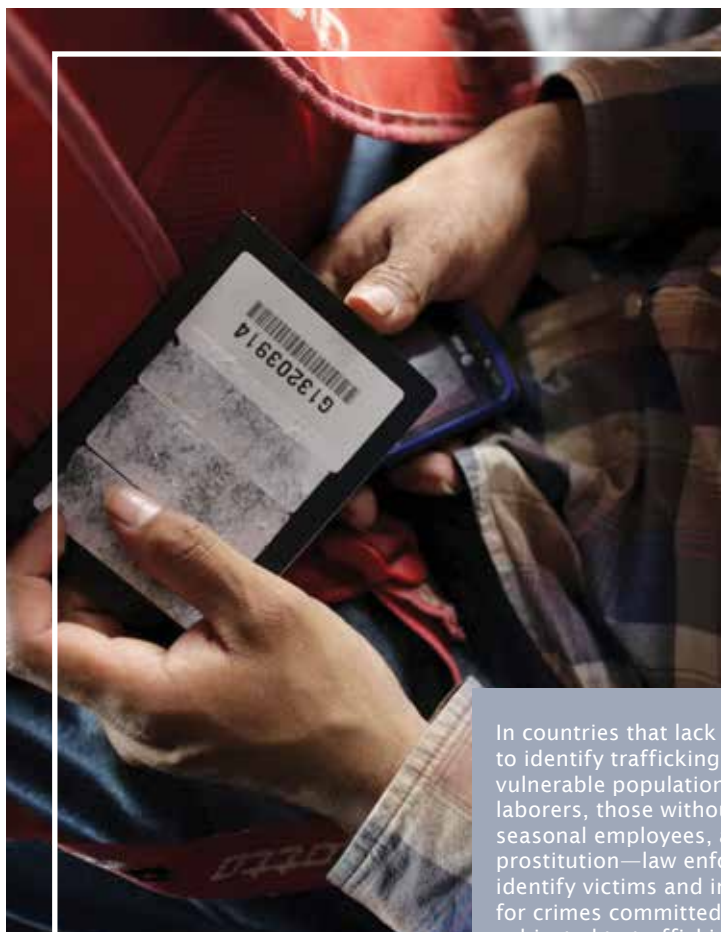


## EXAMPLES:

- » The Government of Slovakia developed and financed the creation of a website that allows Slovak citizens traveling abroad for employment to register their contact information with friends and family. The registered user's contacts are alerted should the user cease usual online activity or fail to communicate with the contacts on pre-established schedules. If this happens, each contact receives information of the user's last known Internet connection access point location—information that could be relayed to Slovak law enforcement authorities.
- » In recent years, there has been growing international media attention on forced labor aboard fishing vessels in Southeast Asia, including investigative reports by the New York Times, Al Jazeera, The Guardian, South China Morning Post, and the Associated Press (AP), which won the 2016 Pulitzer Prize for Public Service. The quality and frequency of reporting by international media has helped raise awareness of forced labor in the fishing industry among governments, businesses, and consumers.
- » In 2015, an NGO in India engaged with journalists to raise awareness of human trafficking within minority and marginalized communities. The organization trained journalists on how to better report cases of human trafficking, including bonded labor, for their audiences. These efforts aimed to better inform people in remote communities who may only get news in their local language, and may not often see reporting on human trafficking. Reporters uncovered human trafficking cases within their own communities and increased attention on the role of state government and police in prevention efforts.
- » In 2015, a Peruvian NGO conducted a campaign to raise awareness among tourists, mass media, tourism operators, and the general public about the criminal penalties for those who sexually exploit children in Loreto, a region known for human trafficking activity. The NGO takes a moving display of a jail, with a sign reading “here we punish child sexual exploitation,” to places where such cases have been reported.
- » In France, the Ministry of Education provides anti-trafficking awareness courses to students seeking a degree in hospitality and tourism. Specialized lessons alert students to the indicators of child sex tourism and their professional responsibility to take action when they recognize this crime.



IOM is one of many organizations that makes efforts to combat trafficking and raise awareness of the crime among vulnerable populations. In Ghana, two mothers and a child proudly display t-shirts they received while participating in child trafficking prevention activities hosted by IOM Ghana.



In countries that lack formal procedures to identify trafficking victims among vulnerable populations—including migrant laborers, those without identity documents, seasonal employees, and women in prostitution—law enforcement may fail to identify victims and instead penalize them for crimes committed as a result of being subjected to trafficking. In the photo on the bottom right, the NGO Blue Dragon holds a legal registration drive in Vietnam to provide identity documents to those who have none, reducing their vulnerability to trafficking.





## POLICIES AND PROGRAMS TO REDUCE RISK AND EMPOWER VULNERABLE INDIVIDUALS

Public awareness campaigns are only one piece of an effective prevention strategy. Knowledge of the risks of trafficking is important to empower vulnerable populations and foster a vigilant general public, but governments and stakeholders must also develop measures that keep at-risk individuals safe from human trafficking. As a part of this, governments need to implement policies that can prevent trafficking and provide the necessary oversight and balance to avoid restricting freedoms.

For example, governments can measure and establish the identity of local populations by registering births, administering citizenship and nationality, and issuing identity documents—a lack of which renders individuals vulnerable to exploitation. Legal registration reduces vulnerabilities to human trafficking by enabling residents and their families to take advantage of programs and activities that require legal status, such as health coverage, education, access to social welfare, and employment in the formal economy. When governments allow workers to form and join trade unions, it also makes them less vulnerable to exploitation.

In addition, governments and the private sector can work together to identify and stop fraudulent recruitment. Governments should actively monitor labor recruitment agencies, train labor inspectors to identify signs of fraudulent recruitment, and adopt and enforce policies that regulate foreign labor recruiters and hold them civilly and criminally liable for fraudulent recruitment. The private sector can help by ensuring its companies advertise to prospective applicants with legal, formalized recruitment procedures and hire workers through such procedures, or directly, and not through unscrupulous middlemen.

Governments and NGOs should integrate anti-trafficking elements into broader programs, including those that focus on health, economic development, crisis management, and rule of law to leverage resources and maximize exposure to the issue. These policies should be designed with input from experts, trafficking survivors, and local communities. By examining existing programs that are directed toward vulnerable populations and integrating anti-trafficking components, stakeholders can institutionalize the issue and capitalize on established structures.

While preventing trafficking on the supply side—by raising awareness and reducing the supply of exploited laborers—is imperative, it is also necessary that governments work with civil society to reduce the demand for forced labor and commercial sex. By driving down demand, the business of human trafficking becomes less profitable and traffickers will have less incentive to exploit victims.

### EXAMPLES:

- » In Vietnam, an NGO helped legally register with the state more than 2,000 ethnic minority residents in areas at high risk for human trafficking. In many places, individuals in remote locations do not receive clear information on the benefits of state services or the ways to access them, or they lack the financial means to travel to government offices for registration. Individuals without legal registration often do not have access to education, health care, or employment in the formal economy and are highly vulnerable to human trafficking.
- » OSCE is one of the first inter-governmental organizations to address explicitly government procurement as well as its own procurement of goods and services. Following on commitments of the December 2013 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings, OSCE is reviewing relevant rules and regulations in regard to personnel and the procurement of goods and services to ensure that no OSCE activities contribute to any form of human trafficking.

### NIGERIA | UNITED KINGDOM

When a British-Nigerian couple offered to take Paul, 14 years old, from Nigeria to the UK, enroll him in school, and pay him to perform housework, he accepted. Once in Britain, however, the family changed his name and added him to their family passport as an adopted son. They forced him to clean their house for as many as 17 hours each day for no pay and did not allow him to go to school. They took his passport, set up cameras to monitor his movements, and limited his contact with the outside world. Paul tried several times to escape; once he contacted the police, who told him they did not handle family matters. Eight years after that, Paul heard a radio report about modern slavery and bravely reached out to an NGO. The NGO helped, and the couple was arrested a few months later after having exploited Paul for 24 years. They each received 10-year sentences, six years for servitude and four for other crimes.

- » In Burkina Faso, an NGO is combating forced child labor in the cotton and gold industries using a model of training locally-based “Social Protection Community Facilitators (SPCFs)” who serve as leaders in their local area on child protection issues. The SPCFs implement their own awareness-raising activities in addition to monitoring child labor in their areas.
- » The Philippine Overseas Employment Agency facilitates public seminars and community forums for prospective migrant workers on indicators of illegal labor recruitment and human trafficking, and the Bureau of Immigration issues institutional guidelines on departure formalities for international-bound persons, setting clearly defined rules on inspections to prevent trafficking and other related offenses without deterring other travelers.

“ I had girls from the whole country. I had a guy in a nearby village, and he was looking for the girls for me. He was asking for 500 euros [about \$750 at the time] per girl...In the worst night, a woman would make you 300 euros. There were some nights when a woman made 1,500 to 2,000 euros.”

- Matthew, convicted sex trafficker

## MULTILATERAL COLLABORATION

Human trafficking occurs in virtually every country in the world and often crosses borders when victims move between source, transit, and destination countries. Multilateral engagement is a key component of many governments’ effective anti-trafficking efforts.

The international response to modern slavery began with the adoption of the Palermo Protocol in 2000 and has continued to grow. Multilateral organizations are ramping up efforts to combat trafficking by incorporating anti-trafficking policies into discussions of other pressing topics. What was once a stand-alone issue is now being integrated into work on other topics, including national security, human rights, violence against women and children, migration management and refugee protection, business responsibility and supply chain accountability, and economic development. In addition to leveraging their member states’ expertise and resources, multilateral organizations generate momentum to develop global, regional, and even domestic strategies to help dismantle trafficking networks and empower vulnerable populations.

Further, multilateral and regional organizations work to foster consensus among their member states on common goals, commitments, and norms; and they can help standardize research and data collection methods at the regional and sub-regional levels. Multilateral forums also provide a venue for member states, civil society, academia, the private sector, and survivors to exchange information on experiences and challenges, including identifying new and emerging issues related to human trafficking. With the support of member states, multilateral organizations provide anti-trafficking training and technical assistance to countries, including to law enforcement, judges, media, first responders, and care providers.

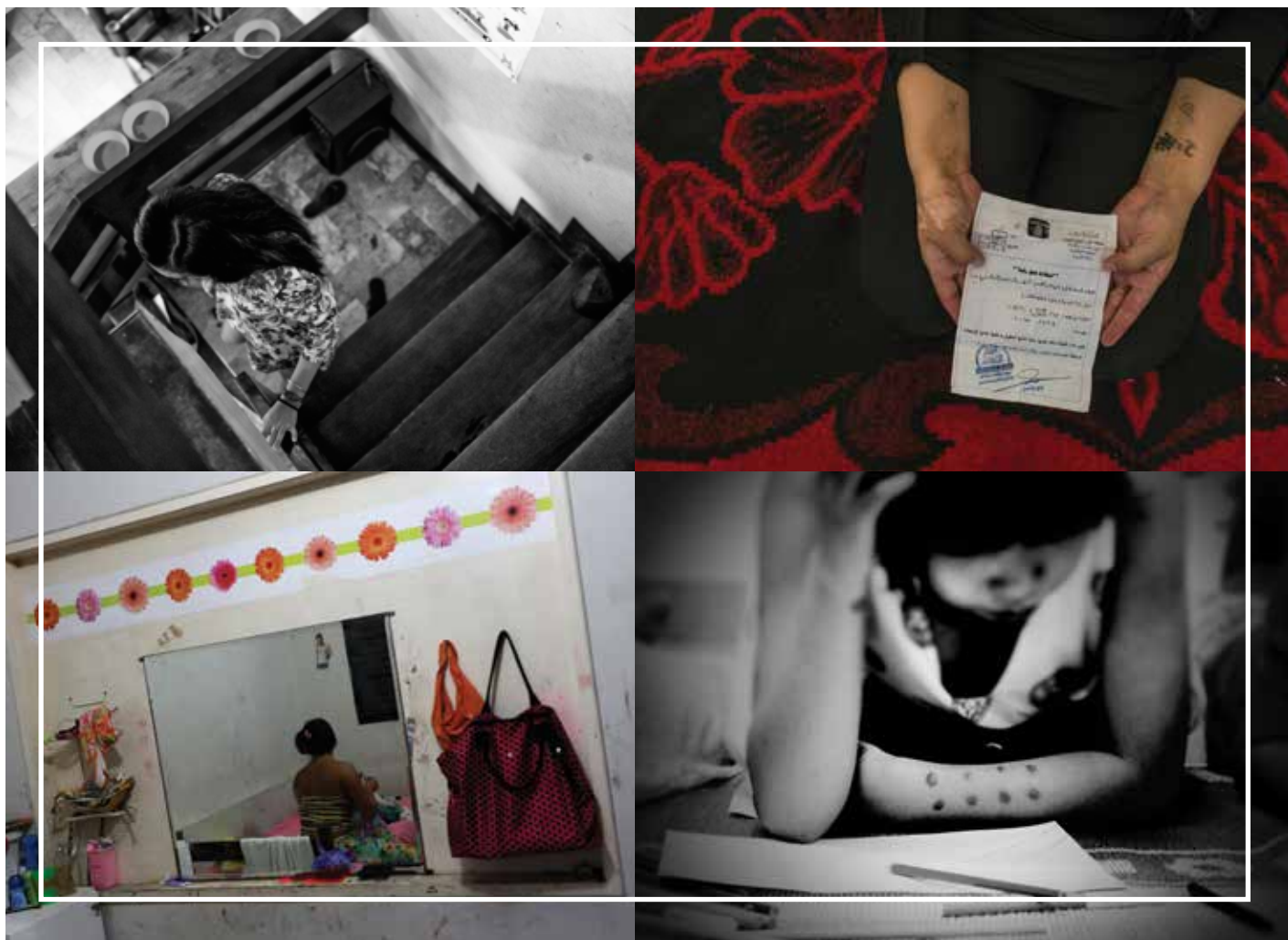
To ensure they are not contributing to the problem of human trafficking, multilateral organizations and member states must institute and enforce policies to ensure that their personnel, including diplomats and peacekeepers, do not engage in trafficking in persons. In addition, international organizations can begin to monitor their supply chains and enforce policies that protect workers and reduce risks in the public procurement of goods and services.

Governments must be committed to engaging at the multilateral level and to adhering to and enforcing international obligations related to human trafficking, in particular the Palermo Protocol.

### GUATEMALA | BELIZE

When Janine was 13 years old, she met a woman in Guatemala who promised her a well-paying babysitting job in Belize, where the woman lived. Janine accepted and was willingly smuggled from Guatemala to Belize. Instead of a babysitting job, the woman coerced Janine to work at a bar in a small village, and also subjected her to sex trafficking. Janine was never paid and was threatened with detention for having entered the country illegally. Janine was also afraid of a complicit law enforcement official who sexually exploited her. Janine escaped a year later and received assistance from local villagers and other law enforcement officials.





Sex trafficking affects adults and children in a variety of cultures and locations. Asian and African women who migrate to the Gulf for domestic labor can endure both labor trafficking and sexual abuse in the private homes of their employers. In the photo on the top right, a Yazidi sex trafficking survivor displays the "certificate of emancipation" she received from her sex trafficker after he had completed his training to be a suicide bomber and set her free; the certificate, signed by the judge of the western province of the Islamic State, allowed her to pass through Islamic State checkpoints in Syria and Iraq as a free woman. NGOs assist South American and Southeast Asian girls exploited in urban brothels and karaoke bars and provide medical and psycho-social care and job-skills training to help young survivors pursue independent futures.

## EXAMPLES:

- » The OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Ambassador Madina Jarbussynova, conducted training in 2015 for the OSCE Special Monitoring Mission to Ukraine to raise awareness and improve capacity to identify human trafficking. This mission is deployed to Ukraine to monitor the implementation of the Minsk agreement, including ceasefire and heavy weapon withdrawal. The UN's refugee agency, UNHCR, reported that there were more than 1.8 million internally displaced persons and refugees abroad as a result of the crisis in and around Ukraine, and this population is especially vulnerable to exploitation.
- » At the opening of the 70th Session of the UN General Assembly in September 2015, world leaders adopted a bold "2030 Agenda for Sustainable Development" to guide the global community's efforts to eradicate poverty, promote peace and equality, and protect the environment over the coming years. This Agenda includes 17 Sustainable Development Goals and 169 targets centered on economic, social, and environmental development. The UN integrated anti-trafficking elements into three of the goals.
- » In July 2015, the UN Office on Drugs and Crime provided a training manual to Panamanian Public Ministry personnel on conducting psychological interviews that protect trafficking victims during their participation in legal investigations against their traffickers. Panamanian officials have already begun to put the procedures into practice.

## ENHANCING PARTNERSHIPS

Acknowledging that no single response can end human trafficking, governments around the world are engaging with other stakeholders to increase their ability to prevent modern slavery. Survivors, NGOs, donors, academics, and businesses have complementary skills and perspectives that, when combined, drive innovation and bring about sustained progress. In this regard, governments play a vital role in convening various stakeholders to harness innovative ideas and create partnerships.

### THREE EXAMPLES ARE:

- » The Santa Marta Group is a partnership between international police chiefs and Catholic bishops from around the world, working together with civil society to end modern slavery through a process endorsed by Pope Francis. The objective of the Santa Marta Group is to combine the resources of the Church with those of law enforcement agencies to prevent trafficking and provide care to victims.
- » The Uruguayan Ministry of Foreign Affairs signed an MOU with IOM to draft a comprehensive anti-trafficking law, and IOM began working with the government's interagency anti-trafficking committee to develop a law that will meet international standards on trafficking, taking into account prosecution, protection, and prevention for both sex trafficking and forced labor.
- » In Guatemala, a leading coffee company and a U.S. labor rights organization have teamed up, with support from the government, to promote transparency and accountability in Guatemala's coffee supply chain. Throughout the sector, stakeholders are gaining a better understanding of the risks of recruitment abuses, including those that lead to forced labor. The partners are strengthening communication between workers and key corporate and government actors, and building the capacity of all stakeholders, including civil society, to report and monitor recruitment practices in the coffee sector.

“ *It's not just a matter of law enforcement; it's a matter of moral obligation to end slavery of any kind on this planet, and we have to work at it.* ”

- Secretary of State John Kerry

## A JOINT EFFORT

Preventing human trafficking is an enormous challenge, requiring the sustained efforts of many. Collaboration between government and nongovernmental stakeholders is critical to strengthening efforts to prevent modern slavery.

At its core, the global struggle to combat human trafficking is about political and public will. If ignored, traffickers will continue to reap enormous profits while communities suffer the many toxic effects. But if trafficking is confronted head on, vulnerable populations will be empowered to control more fully their lives and protect themselves from the harms of human trafficking.

Anti-trafficking stakeholders must continue efforts that have proven successful, but also commit to the development of new and creative approaches to the prevention of human trafficking. Trafficking prevention is a field largely underexplored and underfunded. There is a great deal of space for innovation and collaboration.

Witnessing the end of human trafficking will require leadership and political will at all levels of government and throughout the anti-trafficking community. It will require the allocation and responsible use of resources appropriate to the scale of the problem. And it will require individuals all over the world to be attuned to the signs of human trafficking, put aside differences, and take their responsibility seriously to prevent and address this crime.

Should the day ever come when human trafficking ceases to exist, it will not be because traffickers have stopped trying to take advantage of vulnerable individuals. Instead, it will be the culmination of efforts from a global community that refuses to allow it to continue.



## Countries in the 2016 *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 2015 and March 2016, the following governments became parties to the Protocol: the Republic of Korea, Singapore, and Sri Lanka*

### GHANA

When Osei was only 6 years old, his parents gave him to a fishing master who promised to provide Osei with a fishing apprenticeship, education, and a job. This was a lie. Instead, he forced Osei and other children to work on a fishing boat for many hours each day in harsh conditions. The master also forced other children into domestic servitude near the lake. None of these children were allowed to go to school. They were not apprentices—they were forced laborers. Government officials and an NGO rescued the children, and they currently reside at a care center where they receive education, shelter, counseling, and other trafficking-specific services to help them heal and take steps to prepare for their futures.



In Ghana, traffickers promise parents of children as young as 5 years old they will provide them with an education and apprenticeship, but they instead exploit the boys in fishing on Lake Volta and the girls in domestic servitude in surrounding towns.

# CHALLENGES IN PROTECTING VULNERABLE POPULATIONS

“ [M]easured against the world’s population of 7.4 billion people, one in every 113 people [or 65.3 million people] globally is now either an asylum-seeker, internally displaced or a refugee—putting them at a level of risk for which UNHCR knows no precedent. ”

– UNHCR, *Global Trends*

Too often, individuals around the world suffer extreme hardship or violence, experience discrimination, or face social marginalization. Service providers, researchers, and other witnesses have documented that human traffickers take advantage of such circumstances. Indeed, exploitation appears even more likely when a confluence of such circumstances besets particular communities. The cumulative effects can make certain populations—such as refugees and migrants; lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals; religious minorities; people with disabilities; and those who are stateless—especially vulnerable to human trafficking.

## SEXUAL ORIENTATION AND GENDER IDENTITY

In 2015, UNHCR reported that 76 countries criminalize consensual same-sex sexual conduct, with seven countries providing for the death penalty for certain offenses. These laws persecute and stigmatize LGBTI persons; even when not enforced, they validate discrimination and can lead to an increase in violence and harassment. This is particularly true when authorities do not act to protect all of their citizens and when they fail to investigate and prosecute crimes committed against members of particular groups. In several recent cases in countries that criminalize same-sex conduct, vigilante groups have carried out violent acts against LGBTI persons. In some communities, families who feel ashamed of an LGBTI relative have committed honor killings or sent them to clinics that practice “conversion therapy” to “rid them of homosexuality,” often by harmful methods.

In the United States, NGOs continue to report that LGBTI youth are over-represented among the runaway and homeless populations and have difficulties accessing tailored and non-discriminatory services. Those who are not self-sufficient are more susceptible to traffickers’ offers of shelter or food in exchange for performing commercial sex acts. Due to

social biases, LGBTI victims are also more likely to be penalized for acts committed as a result of being subjected to trafficking. Because of this, victims are less likely to report their exploitation to local authorities or to access needed services.

More than a dozen countries have enacted anti-discrimination laws or conducted sensitivity training for law enforcement to protect LGBTI rights. Law enforcement agencies and service providers have benefitted from partnerships with organizations that have expertise on LGBTI issues to expand their service referral networks and learn how to develop inclusive environments for LGBTI victims. Governments can further strengthen their efforts by enhancing partnerships, especially with LGBTI survivors of trafficking, whose input is invaluable for trainings and discussions to strengthen understanding and improve support services.

## RELIGIOUS AFFILIATION

In many societies, members of religious minorities have a heightened vulnerability to trafficking. Traffickers have been known to target women and girls from religious minorities and force them into religious conversions and subsequent marriages, in which they may be subjected to domestic or sexual servitude. Religious minorities are also frequently discriminated against in job markets, especially in societies that formally restrict the exercise of rights by members of certain religions. This may make them more susceptible to traffickers’ fraudulent employment offers or other forms of abuse.

In certain countries where members of the religious majority control political power, government agencies, law enforcement entities, and judicial systems may be complicit in discriminating against religious minorities. In addition, certain countries still permit forced marriages, in purported adherence to local customs or religious beliefs. Victims from religious minorities forced into marriage or prostitution, or



subjected to domestic servitude, may also face barriers or outright resistance when bringing forward allegations of human trafficking. Once in court, those who do not prevail may be returned to their traffickers.

Many states enforce anti-blasphemy statutes, which frequently restrict the activities of religious minority communities. This may serve as a direct disincentive to bring forward accusations against religious leaders or members of favored religious groups. In the most severe cases, in which governments have criminalized participation in minority religions, many individuals from minority religions are barred from receiving government services and protections if they do not convert or conceal their religious affiliation. Exclusion from public services, such as financial assistance and medical care, and barriers to building support infrastructures leave religious minorities more vulnerable to traffickers' recruitment tactics.

Governments should denounce discrimination against and the persecution of religious minorities. Individuals from religious minorities should be afforded equal status and protection under the law and should have equal access to government services and protections. Without the rights granted to others in societies, individuals from religious minority communities, and particularly those who are the subject of governmental discrimination, will continue to be vulnerable to exploitation by human traffickers.

## MIGRANTS FLEEING CRISIS

The unprecedented flow of migrants, including refugees, to Europe since the beginning of 2015 has shed light on the challenges of identifying human trafficking victims among migrant populations. Some trafficking victims have been identified among those fleeing civil war and unrest, and many migrants remain vulnerable to trafficking en route to or after arriving in Europe. The limited number of confirmed trafficking cases may not be indicative of the size of the problem, given the reluctance of victims to seek out authorities or self-identify. The greatly overburdened asylum systems across Europe have also created challenges to implementing effective identification and screening measures.

Migrants, including asylum-seekers, and refugees are susceptible to many crimes, including extortion, rape, and human trafficking. Many migrants fleeing conflict rely on smugglers at some point during their journeys and, in some instances, their smugglers are involved in schemes designed to deceive and trap them in sex or labor trafficking. Women, unaccompanied minors, and those denied asylum are particularly vulnerable to human trafficking, including while in transit and upon arrival in destination countries.

Some migrants arrive in Europe with no identity documents, which can increase their vulnerability to trafficking. Reports

## SYRIA | LEBANON

Recruiters came to Angela's town in Syria offering paid work in restaurants or hotels in Lebanon, and Angela accepted the opportunity to leave her war-torn country. Once in Lebanon, she was subjected to sex trafficking along with more than 70 other women and girls, many of whom were also Syrian. The traffickers locked the girls in hotels and barred their windows. They subjected the women to sex trafficking for more than two months, sometimes forcing them to see 20 clients each day. The traffickers also raped and tortured the girls into submission. One day Angela and three others took advantage of a momentary lapse in security and escaped. They boarded a bus and confided in the driver. He reported the incident to the police, who raided the premises, helped release the other victims, and arrested 18 suspected traffickers. Authorities referred 35 of the victims to a women's shelter for assistance, while the others chose to return home.



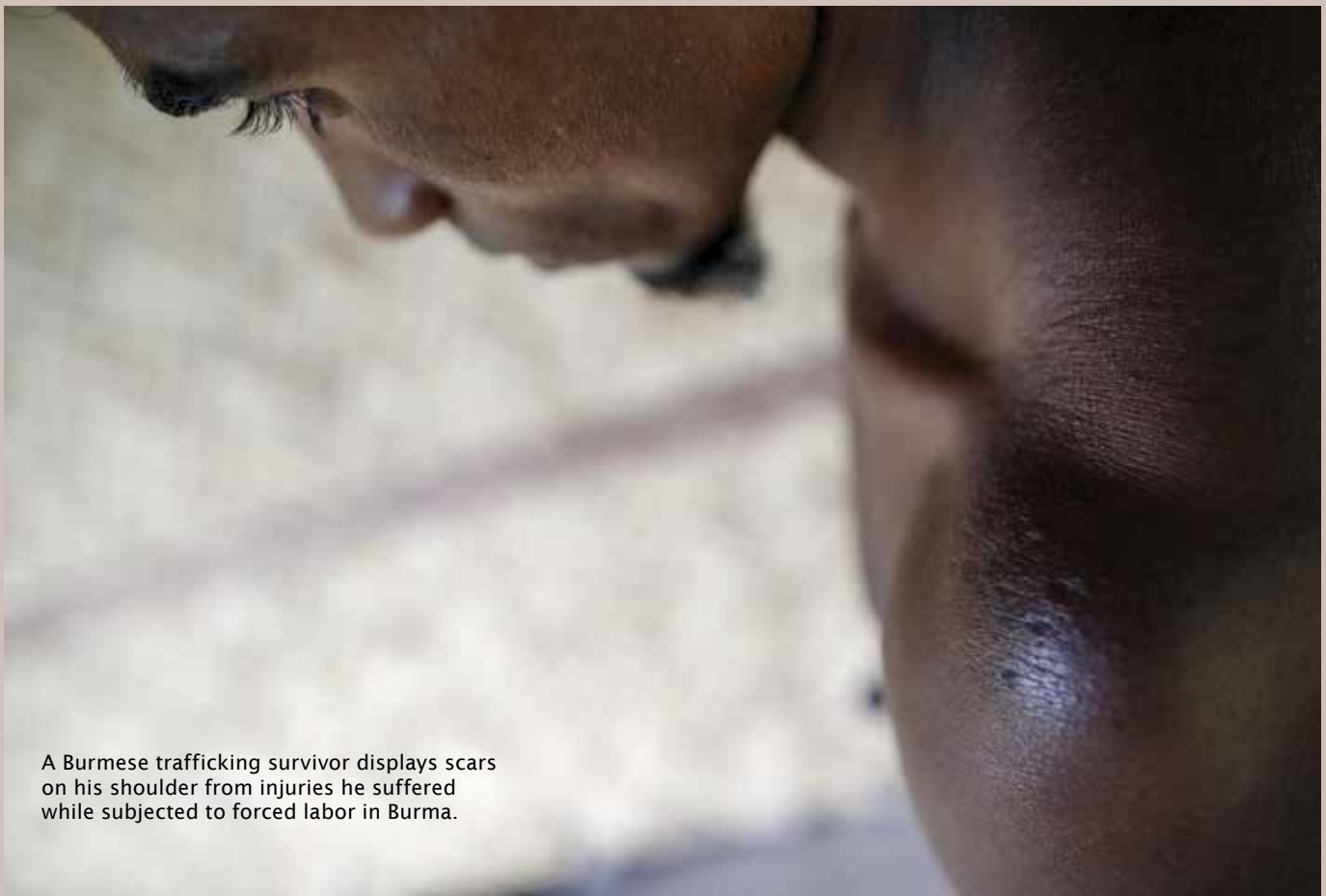
indicate traffickers sometimes urge victims to request asylum upon arrival, which allows traffickers to exploit them as they await asylum decisions. Some international organizations report that the reliance by authorities on improvised shelters has led to an increase in human trafficking. Of equal concern, human traffickers have attempted to illegally recruit refugees at migrant reception centers for low-paid work and prostitution.

It is critical that governments and international organizations make every effort to identify and help trafficking victims among migrant populations. This can be accomplished by making efforts to ensure adequate staffing in centers and training immigration officials, including those charged with interviewing asylum applicants, to screen for indicators of trafficking. Another important opportunity for prevention is at ports of entry, where authorities can facilitate the distribution of information to migrants, including refugees, on the risks of human trafficking and available resources from governments, international organizations, and NGOs. Inspections at worksites employing foreign laborers, training for police on indicators of sex and labor trafficking, and providing refugees and asylum-seekers with opportunities to work are all worthy prevention efforts.

## DISABILITY

Owing to cultural and societal stigmas, people with disabilities, including individuals with physical, sensory, mental, cognitive, behavioral, or other visible and invisible disabilities, often lack access to social support networks. Prejudices contribute to biases in law enforcement or judicial systems and often to unequal treatment by employers and government service agencies. Social support networks serve as one means by which persons with disabilities can pursue social and economic inclusion. Without these networks, and without effective enforcement of robust non-discrimination laws, fewer safeguards exist to protect against a variety of human rights abuses, including trafficking in persons.

Children and young adults with disabilities are especially vulnerable to the risks of human trafficking. Children with disabilities have been targeted by traffickers, for example, by being forced to beg because their disabilities—especially if highly visible—draw sympathy and charity from the public. In societies where children with disabilities are not expected to attend school, communities may be less likely to question why a disabled child is begging. All too often, young people with disabilities are regarded as undesirable and may even be subjected to trafficking by their own families. Children with less visible disabilities, such as cognitive or



A Burmese trafficking survivor displays scars on his shoulder from injuries he suffered while subjected to forced labor in Burma.



behavioral disabilities, are similarly at risk, as they also may be stigmatized by their families and communities, and may not be in school due to bias or lack of understanding of how to provide reasonable accommodations. Children with disabilities who do not participate fully in social or academic settings are more likely to be isolated from their communities, which may make them more vulnerable to trafficking.

Persons with disabilities also face many barriers to justice. Lack of training for police, prosecutors, and judges on how to accommodate persons with disabilities—for example, on providing physical access or sign language interpreters—can leave victims with disabilities unable to report their abuse or effectively participate in the criminal justice process. Lack of accessible information about judicial procedures and rights may also preclude them from approaching law enforcement or courts to report abuse; those who do may encounter social biases against the credibility of their statements and evidence. Reflecting such social biases, some countries have codified laws that prohibit persons with disabilities from testifying in court. Diminished access to the justice system and limited avenues of recourse to address abuse can empower traffickers to target persons with disabilities with a sense of impunity.

Governments can minimize these risks by outlawing discrimination, enhancing safeguards, and offering a wide range of community-based support services. Even in instances where trafficking victims do not have disabilities, the experience of being subjected to trafficking substantially increases the risk of victims acquiring disabilities as a result of physical and psychological trauma. It is, therefore, essential that victim service programs include resources for those with a wide range of disabilities.

## STATELESSNESS

A stateless person is someone who is not considered as a national by any state under the operation of its law. UNHCR estimates 10 million people, approximately one-third of whom are children, are stateless today. In many countries, stateless individuals lack identity documents, access to education, and economic opportunities. It is easier for unscrupulous employers to coerce undocumented workers into debt bondage or other exploitative conditions. Even if family members suspect or report a loved one has been subjected to human trafficking, it is difficult for authorities to trace an individual who lacks formal identity documents.

Some governments impose travel restrictions on stateless people, which—when coupled with their often dire economic situations and need to migrate for work—can push them to accept informal, sometimes fraudulent, job offers and to arrange transportation via middlemen and

smugglers. Using unscrupulous middlemen, who often charge exorbitant interest rates, can lead to debt bondage. In Burma, for example, the government denies citizenship to an estimated 810,000 men, women, and children—most of whom are ethnic Rohingya living in Rakhine State. Their lack of legal status and access to identity documents significantly increases this population's vulnerability to sex and labor trafficking. Rohingya have endured forced labor and dire social conditions within Burma. Many have fled, often with the help of smugglers, to neighboring countries, where some have been subjected to forced labor in agriculture, fishing, and domestic work.

Stateless populations encounter discrimination not only in their daily life, but also when interacting with law enforcement, which can significantly diminish their confidence in law enforcement and the justice system. As a result, stateless trafficking victims do not always report exploitative situations to the authorities, fearing either inaction or punishment. Some members of the Romani community, who became stateless following the breakup of the former Yugoslavia, are penalized in Europe for committing crimes, such as petty theft, even when they do so as a result of being subjected to trafficking.

Until governments take measures to address and reduce statelessness, including registering and extending citizenship to stateless people, issuing identity documents, and developing programs to foster economic growth and trust between such groups and law enforcement, stateless people will continue to be vulnerable to trafficking in their own countries and abroad.

## CONCLUSION

Although there is no exhaustive list of groups vulnerable to human trafficking, the experiences discussed above exemplify common challenges faced by populations at risk of modern slavery. Moreover, some individuals may be vulnerable for more than one reason, making their exploitation even more likely. Governments can take affirmative steps to consider those who may be uniquely vulnerable given their country's culture, social structure, and history, and ensure those groups have access to the protections necessary to keep them from being targeted for human trafficking.

# 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, 2015, and ending March 31, 2016.

“ They taught me how to hold the sword, and they told me how to hit.  
They told me it [the head of a doll] was the head of the infidels.”

– Habib, a 14-year-old Yezidi boy, on life in an ISIL training camp

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, 2016, 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 2016 CSPA List includes governments in the following countries:

- |                                     |                |
|-------------------------------------|----------------|
| 1. Burma                            | 6. Somalia     |
| 2. Democratic Republic of the Congo | 7. South Sudan |
| 3. Iraq                             | 8. Sudan       |
| 4. Nigeria                          | 9. Syria       |
| 5. Rwanda                           | 10. Yemen      |





Some government and government-supported militias in African, Asian, and Middle Eastern countries force children to man checkpoints and serve as front-line soldiers, porters, domestic servants, and sex slaves to combatants. In addition to the imminent danger battle poses to children, some child soldiers suffer from post-traumatic stress disorder, drug addictions, and other physical and mental health problems after their release or escape from forced armed service.

## AFGHANISTAN

In 2015 and 2016, the UN, *The New York Times* and other media outlets, and credible NGOs reported on the recruitment and sexual abuse of children under the age of 18 by the Afghanistan Local Police (ALP). Although the ALP is a government security force in Afghanistan, it falls outside of the armed forces of the country as defined by the CSPA. Though Afghanistan has not been listed under the CSPA, these incidents raise concerns regarding the protection of children and warrant further remedial action by the Government of Afghanistan.

# PROTECTING VICTIMS FROM WRONGFUL PROSECUTION AND FURTHER VICTIMIZATION

“All I wanted to do was hide away from the world, but I still had a role to play. I had to be ‘Girl A’—the key witness in the trial that finally saw my abusers locked up. Girl A—the girl in the newspaper stories who had been through the most hideous experience imaginable. When I read those stories, I felt like I was reading about somebody else, another girl who was subjected to the depths of human depravity. But it wasn’t. It was about me. I am Girl A.”

– Girl A, United Kingdom

For years, the *Trafficking in Persons Report* has detailed the importance of protecting victims of human trafficking throughout the law enforcement process. A central tenet of the victim-centered approach is that victims of trafficking should not be held criminally responsible for their involvement in unlawful activities that are a direct consequence of their victimization.

At the heart of human trafficking is the use of force, fraud, or coercion to exploit a person. Traffickers use the control they exercise over victims to force them to carry out activities for the traffickers’ profit. Traffickers often compel victims to engage in criminal activities such as prostitution, pick-pocketing, or drug trafficking and cultivation.

Law enforcement authorities often fail to properly screen and identify victims of human trafficking when they detain or arrest criminal suspects. This can result in a second victimization when victims are punished for their engagement in the crimes their traffickers forced them to commit.

## UNITED STATES

Nina ran away from home at age 14. She met a woman who put her up in a hotel room and brought her “clients.” For the next 13 years, Nina had 20 different pimps who advertised her for sex on the internet and abused her verbally and physically. By the time she was finally referred to victim services, Nina had been convicted of 52 offenses, mostly prostitution—her first conviction at age 16—and spent time in both juvenile hall and jail.

Compounding the injustice, a criminal record can have a profoundly negative effect on victims throughout their lives—for example, a survivor of sex trafficking who cannot rent an apartment because of prior arrests for prostitution; or an individual forced by a criminal gang to steal or sell drugs who cannot get a job due to the resulting criminal record. Even if a trafficking victim never faces charges, or if charges are dropped, arrest records and stigma remain, affecting where victims live, their employment opportunities, and how others perceive them.

While the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing the *United Nations Convention Against Transnational Organized Crime* (Palermo Protocol) does not specifically address the non-criminalization of trafficking victims, article 2(b) states that one of the Protocol’s purposes is “to protect and assist the victims of such trafficking, with full respect for their human rights.” In addition, the Working Group on Trafficking in Persons, which advises the Conference of the Parties to the United Nations Convention Against Transnational Organized Crime, recommended the following in 2009:

*“With regard to ensuring the non-punishment and non-prosecution of trafficked persons, States parties should: (a) Establish appropriate procedures for identifying victims of trafficking in persons and for giving such victims support; (b) Consider, in line with their domestic legislation, not punishing or prosecuting trafficked persons for unlawful acts committed by them as a direct consequence of their situation as trafficked persons or where they were compelled to commit such unlawful acts....”*

The Council of Europe and the EU have adopted instruments that recognize this non-punishment principle. Article 8 of the 2011 EU Directive on preventing and combating trafficking in human beings provides:



*“Member States shall, in accordance with the basic principles of their legal systems, take the necessary measures to ensure that the competent authorities are entitled not to prosecute or impose penalties on victims of trafficking in human beings for their involvement in criminal activities which they have been compelled to commit as a direct consequence of being subjected to any of the acts [i.e., offences concerning trafficking in human beings] referred to in Article 2.”*

The non-binding 2013 Addendum to the Action Plan to Combat Trafficking in Human Beings of the OSCE states in Section IV, paragraph 2.6, under Access to justice and appropriate remedies:

*“2.6 Taking adequate measures to ensure that, where appropriate, identified victims of THB [trafficking in human beings] are not penalized for their involvement in unlawful activities to the extent that they have been compelled to do so.”*

Effectively identifying trafficking victims, including among those who may have committed unlawful offenses, is key to a victim-centered approach. Victims of trafficking may be more likely to report their victimization if they were confident it would not lead to their arrest or prosecution. In turn, this would allow a government to better meet its obligations to provide protection and assistance to victims, as well as to investigate and prosecute trafficking cases. Early identification of trafficking victims is essential to prevent further victimization and will help them start the recovery process as soon as possible.

## VACATUR

In cases in which trafficking victims have records for crimes committed as a result of being subjected to trafficking, such records should be vacated or expunged. In the United States, several states have enacted provisions that provide survivors the ability to seek a court order vacating or expunging criminal convictions entered against them that resulted from their trafficking situation. In 2010, New York became the first state to pass a law allowing survivors of trafficking to vacate their convictions for prostitution offenses. In 2013, Florida’s law went even further providing for the expungement of “any conviction for an offense committed while . . . a victim of human trafficking.”

**Vacatur** is the formal recognition of “factual innocence.” Vacatur laws should apply to both adults and children, given that anyone who has been forced, tricked, or coerced into criminal activity should not be considered as having consented to that activity. States should also ensure these laws cover convictions that encompass the wide variety of nonviolent crimes that victims are forced to commit.

These laws not only allow victims to correct past injustices, but also thereby help trafficking victims reclaim and rebuild their lives. Vacatur increases a survivor’s ability to find work, reducing their economic vulnerabilities and the risk of being re-trafficked. In the absence of a vacatur law, trafficking victims are condemned to being perpetually viewed as former criminals, which in numerous ways compromises their efforts to rebuild their lives.



Child sex tourists travel to foreign countries—including Cambodia, Costa Rica, The Gambia, and the Philippines—to prey on children.

## INDIA

A recruiter came to Gina's rural village and told her mother he had a good job for Gina in Delhi that would earn her family a lot of money. Her mother let her go with the recruiter, but when they arrived in Delhi, Gina was sold into domestic servitude. She worked almost 20 hours each day for several years cooking meals, cleaning, providing childcare, and even massaging her employers' legs before she was allowed to sleep. After several years, Gina escaped and returned to her family.

Families in this Indian village are enslaved in the silk-dyeing industry, where each family is forcibly involved in a different aspect of making or dyeing silk.



# THE PRICE OF ADVOCACY



“We have no understanding of [our] ability to refuse to pick cotton. People who work in public institutions are those who are prepared to tolerate [forced work]. Of course no one wants to lose his job. The chief doctor tells us ‘I don’t send you to the fields of my own accord. I am also only carrying out orders.’ . . . He says he is required to fire any employee who refuses to work.”

– A nurse forced to pick cotton in Uzbekistan

Activists often fight uphill battles—they champion causes and populations that lack attention and support from governments and the general public. In addition, they facilitate public discourse and advocate for positive change; however, this work does not come without a price. Around the world advocates face harassment, threats, and violence from criminals and government officials alike. Sometimes governments limit freedom of expression or censor media to hamper the ability of activists and journalists to report on such topics to broader audiences. Such harassment and impediments not only endanger advocates’ careers, lives, and families, but also deter others from speaking out.

Anti-trafficking and labor rights activists are no exception, especially in countries with governments that are not making significant efforts to combat trafficking, where freedom of expression, including for the press, is not protected, and where official complicity subverts efforts to bolster the rule of law. While anti-trafficking activists have faced discrimination and harassment in many countries, they have been targeted during the most recent reporting period in cases such as these:

**Mauritania**—In 2015, the government used tear gas to disperse a crowd peacefully protesting the forced labor of Mauritanian women in the Middle East and arrested nine participants.

**Republic of the Congo**—In 2015, a canister of tear gas exploded on the property of a leading anti-trafficking activist, resulting in the hospitalization of an infant and severe damage to the activist’s home and business. Witnesses reported the canister was launched from a police vehicle. The activist did not file an official report due to his distrust of the authorities and fear of retribution.

**Thailand**—In 2016, the government formalized stricter procedures for obtaining media visas, including requiring that foreign journalists be employed by a news agency registered with either the Thai or a foreign government, and prohibiting their engagement in work that may disrupt public order or harm the public. Activists fear these vague provisions could allow for government censorship of reporting that is critical of the government, including trafficking-related official complicity.

**Uzbekistan**—In 2015, authorities harassed and detained activists attempting to observe and document labor violations, including forced labor, during the cotton harvest, and at least two activists faced criminal charges.

To assist trafficking victims effectively, advocates, independent civil society groups, and the media need to be able to monitor human trafficking in sectors of concern.



## WHAT IS TRAFFICKING IN PERSONS?

“Trafficking in persons” and “human trafficking” have been used as umbrella terms for the act of recruiting, harboring, transporting, providing, or obtaining a person for compelled labor or commercial sex acts through the use of force, fraud, or coercion. The Trafficking Victims Protection Act of 2000, 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, patronizing, soliciting, or maintaining a person for that purpose are guilty of sex trafficking of an adult. Sex trafficking also may occur within debt bondage, as individuals are compelled to continue in prostitution through the use of unlawful “debt,” purportedly incurred through their transportation, recruitment, or even their “sale”—which exploiters insist they must pay off before they can be free. An adult’s initial consent to participate in prostitution is not legally determinative: if one is thereafter held in service through psychological manipulation or physical force, he or she is a trafficking victim and should receive benefits outlined in the Palermo Protocol and applicable domestic laws.

### CHILD SEX TRAFFICKING

When a child (younger than 18 years of age) is recruited, enticed, harbored, transported, provided, obtained, patronized, solicited, 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 exploited in prostitution 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.

### 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 is 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.

### **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 unique circumstances—work in a private residence—that create distinct vulnerabilities for victims. It is a crime in which domestic workers are not free to leave their employment and are 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 other cases, do not have the mandate or capacity to do so. In addition to facing involuntary servitude, domestic workers, especially women, confront various forms of abuse, harassment, and exploitation, including sexual and gender-based violence.

### **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 which can occur when governments impose 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 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.

In Senegal, young students (*talibes*) attending Koranic schools (*daaras*) run by teachers known as *marabouts* are forced to beg instead of receiving an education. In the Dakar region alone, approximately 30,000 *talibes* are forced to beg in the streets, and the problem is growing.

# HUMAN TRAFFICKING IN CONFLICT ZONES

*“ We slept on the ground. We had to loot villages to eat. We were drugged to remain obedient. We were forced to kill. When I was in the armed group, I committed violence and crimes. I lost my childhood, my friends, and my mother. ”*

– Martin, former child soldier  
in the Democratic Republic of the Congo

Armed conflict amplifies the risks of human trafficking for vulnerable populations by increasing economic desperation, weakening rule of law, decreasing the availability of social services, and forcing people to flee for their safety. Armed conflict often results in broken governments, judicial systems, job markets, and community support structures that would normally offer citizens protection from disasters and crime, including human trafficking. Many contributing factors, such as high unemployment rates, homelessness, limited social services, and weak law enforcement oversight, are amplified in conflict zones and exploited by traffickers. Without formal options and services to maintain their livelihoods, people are more likely to resort to illicit activities or risky, informal means to survive—sectors in which traffickers thrive.

During armed conflicts, governments divert existing resources to respond to the imminent crisis with a resulting loss in facilities and personnel for peacetime governmental services. This exacerbates existing limitations and creates new gaps in a government’s structures to protect and provide for its citizens. Some militias use human trafficking to generate income and obtain new combatants. Young women and girls are often forced to marry or have sex with commanders and male combatants. The national and civil disorder caused by such conflict make traffickers’ recruitment tactics—including false offers of jobs, shelter, or education—more enticing to vulnerable populations.

Armed conflict can break down government institutions and create a climate of impunity that encourages traffickers to prey on vulnerable populations. Women and children, migrants, and internally displaced persons are among those most at risk of being subjected to trafficking in conflict zones. The terrorist organization Boko Haram, for example, has abducted and forced women and children into sexual slavery in Nigeria, and the Somali National Army continues to recruit children into combat.


Camps for refugees and internally displaced persons are prime targets for traffickers. The concentration of vulnerable, displaced people, combined with a lack of security, services, and oversight typically found in such camps, make them ideal locations for traffickers to operate. In long-standing camps, traffickers are able to build relationships with corrupt camp officials and establish trafficking rings.

Human trafficking is frequently overlooked in crises and omitted from formulations of humanitarian and emergency response policies. Trafficking operations can flourish amidst international reconstruction efforts where there are few government institutions or rule of law. The international community and individual countries must recognize labor and sex trafficking as a common occurrence during conflict and include anti-trafficking strategies in humanitarian responses.

The International  
Labour Organization  
captured this portrait  
of a freed Nigerian  
slave.





A young boy with dark skin and short hair, wearing a green and white checkered shirt, is carrying a large, heavy bundle of harvested tobacco leaves on his back. He is looking directly at the camera with a serious expression. The bundle is secured with several wooden poles and white ties. The background consists of large, green tobacco leaves and a cloudy sky.

Malawian child trafficking victims are transported from the south to the central and northern regions of the country for forced labor in agriculture, predominantly in the tobacco industry. An international organization reported children who are forced to work in tobacco fields in lieu of attending school have increased rates of hunger and stunted growth, among other health problems.





Thai and Burmese fishermen are detained behind bars in the compound of a fishing company in Benjina, Indonesia. The imprisoned men were considered slaves who might run away. They said they lived on a few bites of rice and curry a day and were confined to a space barely big enough to lie down until the next trawler came and the traffickers forced them back to sea.



# OUT OF SIGHT: HOW ISOLATION CONTRIBUTES TO HUMAN TRAFFICKING

“ We didn’t have time to sleep. We didn’t have time to eat.  
We only had time to work. ”

– Forced labor victim in the fishing industry

Working in isolation can mean having little to no governmental oversight, a lack of community support, and access to fewer protective services, legal advocates, and law enforcement personnel. Such isolation increases workers’ vulnerability to human trafficking and associated indicators, including confiscation of passports or other identity documents, non-payment of wages, substandard living and working conditions, restricted movement, threats of deportation, psychological coercion to remain employed, and physical force.

There are several industries in which these circumstances are evident. Malaysia and Indonesia, two of the largest producers of palm oil in the world, attract thousands of migrant workers to their year-round harvesting, production, and export operations. The plantations are often situated in difficult-to-reach parts of both countries, which enable unscrupulous owners and managers to operate with impunity and subject employees to various forms of abuse and exploitation. Some employers have confiscated passports and other identity documents and placed their workers in situations of debt bondage.

Fishers aboard vessels in vast international waters are particularly vulnerable to human trafficking due to often protracted periods of time at sea and an inability to report mistreatment or escape their ships. Luring fishers with promises of good wages, traffickers force some to work under extreme conditions and deny them compensation or the freedom to leave. Similar conditions enable forced child labor in the Lake Volta region in central Ghana.

West African countries, such as Mali and Senegal, have artisanal gold mines that draw transient communities to live and work. Mines are typically located within vast and remote areas and government officials face capacity constraints to make routine monitoring visits. The journey from population centers to these mines is lengthy and arduous. These conditions also increase the likelihood officials will seek to profit from or simply ignore exploitative conditions.

The isolation of extractive industries coupled with the influx of large numbers of male workers also drives the demand for commercial sex. For example, Bolivian and Peruvian girls are subjected to sex trafficking in mining and logging areas in Peru, and women and girls are subjected to sex trafficking

near gold mines in Suriname and Guyana.

Even in urban areas conditions of isolation can be found in the workplace. For instance, domestic workers are often compelled to work in homes with severely restricted freedoms and often subjected to sexual abuse. Cultural isolation can also facilitate the exploitation of foreign migrant workers who may not speak the local language or understand their rights and the protections available to them under local law.

Traffickers take advantage of work settings that are culturally isolated or physically remote to compel adults and children to work in unsafe and often abusive settings and exploit others in sex trafficking. Anti-trafficking strategies should address the unique risks workers face in settings that are isolated from the public, from law enforcement, and from their traditional support networks.

## BANGLADESH | THAILAND | MALAYSIA

Maruf, striving for financial independence, and 200 others accepted an offer to be smuggled by boat to Malaysia for well-paid work. The agent promised food and water during the journey and said the men could repay the cost with their future wages. The agent lied; the crew rationed food and water, beat those who asked for more, and took the passengers to a Thai smuggling camp. After smugglers forced his father to pay a ransom, Maruf was released and brought to Malaysia. Maruf found work on a palm oil plantation through a contracting company but was again deceived. The contracting company confiscated the workers’ passports, and Maruf worked every day without pay as his contractor withheld his wages to pay back recruitment fees. Maruf was in the country illegally and feared arrest if he reported the abuse, so he continued to work and hoped to be paid eventually.

# 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](mailto: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 in persons.

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 tracking and pressing for progress on human trafficking issues year-round. The 2016 *Trafficking in Persons Report* covers government efforts undertaken from April 1, 2015 through March 31, 2016.

## CANADA

Holly, 13 years old, didn't recognize Emilie on Facebook, but seeing they had mutual friends, accepted her friend request. Holly and Emilie chatted and quickly became online friends. One day Emilie told Holly that her boyfriend had found them both jobs that would make them a lot of money. Emilie asked Holly to come to her apartment that weekend. When Holly arrived, Emilie, her boyfriend, and another man told Holly she had to have sex with men for money. When Holly refused, they threatened to hurt her. They posted photos of Holly on an escort website and took her to different cities around Canada to have sex with paying clients. One day, when Emilie's boyfriend left the room, Holly fled and received help from a passerby. All three perpetrators have been charged with numerous crimes, including sex trafficking, and await trial.

“*I cried and asked to go back to the agency, but madam said ‘I already bought you’...*”

– Dina, a 23-year-old Indonesian domestic worker in Dubai

## 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 measured against the TVPA's minimum standards for the elimination

of human trafficking (see page 46), which are generally consistent with the Palermo Protocol.

While Tier 1 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 1 ranking indicates that a government has acknowledged the existence of human trafficking, has made efforts to address the problem, and meets the TVPA's minimum standards. Each year, governments need to demonstrate appreciable progress in combating trafficking to maintain a Tier 1 ranking. Indeed, Tier 1 represents a responsibility rather than a reprieve.

Tier rankings and narratives in the 2016 *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;
- » government funding and partnerships with NGOs to provide victims 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;
- » 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; and
- » government efforts to reduce the demand for commercial sex acts and international sex tourism.

### 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.



# VICARIOUS TRAUMA

“ I am so grateful. I don’t know all the people. I want to tell them all thank you for helping us, because I know that they don’t only help me but all the other people, too. I want to tell them that the services have helped me a lot, a lot, a lot. I felt like I was in a hole, without exit—in a well with no way out—and they helped me to get out. ”

– Trafficking survivor

**T**rauma associated with human trafficking can be devastating and lasting, as many victims suffer psychological and physical abuse at the hands of traffickers. Related trauma can also significantly affect the physical and emotional well-being of the professionals who assist and care for trafficking victims. This vicarious trauma, also referred to as compassion fatigue or secondary traumatic stress, refers to the negative reactions that can occur when professionals repeatedly witness or hear about victims’ difficult experiences of trauma, violence, and abuse. The signs of vicarious trauma resemble post-traumatic stress disorder, and can include emotional, behavioral, and physical symptoms, such as anxiety, depression, disturbed sleep, change in appetite, irritability, nightmares, loss of empathy, and numbness.

Direct service providers, social workers, shelter staff, law enforcement officials, prosecutors, interpreters, and others involved in various aspects of providing care to a victim or handling a trafficking case, are especially vulnerable to experiencing vicarious trauma.

To minimize the risk of vicarious trauma, it is important for anti-trafficking professionals to take steps to develop self-awareness and establish healthy coping mechanisms. Common questions to check for symptoms of vicarious trauma include:

- » How are you physically and emotionally affected by your work?
- » How well are you able to separate work from the rest of your life?
- » What is it like and how do you feel when hearing about a specific trafficking case?
- » Do you have signs of vicarious trauma or other forms of stress?
- » What kind of self-care are you practicing? Is it helping?

Healthy coping mechanisms for professionals in the anti-trafficking field should include organizational policies and individual self-care strategies. A few strategies include:

- » Develop self-care and stress management strategies, e.g., exercise, build a strong social or community network, practice relaxation techniques, make time for extracurricular activities, etc.
- » Establish formal support structures at work.
- » Seek out support among peers in other organizations.
- » Talk with a mental health professional (individual and group counseling).
- » Establish professional boundaries.
- » Participate in capacity building and training.





## A GUIDE TO THE TIERS

### TIER 1

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

### TIER 2

The governments of countries that do not fully meet the TVPA's minimum standards but are making significant efforts to meet those standards.

### TIER 2 WATCH LIST

The government of countries that do not fully meet the TVPA's minimum standards, but are making significant efforts to meet 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 meet the 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 meet the TVPA's minimum standards and are not making significant efforts to do so.

The TVPA lists additional factors to consider in determining 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 meet 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.

This automatic downgrade provision came into effect for the first time in the 2013 Report. The Secretary of State is authorized to waive the automatic downgrade based on credible evidence that a waiver is justified because the government has devoted sufficient resources to a written plan that, if implemented, would constitute making significant efforts to meet the TVPA's minimum standards for the elimination of trafficking. The Secretary can only issue this waiver for two consecutive years. After the third year, a country must either go up to Tier 2 or down to Tier 3. Governments subject to the automatic downgrade provision are noted as such in the country narratives.

## FUNDING RESTRICTIONS FOR TIER 3 COUNTRIES

Pursuant to the TVPA, governments of countries on Tier 3 may be subject to certain restrictions on assistance, whereby the President may determine not to provide U.S. government non-humanitarian, nontrade-related foreign assistance. In addition, the President may determine to withhold funding for government official or employee participation in educational and cultural

### UGANDA | UNITED ARAB EMIRATES

When Sanyu's friend moved from Uganda to UAE, she told Sanyu she had found her a job that would even cover her travel expenses. Sanyu agreed to join her friend. Only a few days after arriving in Dubai, her friend disappeared and Sanyu's situation changed drastically. A woman came to Sanyu's house and demanded Sanyu repay her for covering her travel expenses. The woman explained Sanyu would need to sell herself for sex. When Sanyu resisted, the traffickers tortured her, denied her food, and made her sleep outside for three weeks. She was trapped in a house with 14 other girls from Uganda and forced to have sex for money. Sanyu and two other girls escaped and returned to Uganda.

exchange programs for certain Tier 3 countries. Consistent with the TVPA, the President may also determine to instruct the U.S. Executive Director of each multilateral development bank and the International Monetary Fund to vote against and use his or her best efforts to deny any loans or other uses of the institutions' funds to a designated Tier 3 country for most purpose (except for humanitarian, trade-related, and certain development-related assistance). Alternatively, the President may waive application of the foregoing restrictions upon a determination that the provision to a Tier 3 country of such assistance would promote the purposes of the TVPA or is otherwise in the national interest of the United States. The TVPA also authorizes the President to waive funding restrictions if necessary to avoid significant adverse effects on vulnerable populations, including women and children.

Applicable funding restrictions apply for the next Fiscal Year, which begins October 1, 2016.

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 in persons.

## BURMA-THAILAND

Shindy believed she was leaving Burma for a well-paying job at a Thai seafood factory. She owed a 12,000 baht (\$342) recruitment fee, but believed she could pay it back earning the Thai minimum wage of 300 baht (\$8.50) per day. After arriving; however, the middleman said Shindy owed him 20,000 baht and would only earn 200 baht per day. She and approximately 40 other Burmese laborers worked 18 hours each day and had to spend almost all of their earnings to buy overpriced food from the on-site store. One worker escaped and told an NGO about Shindy and the other workers trapped at the factory. The NGO and Thai authorities returned to the factory to free the workers and their families, some of whom had been captive for three years.

## 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 fully meet the TVPA's minimum standards for the elimination of trafficking (Tier 1). The 2004 *TIP Report* collected this data for the first time. The 2007 *TIP Report* showed for the first time a breakout of the number of total prosecutions and convictions that related to labor trafficking, placed in parentheses.

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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
2015	18,930 (857)	6,609 (456)	77,823 (14,262)	30

*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. Prosecution and victim identification data reported this year are higher than in previous years, in large part due to increased information sharing and better data quality from several governments*



# THE U.S. ADVISORY COUNCIL ON HUMAN TRAFFICKING

On December 16, 2015, President Obama announced the historic appointment of 11 members to the United States Advisory Council on Human Trafficking. Each member is a survivor of human trafficking, and together they represent a diverse range of backgrounds and experiences. The Council, established by the Justice for Victims of Trafficking Act, enacted on May 29, 2015, provides a formal platform for trafficking survivors to advise and make recommendations on federal anti-trafficking policies to the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF).

The Advisory Council participated in the January 5, 2016, meeting of the PITF. Ms. Ima Matul Maisaroh spoke to the PITF on behalf of the Council, saying:

*One key reason this Council is important is because it acknowledges the value that survivors add to any initiative on human trafficking. As a collective group of survivors, we have dedicated a huge part of ourselves to the anti-trafficking movement through our respective advocacy efforts. Together, we are changing perceptions, fighting for justice, and ultimately, over the years, contributing to one shared goal—to end modern slavery everywhere it exists.*

*We are a diverse group. Our individual experiences as survivors will add a richness of expertise to the Council, and we will act proudly as a unified group of leaders who will speak up for what is needed to address the many issues that contribute to the long-standing existence of human trafficking in the United States and around the world.*

The first members of the U.S. Advisory Council on Human Trafficking, who are serving two-year terms, are: Evelyn Chumbow, Harold d'Souza, Minh Dang, Tina Frundt, Ima Matul Maisaroh, Ronny Marty, Flor Molina, Bukola Love Oriola, Suamhirs Piraino-Guzman, Sheila White, and Shandra Woworuntu.



On January 5, 2016, the Advisory Council met with Secretary Kerry and participated in the meeting of the PITF.

In April 2016, the Advisory Council met with Ambassador Susan Coppedge of the Department of State's Office to Monitor and Combat Trafficking in Persons and other federal agencies in preparation for its first annual report to Congress.





In Nepal, Nepali and Indian children are victims of bonded labor in brick kilns and the stone-breaking industry, in addition to other sectors. Nepalis living in areas affected by the April 2015 earthquake that struck Nepal are especially vulnerable to trafficking.



# THE UNITED NATIONS SECURITY COUNCIL ADDRESSES HUMAN TRAFFICKING

“The Islamic State didn’t come to kill the women and girls, but to use us as spoils of war, as objects to be sold . . . or to be gifted for free,” said Nadia Murad Basee Taha, a Yezidi survivor of human trafficking. Her powerful first-hand testimony on December 16, 2015, moved all those present at the United Nations Security Council’s (UNSC) first session to address human trafficking. Ms. Murad urged the Council to recognize the actions of Da’esh as genocide, to “find a way to open a case before the International Criminal Court,” to rescue the thousands of Yezidi women and children held in captivity, to provide a safe haven for Yezidis and other threatened minority groups, and to establish an international victims compensation fund.

The UNSC’s Presidential Statement condemned the actions of Da’esh, called for states to hold accountable those who engage in trafficking, and expressed solidarity with the victims, including in situations of conflict. The UNSC urged all relevant UN agencies operating in conflict and post-conflict situations to assess instances of human trafficking, proactively screen for potential trafficking victims, and facilitate their access to services.

Since her brave testimony before the UNSC, Nadia has become a clear voice in her community and on behalf of victims of human trafficking in conflict situations around the world.

Nadia addresses the United Nations Security Council on December 16, 2015.







Corrupt employers all around the world—including recruitment agencies and local middlemen—use recruitment fees, passport retention, contract fraud, and contract-switching to trap migrant workers in forced labor or debt bondage in the construction sector.



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

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

- (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.

# 2016 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,

## KAREN G.I. RIGBY *THE BAHAMAS*



As the Under Secretary in the Ministry of National Security of The Bahamas, Karen Rigby assists in advising Bahamian defense and law enforcement agencies on policy and administrative matters, and chairs the government's Trafficking in Persons Inter-Ministry Committee (TIP Committee).

Under Ms. Rigby's leadership as Chair, The Bahamas' TIP Committee has become a cohesive force in the battle against human trafficking. The TIP Committee developed victim protection protocols and a national action plan that have been showcased in the region as examples of best practices; and designed an innovative educational program for schools and conducted outreach activities in vulnerable communities as part of an extensive campaign to raise public awareness about human trafficking. Ms. Rigby also ensures that police, immigration officers, prosecutors, social workers, medical personnel, labor inspectors, and the TIP Committee's civil society partners regularly receive training to identify and assist victims of human trafficking.

Ms. Rigby's dedicated efforts have been instrumental in bringing together and energizing all sectors of the Bahamian government to achieve a coordinated strategy to combat trafficking in persons.

## PRISCILLA KEDIBONE ISRAEL *BOTSWANA*



As the Assistant Director of Public Prosecutions in Botswana, Priscilla Kedibone Israel has worked tirelessly to implement the Anti-Human Trafficking Act after its passage in 2014. She began conducting regular anti-trafficking training at the Botswana Police College in an effort to increase frontline law enforcement awareness of the indicators of human trafficking and the importance of the victim-centered approach to prosecutions. She also participated in a public awareness campaign about modern slavery by giving lectures and radio talks.

Ms. Israel has dedicated herself to ensuring that cases of human trafficking in Botswana are treated seriously, and she has spent countless hours working with members of the judicial system to ensure that they thoroughly understand the nature and complexity of human trafficking cases.

After the passage of the 2014 Anti-Human Trafficking Act, the Directorate of Public Prosecutions looked to her to build trafficking prosecutions. She secured eight indictments for trafficking and trafficking-related offenses and is currently prosecuting the cases through the court system. She has worked to support victims who testify against their traffickers and helped established a precedent for mutual legal assistance between countries addressing international trafficking cases in the region.



and 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).

## RITA THEODOROU SUPERMAN CYPRUS



As head of the police anti-trafficking unit in the Republic of Cyprus, Rita Theodorou Superman has dedicated herself to the fight against human trafficking for the past 10 years. Under her leadership, the anti-trafficking unit has grown exponentially. In addition, the scope of its activity has expanded from primarily desk work to training law enforcement, planning and carrying out police operations and investigations, identifying victims of trafficking and supporting them during trials, and working closely with public prosecutors to ensure successful prosecutions.

A trafficking survivor's story highlights Ms. Superman's extraordinary devotion to her work. In 2007, a young Moldovan woman landed in Cyprus believing she had received a scholarship to study accounting. Upon arrival, she was forced into sex trafficking at a cabaret, and was only freed five months later during a police raid. The young woman wanted to testify against her former traffickers, but was intimidated by death threats. She credits Ms. Superman for giving her the courage to testify. During the 20-month-long trial, Ms. Superman personally made sure she was safe, frequently escorting her from one location to another.

Due to her tireless efforts, Ms. Superman has gained the trust of NGOs in Cyprus fighting against human trafficking, and of individual victims who regularly reach out to her even after a case has concluded.

## KIRAN BAJRACHARYA NEPAL



Superintendent of Police Kiran Bajracharya, District Chief of the Bhaktapur District Police Office in Nepal, has worked persistently to investigate crimes against women and children, including human trafficking. SP Bajracharya has led efforts to identify trafficking victims at local hotels and restaurants; developed a training manual for junior officers on investigating crimes against women and children; and worked to ensure that human rights standards, police ethics, and gender equality are integrated into all police curricula and training programs.

Between 2013 and 2015, SP Bajracharya served as Superintendent in the Central Investigation Bureau, where she focused on investigating organized transnational crime and initiated at least 14 human trafficking cases, an increase from just one case in prior years. These cases resulted in numerous arrests, prosecutions, and convictions, including the arrest of 10 criminal gang members.

In her current role as District Police Chief, SP Bajracharya continues to lead on human trafficking. She gives orientation and awareness training to women working in local brick kilns on the risks of modern slavery; has set up checkpoints to inspect buses carrying individuals who may be trafficking victims; and has received the Prabal Jansewa Shree' medal for outstanding performance as a District Police Chief of Bhaktapur District by the President of Nepal.

**BIRAM DAH ABEID**  
**MAURITANIA**



**BRAHIM BILAL RAMDHANE**  
**MAURITANIA**



The partnership between two dynamic activists, Biram Abeid and Brahim Ramdhane, has been critical in reducing human trafficking in Mauritania, a country where slavery was not formally outlawed until 1981. Mr. Abeid, a lawyer, researcher, human rights activist, writer, translator (French-Arabic), and President of the Initiative for the Resurgence of the Abolitionist Movement (IRA), and Mr. Ramdhane, a professor of philosophy and Arabic language, and Vice President of IRA, are both the children of slaves, who have chosen careers focused on confronting injustice in Mauritania.

Mr. Abeid and Mr. Ramdhane have successfully mounted provocative and high-profile anti-trafficking campaigns that have significantly contributed to new government institutions, laws, and specialized courts designed to combat human trafficking. These advances facilitated the first indictment in Mauritania for slave-holding and the first prison sentence in 2011 under the 2007 anti-slavery law, and the 2012 constitutional reform that made slavery a crime against humanity.

In November 2014, Mr. Abeid and Mr. Ramdhane were arrested together for their leading roles in a protest against the continued practice of slavery in Mauritania as well as discriminatory land use policies and related abuses suffered by non-Arab, sub-Saharan minorities. Both the Haratine (slave descendants) and sub-Saharan communities are grossly underrepresented in government, military, and economic leadership positions due to systematic discrimination in favor of the Beydane (white Moor) minority. The men shared a cell until their release in May 2016.

The organization they established, IRA, and its leaders have been recognized internationally on numerous occasions, including: the 2016 James Lawson Award from the International Center on Nonviolent Conflict, the 2015 Human Rights Tulip awarded by the Dutch government, the 2013 Front Line Defenders Award, and the 2013 United Nations Human Rights prize, among others.



## SYEDA GHULAM FATIMA PAKISTAN



Syeda Ghulam Fatima is the General Secretary of the Bonded Labour Liberation Front Pakistan (BLLF) and a courageous human rights activist. She has long campaigned for workers' rights in Pakistan and, in particular, for the end of bonded labor in brick kilns and factories. Alongside her husband, Ms. Ghulam Fatima founded and runs the Freedom Campus for Bonded Labour, a center in Lahore that provides care and legal services to victims of forced labor.

Ms. Ghulam Fatima has helped free more than 80,000 bonded laborers in Pakistan, including those working in brick kilns, agriculture, and the carpet industry, often by personally organizing and carrying out their release. Under her leadership, BLLF provides legal aid, shelter, protection, and a way back into society for survivors of forced labor. Ms. Ghulam Fatima has helped train hundreds of women to enable them to find new livelihoods for themselves and their families, and has been a tireless advocate for legislation and government action to protect victims of human trafficking.

Ms. Ghulam Fatima serves as a voice for the estimated 2.6 million Pakistanis, who work in debt bondage, bringing national and international attention to their plight. She has persisted in her activism despite being threatened and attacked by those who oppose her work.

## OLUREMI BANWO KEHINDE RUSSIA



Oluremi Banwo Kehinde is a tireless anti-trafficking activist in Russia who works to assist and protect Nigerian and other African victims of sex trafficking. Mr. Kehinde currently leads Help Services for Nigerians in Russia, a relief organization he created to provide protective services to African victims of human trafficking; the group represents a substantial portion of those individuals who are recruited to Russia and forced into prostitution.

In 2015, Mr. Kehinde worked with law enforcement, religious service providers, and the international community in Moscow to provide assistance to scores of sex trafficking victims. He has personally helped repatriate victims to Nigeria. At his own expense, Mr. Kehinde provided lodging for victims, referred them for medical treatment, and coordinated efforts to secure documentation, as most victims had lost possession of their passports during the course of their exploitation. Overall, he has helped more than 240 Nigerian women escape conditions of modern slavery in Russia.

Despite personal threats to his life, Mr. Kehinde intervened on numerous occasions to secure the release of victims of human trafficking from criminal networks. Several international organizations, anti-trafficking NGOs, and survivors of human trafficking have lauded Mr. Kehinde's enormous contribution to efforts to combat human trafficking in Russia.

## ISSA KOUYATÉ SENEGAL



Issa Kouyaté is the Founder and Director of Maison de la Gare, a shelter in Senegal for hundreds of street children, often called *talibe*, and other at-risk youth. *Talibes* are children, some as young as 4 years old, who are sent to Islamic schools across Senegal to become scholars of the Quran. In many cases, these children are also forced to beg for up to eight hours each day and are often beaten and left alone in the streets if they do not earn enough. As a former *talibe* himself, Mr. Kouyaté is committed to improving the lives of such street children. He became a chef, and first began by cooking for the children. From there, his small operation grew into a shelter, where as many as 200 *talibes* now visit daily seeking basic services such as food, medicine, and shelter.

Mr. Kouyaté has created strong partnerships with local government agencies, religious communities, and other organizations working to combat human trafficking. Local authorities consider him a key partner not only for providing shelter for runaway *talibes*, but also for gathering data, following up on cases within the legal system, and facilitating the safe return of *talibes* to their families.

Mr. Kouyaté has been incredibly successful in raising awareness about the conditions of and risks to children, who live and beg on the streets, and has helped build support from local officials to prevent human trafficking.


## IN MEMORIAM

### DR. KRISZTINA BERTA HUNGARY

Dr. Krisztina Berta, Deputy State Secretary for EU and International Relations in Hungary's Ministry of Interior, and National Anti-Trafficking Coordinator since 2010, passed away unexpectedly at age 62 in November 2015. Dr. Berta was dedicated to the fight against trafficking in persons, and initiated several important programs, including the first multilateral referral and law enforcement project in Europe focused on anti-trafficking cooperation. The project linked Hungary's Ministry of Interior, the Netherlands' Ministry of Security and Justice, and a Belgian victim service provider.



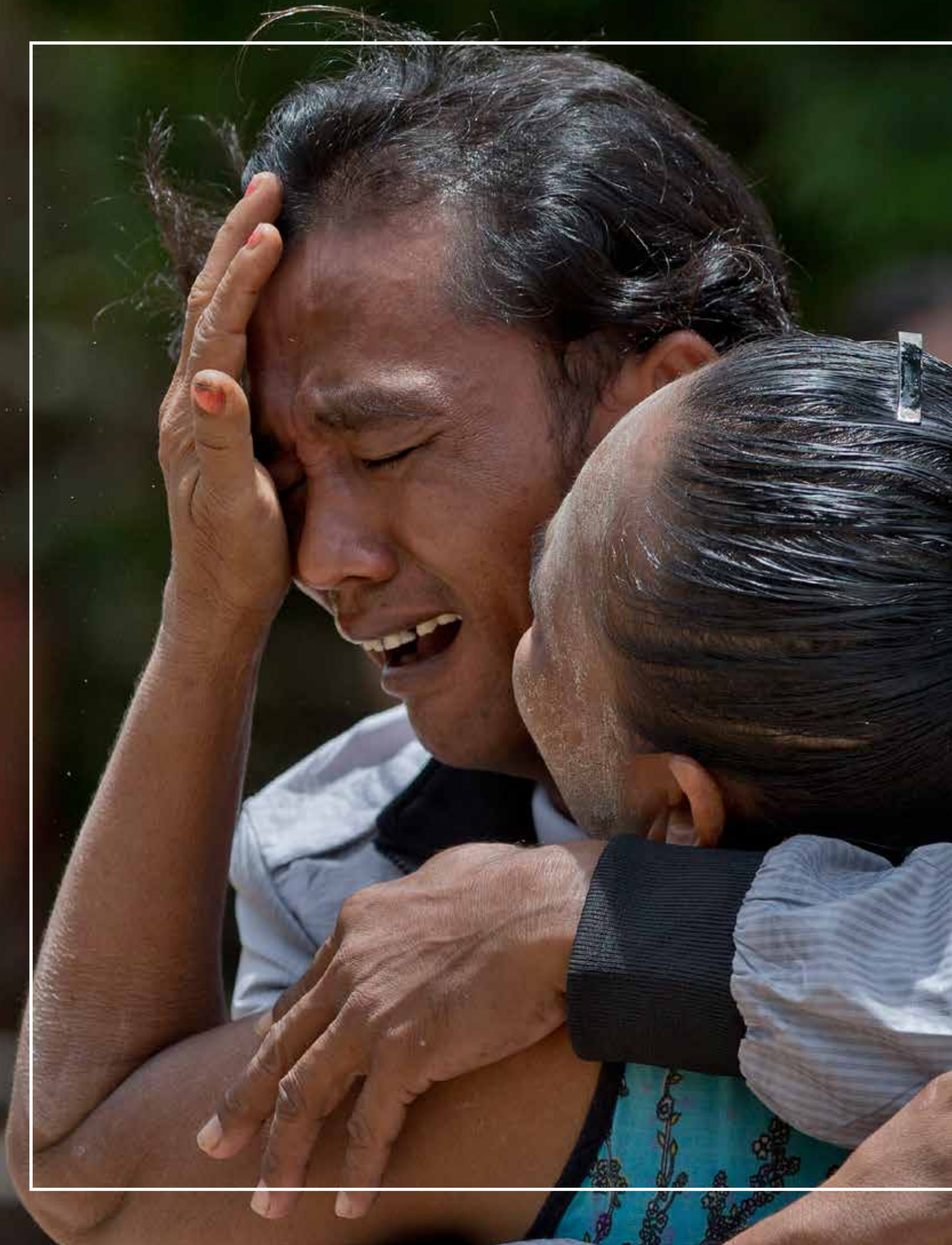





*“ Not everybody gets a chance to be a survivor, and there are girls out there right now that don’t even know that they’re victims ... But maybe, just maybe, they’ll see one of us and they’ll hear one of us and they’ll know that there is help, there is hope and there is a way out. ”*

– Angela Ritter, survivor of trafficking









A former enslaved fisherman is reunited with his mother after 22 years of forced labor aboard fishing vessels in Southeast Asia. When he accepted the initial job offer in 1993, the fisherman did not know he was beginning a journey that would take him thousands of miles away from his family, that he would miss births and deaths, or that he would run away twice from forced labor on fishing vessels. On the day he left home in 1993, all he saw was promise.

# THE TIERS

## TIER 1

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

## TIER 2

Countries whose governments do not fully meet the TVPA's minimum standards, but are making significant efforts to meet those standards.

## TIER 2 WATCH LIST

Countries whose governments do not fully meet the TVPA's minimum standards, but are making significant efforts to meet those standards AND:

- a) The **absolute number of victims** of severe forms of trafficking is very significant or is significantly increasing;
- b) There is a **failure to provide evidence of increasing efforts** to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecutions, 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 meet the 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 meet the minimum standards and are not making significant efforts to do so.

# TIER PLACEMENTS

## TIER 1

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ARMENIA	CZECH REPUBLIC	ITALY	SLOVAKIA
AUSTRALIA	DENMARK	KOREA, SOUTH	SLOVENIA
AUSTRIA	FINLAND	LITHUANIA	SPAIN
THE BAHAMAS	FRANCE	NETHERLANDS	ST. MAARTEN
BELGIUM	GEORGIA	NEW ZEALAND	SWEDEN
CANADA	GERMANY	NORWAY	SWITZERLAND
CHILE	ICELAND	PHILIPPINES	TAIWAN
COLOMBIA	IRELAND	POLAND	UNITED KINGDOM
CYPRUS	ISRAEL	PORTUGAL	UNITED STATES OF AMERICA

## TIER 2

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ALBANIA	EGYPT	LATVIA	NIGERIA
ANGOLA	EL SALVADOR	LEBANON	PALAU
ARGENTINA	ESTONIA	LESOTHO	PANAMA
ARUBA	ETHIOPIA	LIBERIA	PARAGUAY
AZERBAIJAN	FIJI	LUXEMBOURG	PERU
BAHRAIN	GREECE	MACAU	ROMANIA
BANGLADESH	GUATEMALA	MACEDONIA	SIERRA LEONE
BARBADOS	GUYANA	MADAGASCAR	SINGAPORE
BHUTAN	HONDURAS	MALAWI	SOUTH AFRICA
BOSNIA & HERZEGOVINA	HUNGARY	MALTA	TAJIKISTAN
BOTSWANA	INDIA	MAURITIUS	TIMOR-LESTE
BRAZIL	INDONESIA	MEXICO	TOGO
BRUNEI	IRAQ	MICRONESIA	TURKEY
BURKINA FASO	JAMAICA	MOLDOVA	UGANDA
CAMBODIA	JAPAN	MONGOLIA	UNITED ARAB EMIRATES
CHAD	JORDAN	MONTENEGRO	URUGUAY
CROATIA	KAZAKHSTAN	MOROCCO	VIETNAM
CURAÇAO	KENYA	NAMIBIA	ZAMBIA
DOMINICAN REPUBLIC	KOSOVO	NEPAL	
ECUADOR	KYRGYZSTAN	NICARAGUA	

## TIER 2 WATCH LIST

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AFGHANISTAN	COTE D'IVOIRE	MALI	SOLOMON ISLANDS
ANTIGUA & BARBUDA	CUBA	MOZAMBIQUE	SRI LANKA
BENIN	GABON	NIGER	ST. LUCIA
BOLIVIA	GHANA	OMAN	ST. VINCENT & THE GRENADINES
BULGARIA	GUINEA	PAKISTAN	SWAZILAND
CABO VERDE	HONG KONG	QATAR	TANZANIA
CAMEROON	KIRIBATI	RWANDA	THAILAND
CHINA (PRC)	KUWAIT	SAUDI ARABIA	TONGA
CONGO, DEMOCRATIC REP. OF	LAOS	SENEGAL	TRINIDAD & TOBAGO
CONGO, REPUBLIC OF	MALAYSIA	SERBIA	TUNISIA
COSTA RICA	MALDIVES	SEYCHELLES	UKRAINE

## TIER 3

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ALGERIA	DJIBOUTI	KOREA, NORTH	SURINAME
BELARUS	EQUATORIAL GUINEA	MARSHALL ISLANDS	SYRIA
BELIZE	ERITREA	MAURITANIA	TURKMENISTAN
BURMA	THE GAMBIA	PAPUA NEW GUINEA	UZBEKISTAN
BURUNDI	GUINEA-BISSAU	RUSSIA	VENEZUELA
CENTRAL AFRICAN REPUBLIC	HAITI	SOUTH SUDAN	ZIMBABWE
COMOROS	IRAN	SUDAN	

## SPECIAL CASE

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LIBYA	YEMEN
SOMALIA	





## TIER PLACEMENTS

■ TIER 1
 ■ TIER 2
 ■ TIER 2 WATCH LIST
 ■ TIER 3
 ■ SPECIAL CASE

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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
2015	1,517 (53)	719 (8)	12,125 (3,531)	6

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
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
2015	3,281 (193)	1,730 (130)	13,990 (3,533)	10

*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. Prosecution and victim identification data reported this year are higher than in previous years, in large part due to increased information sharing and better data quality from several governments*





\* 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

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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
2015	4,990 (272)	1,692 (245)	11,112 (3,733)	8

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.



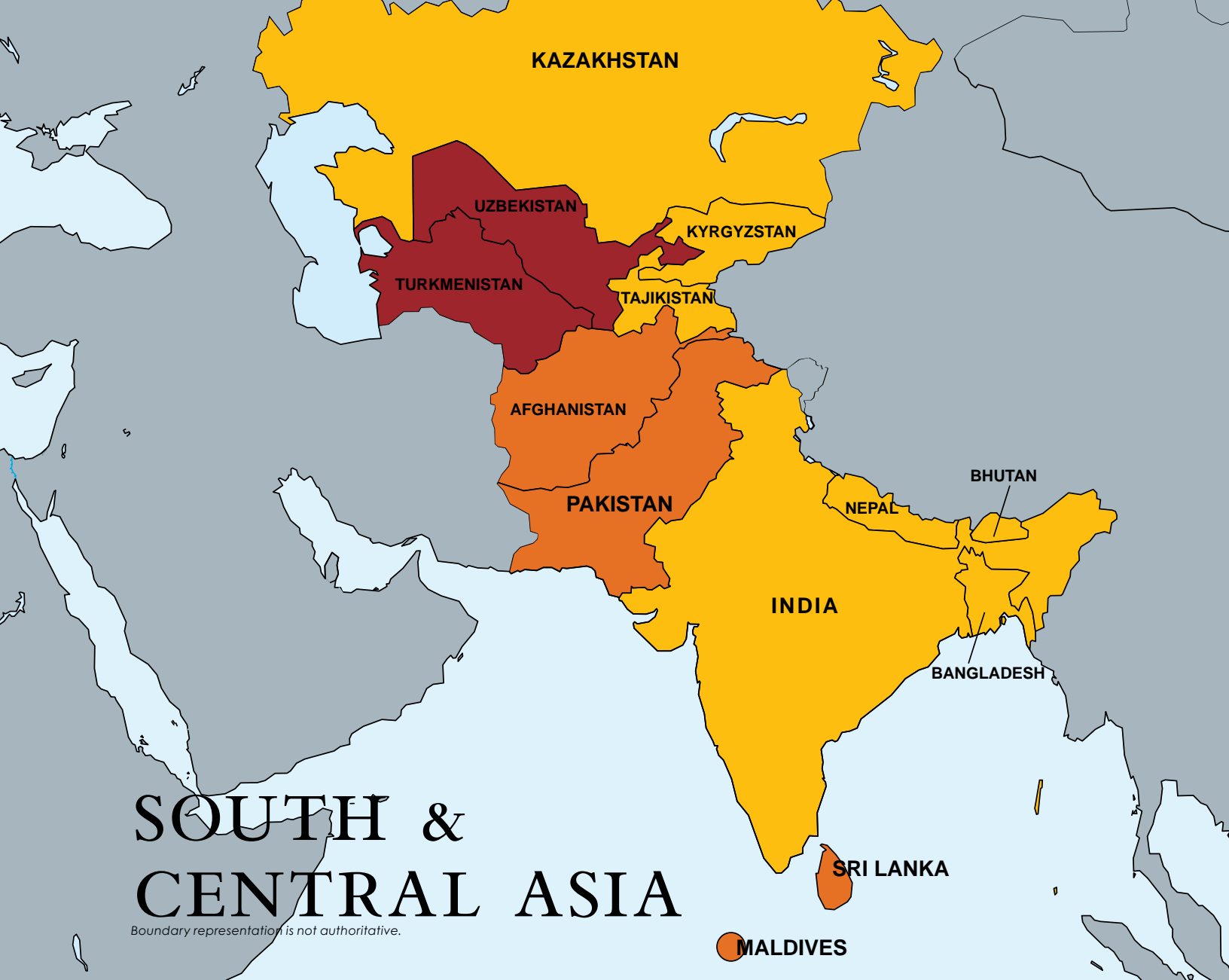
#### TIER PLACEMENTS

■ TIER 1
 ■ TIER 2
 ■ TIER 2 WATCH LIST
 ■ TIER 3
 ■ SPECIAL CASE

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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
2015	480 (31)	343 (31)	6,068 (156)	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. Prosecution and victim identification data reported this year are higher than in previous years, in large part due to increased information sharing and better data quality from several governments.*





#### TIER PLACEMENTS

■ TIER 1
 ■ TIER 2
 ■ TIER 2 WATCH LIST
 ■ TIER 3

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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
2015	6,915 (225)	1,462 (16)	24,867 (1,191)	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. Prosecution and victim identification data reported this year are higher than in previous years, in large part due to increased information sharing and better data quality from several governments.

# WESTERN HEMISPHERE

Boundary representation is not authoritative.



## TIER PLACEMENTS

■ TIER 1
 ■ TIER 2
 ■ TIER 2 WATCH LIST
 ■ TIER 3

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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
2015	1,747 (83)	663 (26)	9,661 (2,118)	6

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.





A former child soldier walks home with his parents after being discharged from the Burmese army, free at last.



# 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 46), 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 the law. Country X is also a destination for women who migrate for sex work, prostitution, but the extent to which they are subjected to 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 have a comprehensive strategy 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; institute and consistently apply formal procedures to identify and assist victims, including among vulnerable groups, such as those at risk of sex trafficking, forced labor, or prostitution; and collect, disseminate, and analyze data on counter-trafficking law enforcement efforts.

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 no effort 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, or convictions of government employees complicit in human trafficking offenses.

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 effort to amend provisions of Country X's sponsorship law to prevent the forced labor of migrant workers, the government did not enforce other parts of the law to the benefit of migrant workers. One provision in the sponsorship law continues to require for 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 to 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 it 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.

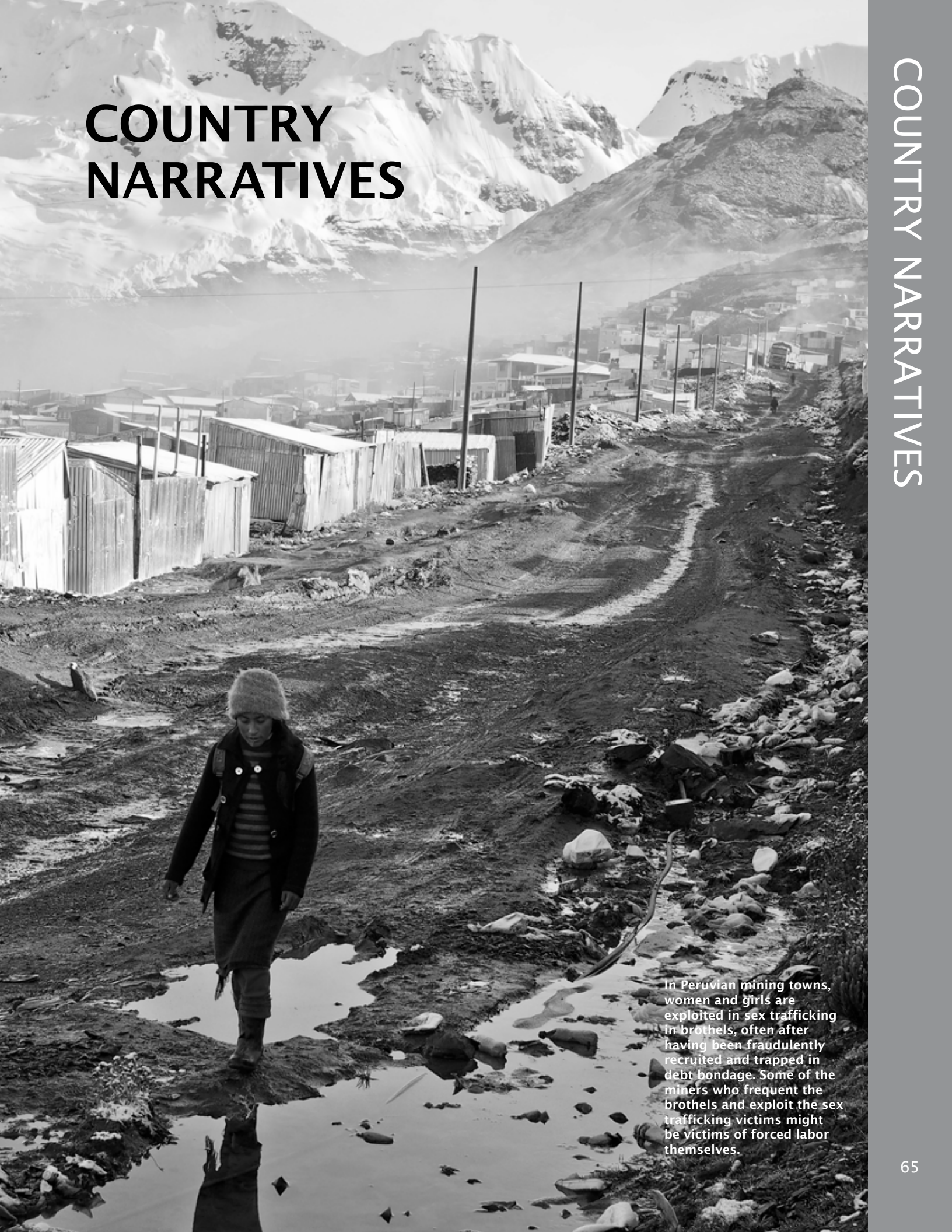
Summary of the government's efforts to prevent human trafficking.

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



In Peruvian mining towns, women and girls are exploited in sex trafficking in brothels, often after having been fraudulently recruited and trapped in debt bondage. Some of the miners who frequent the brothels and exploit the sex trafficking victims might be victims of forced labor themselves.



## AFGHANISTAN: Tier 2 Watch List

Afghanistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking. Most Afghan trafficking victims are children who end up in carpet making and brick factories, domestic servitude, commercial sexual exploitation, begging, poppy cultivation, transnational drug smuggling, and assistant truck driving within Afghanistan, as well as in the Middle East, Europe, and South Asia. NGOs documented the practice of bonded labor, whereby customs allow families to force men, women, and children to work as a means to pay off debt or to settle grievances, sometimes for multiple generations with children forced to work to pay off their parents' debt. Some Afghan families knowingly sell their children into sex trafficking, including for *bacha baazi*—where men, including some government officials and security forces, use young boys for social and sexual entertainment. There are reports that 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. Some 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, especially those traveling unaccompanied, are particularly vulnerable to trafficking. Children in orphanages are also particularly vulnerable and were sometimes subjected to trafficking. Some entire Afghan families are trapped in debt bondage in the brick-making industry in eastern Afghanistan. Members of the Shia Hazara minority group were victims of forced recruitment and forced labor.

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 Afghans into labor or prostitution. Afghan women and girls are subjected to sex trafficking and domestic servitude primarily in Pakistan, Iran, and India. 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. 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 subjected to sex trafficking in Greece after paying high fees to be smuggled into the country. In January 2016, an international organization reported the Iranian government and the Islamic Revolutionary Guards Corps (IRGC) coerced male Afghan migrants and registered refugees to fight in Syria in IRGC-organized and commanded militias by threatening them with arrest and deportation to Afghanistan. Some of those coerced into service were boys younger than the age of 18, some as young as 12, and have been used as combatants. Afghan boys are at high risk of sexual abuse by their employers in Iran and harassment or blackmailing by the Iranian security service and other government officials.

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.

In 2015, widespread and credible reporting from multiple sources indicated both the government and armed non-state groups in Afghanistan continued to recruit and use children in combat and non-combat roles. The UN verified and reported an increase in the number of children recruited and used in Afghanistan, mostly by the Taliban and other armed non-state actors. In January 2011, the Afghan government signed an action plan with the UN to end and prevent the recruitment and use of children by the Afghan National Defense and Security Forces (ANDSF), and in 2014, they endorsed a road map to accelerate the implementation of the action plan. Despite these efforts, there are still government cases of recruitment, most notably by the Afghan Local Police (ALP) and National Police (ANP). In a widely publicized case, a 10-year-old boy participated with Afghan local police forces in operations against the Taliban; local authorities publicly recognized the child, whom the Taliban later murdered. The media reported in some cases security force units used children as personal servants or support staff, and for sexual purposes. The abuse and sexual exploitation of children continues to be an issue of serious concern, as members of the Afghan security forces and other groups of non-state actors frequently sexually abuse and exploit young girls and boys.

The Taliban have used children as combatants and combat support personnel since the 1990s, but increased their use in 2015 in conjunction with an increase in the group's operations against the Afghan government. The Taliban have a well-established process of indoctrination and recruitment using religious and military education, and teaching children between the ages of 6 and 13 how to use small arms and produce and deploy improvised explosive devices. Children from impoverished and rural areas, particularly those under Taliban control, are especially vulnerable to recruitment. The children receive food and clothing, and some families receive cash payments or protection in exchange for sending their children to the schools.

The Government of Afghanistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government doubled convictions and increased prosecutions of trafficking-related offenses in 2015. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Afghanistan is placed on Tier 2 Watch List. Victim protection efforts remained inadequate. The government routinely incarcerated, prosecuted, and convicted trafficking victims as criminals for moral crimes. Official complicity remained a serious problem, especially in the sexual exploitation of children by members of the military and police, in spite of public statements by the President and the Ministry of Interior (MOI) condemning the practice; and the recruitment and use of children by Afghan security forces was a concern. However, the government reported no investigations, prosecutions, or convictions of complicit officials. The existing anti-trafficking law does not prohibit all forms of human trafficking, but the government began to revise it, aiming to align definitions of trafficking and smuggling with international law. 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. Government-run shelters for trafficking victims remained closed during the reporting period, although



government officials did refer trafficking victims to shelters run by NGOs on an informal basis.



## RECOMMENDATIONS FOR AFGHANISTAN:

Cease the recruitment and use of children by the Afghan security forces and ensure adequate protection and reintegration support for demobilized children; continue to increase investigations, prosecutions, and convictions under the anti-trafficking law, while respecting due process; investigate and prosecute government officials, law enforcement, and members of the military suspected of being complicit in trafficking and convict and appropriately sentence the perpetrators; cease the penalization of victims for offenses committed as a direct result of being subjected to trafficking, including stopping prosecutions for moral crimes and placement of child trafficking victims in juvenile rehabilitation centers; finalize and enact current draft amendments to 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 further increases in 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) to coordinate and report on the government's anti-trafficking efforts, and oversee implementation of the anti-trafficking national action plan; as the security situation and access to rural areas allow, 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; implement culturally appropriate long-term victim rehabilitation programs for boys designed for their specialized needs; educate government officials and the public on the criminal nature of *bacha baazi* and debt bondage of children; and proactively inform government officials, especially at the MOI and Ministry of Defense, of the law prohibiting the recruitment and enlistment of minors, and enforce these provisions with criminal prosecutions.

## PROSECUTION

The government made law enforcement efforts; while prosecutions increased and convictions of traffickers doubled, these may have included non-trafficking cases, and official complicity remained a serious and pervasive 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 many forms of trafficking. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government completed a draft revision of the

2008 anti-trafficking law, aiming to better align definitions of trafficking and smuggling with international law and outline increased protection provisions for victims of trafficking; the draft remained pending review and adoption at the end of the reporting period. The draft revision of the anti-trafficking law criminalizes specific exploitative aspects of *bacha baazi*, although it does not explicitly name the practice. Furthermore, in separate legislation, the Afghanistan Independent Human Rights Commission (AIHRC), completed a draft law explicitly naming and criminalizing *bacha baazi*, intended to be enacted and applied while extensive revisions to the penal code were completed; however, the Ministry of Justice did not approve the draft law, and it will be considered for incorporation into the revisions to the penal code. The government enacted a law in the previous reporting period to prohibit national security institutions from enlisting minors, supplementing existing policies at both the interior and defense ministries prohibiting the recruitment of minors into governmental armed forces; however, the government did not proactively inform officials of such provisions and relied instead on recruiters at the interior and defense ministries to identify underage applicants.

From March 2015 through February 2016, the government reported the prosecution of 70 human trafficking cases, which resulted in 46 convictions with sentences of imprisonment ranging from three months to 15 years, double the 23 convictions reported in 2014; however, officials did not provide detailed information on these cases, which may have included non-trafficking crimes. An additional 31 cases remained under investigation by the arresting agency or the prosecutor's office at the close of the reporting period. Law enforcement and judicial officials continued to have a limited understanding of trafficking. Dari, the language spoken most widely in Afghanistan, uses the same word for both human trafficking and human smuggling, compounding the confusion. MOI had a central anti-trafficking/smuggling unit staffed with 17 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 15 provinces to police, prosecutors, and other government officials on investigating and prosecuting trafficking cases; some of the governor's offices in those provinces provided venues for the trainings.

Official complicity in trafficking remained a serious and pervasive problem. Some government and security officials reportedly engaged in the practice of *bacha baazi*. The Afghanistan Independent Human Rights Commission's 2014 report revealed that most who engage in *bacha baazi* pay bribes to or have relationships with law enforcement, prosecutors, or judges that effectively exempt them from prosecution. Some law enforcement officials reportedly facilitated trafficking and raped sex trafficking victims. Government military and police forces, as well as pro-government militias, continued to use children in combat and non-combat roles. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; officials reported they had no indication of government complicity in trafficking by Afghan officials during the year.

## PROTECTION

The government maintained inadequate efforts to protect victims, failing to protect and prevent children from sexual exploitation and recruitment and use by the armed forces and continuing the widespread penalization of victims. The

government did not report the number of victims identified, but an international organization reported the government referred approximately 40 victims to it for assistance in 2015. 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, 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 investigations. In some instances, police officers paid out-of-pocket for basic victim care. All short-term shelters, previously owned by the government, remained closed due to a lack of resources. MOLSAMD provided registration, referral, and social services for trafficking victims, including receiving victims repatriated to Afghanistan from other countries. NGOs operated women's protection shelters in 20 provinces that provided protection, legal, and social services to female victims of violence, which were available to victims of trafficking. At times, the government placed child victims in orphanages, although some children in orphanages were subjected to trafficking. There continued to be no shelters for adult male victims.

Despite a directive by the high commission 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. Officials sometimes placed male and female victims who could not be accommodated in shelters in prisons. 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. Children attempting to join the army using falsified documents were remanded to juvenile rehabilitation centers, sometimes for indefinite periods, while awaiting prosecution and trial. The government made no efforts to demobilize child soldiers associated with governmental or nongovernmental armed groups or provide or refer such children for protection services or reintegration support.

The government encouraged victims to participate in investigations; however, it did not provide adequate support, security, or protective services for victims to safely do so without supplemental trauma. NGOs reported child trafficking victims are at times forced to testify in front of their alleged traffickers. 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 2015.

## PREVENTION

The government made modest improvements to trafficking prevention efforts. The government continued to coordinate its anti-trafficking activities through its high commission, which met four times in 2015, with attendance of deputy ministers, and separately held 12 working level meetings. The high commission produced its scheduled annual report of the government's anti-trafficking activities in March 2015; the report on 2015 activities had not yet been released. The national action

plan was not updated in 2015. The high commission's member ministries took some limited steps to implement activities set forth in its national anti-trafficking action plan, including the establishment of 33 provincial anti-trafficking commissions, of which 14 were functioning at the close of the reporting period. The government warned citizens through radio, television, and print media of the dangers of illegal migration and investigated two employment agencies suspected of fraudulent recruitment practices. For example, the Ministry of Information and Culture broadcasted 128 messages on trafficking to the public via the Afghan National television channel. In September 2015, the president ordered the creation of a committee to investigate, monitor, and oversee the prevention and prosecution of sexual abuse of children by security forces. However, no additional progress was reported toward fulfilling the goals of the action plan signed in January 2011 to combat the practice of *bacha baazi* by Afghan 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 for its diplomatic personnel.

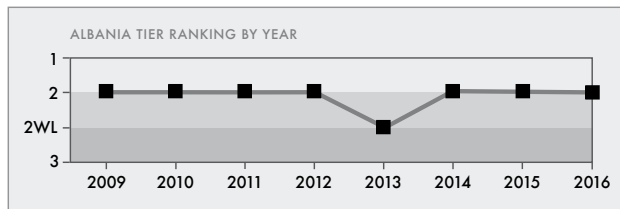
## ALBANIA: Tier 2

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 bordering 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. Children, including those of Romani or Balkan Egyptian ethnicity, are subjected to forced begging and other forms of compelled labor in Albania and neighboring countries; girls are vulnerable to child sex trafficking. NGOs report an increase in the number of Albanian children subjected to forced labor in Kosovo and the United Kingdom. Albanian women and girls are subjected to sex trafficking or forced labor following arranged marriages in Albania and abroad. In past years, some foreign women from European countries were subjected to sex trafficking in Albania. Middle Eastern, Central Asian, and African migrants, particularly Syrians, transit Albania to reach Western Europe and are vulnerable to trafficking, although 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.

The Government of Albania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government improved law enforcement efforts by convicting more traffickers than in 2014, including some traffickers who forced children to beg; but the government and NGOs identified fewer victims, and the government prosecuted fewer suspected traffickers than in 2014. The government decreased funding to the state-run shelter for trafficking victims; and psychological, medical, and reintegration services at the state-run shelter, though improved, were still inadequate. Government funding to NGO shelters remained insufficient, although the government funded the salaries of 12 staff members at two NGO shelters. The government continued to investigate and punish victims for unlawful acts committed as a result of being subjected to trafficking, although the law exempts victims from punishment for crimes committed as a result of their exploitation. The government had a 2014-2017 national strategy and action plan to combat trafficking, although it remained underfunded, and it increased the budget



of the anti-trafficking coordinator. The national coordinator regularly convened stakeholders belonging to the national referral mechanism.



## RECOMMENDATIONS FOR ALBANIA:

Do not punish victims for unlawful acts committed as a direct result of being subjected to trafficking, particularly sex trafficking victims exploited in prostitution; increase funding to NGO-run shelters for trafficking victims and provide funding on a regular basis; improve services provided at the state-run shelter, particularly medical, psychological, and reintegration services; fund mobile units operated by civil society groups and law enforcement to identify victims and further train police, labor inspectors, and other front-line officials on proactive identification of victims; vigorously investigate, prosecute, and convict traffickers, including complicit officials; 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. Articles 110(a) and 128(b) of the criminal code prohibit sex and labor trafficking and prescribe penalties of eight to 15 years' imprisonment; these are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. The Serious Crimes Prosecutor's Office investigated 25 suspected traffickers in 2015, a decrease from 39 suspects in 2014. The state police also investigated 90 suspected traffickers during the reporting period. The government did not disaggregate law enforcement data to demonstrate efforts against both sex trafficking and forced labor. The government prosecuted 15 defendants in 2015, a decrease from 18 prosecuted in 2014. Courts convicted 11 traffickers, an increase from nine in 2014. All convicted traffickers received prison sentences ranging from six to 17 years, three of which fell below the prescribed minimum penalty of eight years' imprisonment. Authorities continued to prosecute some 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, and authorities often applied the lesser charge because it was easier to investigate and prosecute. Some officials also only recognized cases involving cross-border movement as trafficking. Border police continued to screen irregular migrants at the southern border with Greece for trafficking indicators, and in September the government developed a contingency plan to handle the influx of a large number of migrants, which stipulated the screening of all migrants for trafficking indicators. In 2015, the government trained 240 judges, prosecutors, and police officers on investigation and prosecution of traffickers and victim identification and protection. High turnover rates and corruption

hampered the efficacy of police training. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Police participated in two multi-national law enforcement operations, which resulted in the arrest of 10 Albanian suspected traffickers.

## PROTECTION

The government identified and assisted victims but continued to provide inadequate funding for victim services. The government and NGOs identified 109 victims of trafficking and potential trafficking victims in 2015, a decrease from 125 in 2014. Of these, authorities granted 38 official victim status after they agreed to undergo a formal interview with law enforcement and social services representatives, which was required to obtain this status. The government identified 80 victims; NGOs identified 27; and two victims were self-identified. NGOs reported the lack of government funding for the NGO-led mobile units responsible for most victim identification led to fewer victims being identified. Of all identified victims, 48 were minors and 87 were female. NGOs reported the following trends among the victims assisted by NGO-run shelters: 67 percent of victims were subjected to sex trafficking, nine percent were victims of labor trafficking, and 16 percent were victims of forced begging; 86 percent of victims were exploited within Albania, 12 percent abroad, and two percent both domestically and abroad. Four shelters, three of which were operated by NGOs and one that was state-run, provided assistance to trafficking victims, including food, counselling, legal assistance, medical care, educational services, employment services, assistance to victims' children, financial support, long-term accommodation, social activities, vocational training, and post-reintegration follow-up. However, NGOs reported the government did not provide adequate financial support for the implementation of medical, psychological, and reintegration services. NGO shelters assisted 89 victims, and the state-run shelter assisted 20. The government provided 11,300,000 lek (\$93,000) to the state-run shelter in 2015, a significant decrease from 19,770,000 lek (\$163,000) in 2014. The government did not provide adequate funding to NGO shelters, allocating 3,000,000 lek (\$24,700) strictly for food expenses. However, the government also provided funding for 12 staff member salaries at two NGO shelters and provided funding for renovation of the state-run shelter. NGO shelters continued to operate under severe financial constraints throughout 2015 and relied on outside sources for day-to-day operating costs. Of the 25 million lek (\$206,000) in the government's Special Fund for Crime Prevention, 5 million lek (\$41,000) was disbursed to NGOs to support victims of crime; however, no funds went to support trafficking victim service providers. Only one NGO-run shelter provided specialized services for child trafficking victims, and it continued to operate without adequate funding. Foreign victims had access to the same services as domestic victims, including legal assistance. Male victims were accommodated in apartments paid for by NGOs. The government issued trafficking victims health cards that provide free access to health care. The government ran a program that incentivized companies to hire former trafficking victims, but observers continued to report some companies forced former victims to work without proper compensation.

Law enforcement and social worker child protection units had a direct role in identifying child victims and ensuring their protection, although they remained underfunded and understaffed. One NGO-operated mobile unit identified 13 potential trafficking victims in 2015, after receiving funding from the Czech government to continue service during the year. NGOs reported, in most cases, authorities did not formally

identify victims during investigations, instead labeling cases as “exploitation of prostitution.” This prevented formal interviewing to identify victims, made victims vulnerable to prosecution for crimes committed as a result of their exploitation, and prevented them from accessing trafficking-related services. Victims who testified against traffickers had access to the witness protection program, but no trafficking victims participated in the program, and NGOs reported at least one case where law enforcement discouraged a victim from accessing these services after testifying. Forty-eight victims testified against traffickers. The law provided foreign victims a three-month reflection period with temporary residency status and authorization to work for up to two years, although 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 2015. The law exempts victims from punishment for crimes committed as a result of their exploitation, but NGO-run shelters reported the government convicted three formally identified sex trafficking victims in prostitution.

### PREVENTION

The government continued efforts to prevent trafficking. The government had a 2014-2017 national strategy and action plan to combat trafficking; however, the plan’s individual stakeholder ministries were underfunded for trafficking activities, and some diverted trafficking funds to other purposes. The government increased funding for the national anti-trafficking coordinator’s office to 5.2 million lek (\$43,000) in 2015 from 4.7 million lek (\$39,000) in 2014. The national coordinator continued to publish regular activity reports on its website and regularly convened stakeholders belonging to the national referral mechanism. Twelve regional anti-trafficking committees comprising local officials and NGOs worked on prevention and victim assistance, but these committees’ nation-wide effectiveness was limited. The national coordinator’s office, the state police, and the general prosecutor’s office signed a memorandum of understanding to monitor the performance of the criminal justice system in handling trafficking cases. The government co-ran and advertised a free hotline and a mobile application for citizens to report suspected trafficking cases. This hotline received 492 calls during 2015, 11 of which provided information on possible trafficking cases. The national coordinator’s office ran two major anti-trafficking campaigns during 2015. The first, held from June to August, focused on child sex and labor trafficking and included awareness raising in schools and community centers, discussions with high school students, conferences and seminars with state and border police and social services, and youth awareness meetings that explicitly targeted Roma populations. For the second campaign, the national coordinator’s office designated October as Anti-Trafficking Month and organized a series of events with the financial support of NGOs. 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, and the national coordinator briefed Albanian diplomats stationed in nine cities on human trafficking regulations.

## ALGERIA: Tier 3

Algeria is a transit and destination country and, to a lesser extent, a source country for men, women, and children subjected to forced labor and sex trafficking. Undocumented

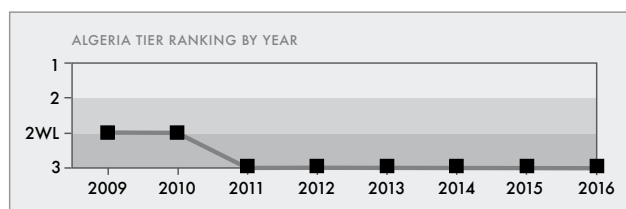
sub-Saharan migrants, primarily from Mali, Niger, Cameroon, Cote d’Ivoire, and Nigeria, are most vulnerable to labor and sex trafficking in Algeria, mainly due to their irregular migration status, poverty, and language barriers. Single women and women traveling with children are also particularly vulnerable to exploitation. Sub-Saharan African men and women, often en route to neighboring countries or Europe, enter Algeria voluntarily but illegally, frequently with the assistance of smugglers or criminal networks. Many migrants, impeded in their initial attempts to reach Europe, remain in Algeria until they can continue their journey. While facing limited opportunities in Algeria, many migrants illegally work in construction or engage in prostitution to earn money to pay for their onward journey to Europe, which puts them at high risk of exploitation. Some migrants become indebted to smugglers, who subsequently exploit them in forced labor and sex trafficking upon arrival in Algeria. For example, female migrants in the southern city of Tamanrasset—the main entry point into Algeria for migrants and for the majority of foreign trafficking victims—are subjected to debt bondage as they work to repay smuggling debts through domestic servitude, forced begging, and forced prostitution. Some migrants also fall into debt to fellow nationals who control segregated ethnic neighborhoods in Tamanrasset; these individuals pay migrants’ debts to smugglers and then force the migrants into bonded labor or prostitution. An international organization reported in 2015 that Tuareg and Maure smugglers and traffickers in northern Mali and southern Algeria force or coerce men to work as masons or mechanics; women to wash dishes, clothes, and cars; and children to draw water from wells in southern Algeria. Victims also report experiencing physical abuse at the hands of smugglers and traffickers. Many sub-Saharan migrant women in southern Algeria willingly enter into relationships with migrant men to provide basic shelter, food, income, and safety. While many of these relationships are purportedly consensual, these women are at risk of trafficking, and migrants in Tamanrasset reported instances when women are prevented from leaving the home and raped by their “partner.” Media and civil society organizations reported in 2015 that some sub-Saharan African migrant women working as domestic workers for Algerian families experience physical abuse, confiscation of passports, and withheld pay.

Foreign women and to a lesser extent children, primarily sub-Saharan African migrants, are exploited in sex trafficking in bars and informal brothels, typically by members of their own communities, in Tamanrasset and Algiers. Nigerien female migrants begging in Algeria, who often carry children—sometimes rented from their mothers in Niger—may be forced labor victims. According to an international organization in 2015, some Nigerien children are also forced to beg 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. Some Algerian women, and to a much lesser extent children, reportedly endure sex trafficking in Algeria. Civil society organizations in 2015 reported isolated instances of foreign and Algerian children in sex trafficking and in forced labor on construction sites.

The Government of Algeria does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government newly acknowledged the trafficking problem in Algeria and demonstrated new political will to address it. It formed an inter-ministerial anti-trafficking committee, which produced a national anti-trafficking action plan in December 2015; however, the government did not dedicate a budget to



implement the plan during the reporting period. Despite these efforts, the government did not report prosecuting or convicting any sex trafficking or forced labor offenders. Though the government initiated two investigations of potential forced labor crimes during the reporting period, it conveyed that it could not report on the status of the cases due to domestic privacy laws. As in previous years, the government did not make efforts to identify victims among vulnerable groups, directly provide appropriate protection services for victims, nor refer victims to NGOs for such care. Authorities continued to arrest and detain potential foreign trafficking victims for acts committed as a direct result of being subjected to trafficking, such as immigration violations.



## RECOMMENDATIONS FOR ALGERIA:

Investigate, prosecute, and convict sex and labor trafficking offenders and punish them with sufficiently stringent penalties; implement and designate a budget for the national anti-trafficking action plan; establish formal procedures for the identification and referral to care of trafficking victims, and ensure victims do not face arrest, deportation, or other punishment for acts committed as a direct result of being subjected to trafficking; train law enforcement, judicial and healthcare officials, and social workers on these identification procedures; develop formal mechanisms to provide appropriate protection services, either directly or through support and partnership with NGOs and international organizations, including shelter, medical and psychological care, legal aid, and repatriation assistance, to all trafficking victims; ensure the safe and voluntary repatriation of foreign victims, including through collaboration with relevant organizations and source-country embassies; and raise public awareness of the indicators and risks of trafficking, including on the difference between human trafficking and smuggling.

## PROSECUTION

The government made limited anti-trafficking law enforcement efforts. Algeria prohibits all forms of trafficking under section 5 of its penal code. Prescribed penalties under this statute range from three to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Law No.14-01, which criminalizes the buying and selling of children younger than the age of 18, provides for prison terms of three to 20 years' imprisonment for individuals and groups convicted of committing or attempting to commit this crime; however, this law could be interpreted to include non-trafficking crimes such as human smuggling or illegal adoption. In July 2015, the government adopted article 139 of the Law for the protection of the child, which criminalizes anyone who economically exploits a child with a penalty of one to three years' imprisonment and a fine; the punishment is doubled if the offender is a family member or guardian of the child. These penalties are neither sufficiently stringent nor commensurate with those prescribed for other serious crimes, such as rape.

Government officials reported difficulty in distinguishing trafficking victims from regular migrants, smuggled persons, and asylum-seekers, and the government remained without an effective system to collect and report anti-trafficking law enforcement data. The government reported an ongoing investigation of two suspected forced labor cases, but it did not provide details due to domestic laws that prevent the disclosure of information related to ongoing investigations. The government did not report prosecuting or convicting trafficking offenders in this reporting period, which represents a slight decrease from its one sex trafficking conviction in 2014. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. Various civil society organizations in Oran, Algiers, and Tamanrasset alleged that police officers were aware of illegal brothels, where women could be vulnerable to sex trafficking, and permitted these establishments to remain in business; however, there was no evidence to suggest officials actively facilitated trafficking in these locations. The General Directorate for National Security maintained six active brigades of police officers specialized in illegal immigration and human trafficking, which received 15 days of specialized training; however, it was unclear whether they received adequate training on anti-trafficking measures. Throughout the reporting period, the government partnered with an international organization to provide human trafficking training to law enforcement officials, prosecutors, and judges. For example, in June 2015, officials from the police participated in a training on human smuggling and trafficking for which the government provided the venue, transportation, and accommodation costs for participants. In March 2016, prosecutors and judges participated in a similar training in which the government provided comparable support. The Ministry of Labor (MOL), in cooperation with an international organization, implemented a train-the-trainers course in November 2015 to train labor inspectors on international laws on forced labor.

## PROTECTION

The government demonstrated negligible efforts to identify and protect trafficking victims. The government did not proactively screen for, develop procedures for the identification of, or report any identified trafficking victims during the reporting period. For example, a civil society organization reported a case involving a Cameroonian forced labor victim to the police, yet authorities did not take measures to remove the victim from the workplace or provide her with protection services. Government officials admitted difficulty distinguishing trafficking victims from irregular migrants, smuggled persons, and asylum-seekers, as well as identifying trafficking victims among ethnically cohesive migrant communities. Government officials continued to rely on victims to self-report abuses to authorities; however, trafficking victims among the migrant populations typically did not report potential trafficking crimes to the police for fear of arrest and deportation or the likelihood they would face difficulty in reporting crimes, seeking protective services at government facilities, and filing charges against their perpetrators. The government continued to punish victims for crimes committed as a direct result of being subjected to human trafficking. For example, although the government mostly ceased deporting illegal migrants since 2012, migrants and a civil society organization reported authorities regularly arrested, detained, and sometimes convicted migrants for their illegal immigration status without identifying potential trafficking victims among this population.

Although the Algerian anti-trafficking law allows for the

provision of services to trafficking victims, the government did not implement any mechanisms to directly provide services to trafficking victims, nor did it have a formal mechanism to refer potential victims to protection services operated by civil society groups or NGOs. Civil society organizations continued to be the primary providers of protection services, such as temporary shelter and medical, legal, and counseling services. A 2012 amendment to the anti-trafficking law encourages trafficking victims to participate in investigations or prosecutions of trafficking offenders through the provision of financial assistance, housing, and medical care. Similarly, in July 2015, article 65 of the criminal procedural code introduced provisions that provide physical protection to witnesses and victims, including their family members, who participate in criminal judicial proceedings; however, no trafficking victims received any of these legal benefits in the reporting period. Trafficking victims were legally entitled to file civil suits against trafficking offenders, but the government did not report cases in which victims took this action during the reporting period. The government did not report if it provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

## PREVENTION

The government made significant efforts to prevent human trafficking. The government newly acknowledged human trafficking as a problem in Algeria, in comparison to previous years when some government officials denied the crime existed in the country. In September 2015, the prime minister ordered the formation of an inter-ministerial committee composed of 14 government ministries and institutions to coordinate the government's anti-trafficking activities; this committee met six times during the reporting period. In December 2015, the committee produced a national action plan, which detailed actions to improve the government's response to trafficking, including: prevention and awareness efforts; strengthening national legislation; improving victim identification and protection measures; strengthening judicial and police officials' capacity to combat trafficking; and fostering cooperation and partnerships with national and international NGOs to protect victims. The government, however, did not dedicate a budget to implement its action plan but committed to do so through a presidential decree. During the reporting period, the government did not conduct anti-trafficking public awareness or educational campaigns. The government took actions to reduce the demand for commercial sex acts, but it did not report taking measures to reduce the demand for child sex tourism among Algerians traveling abroad. The government took limited measures to reduce the demand for forced labor. MOL conducted a child labor investigation of more than 15,000 businesses in the trade, agriculture, construction, and service industries, in which it identified businesses that illegally employed 97 children. The ministry issued labor violation reports against these businesses, but it was unclear if the government penalized them for such violations. The government provided anti-trafficking training as a part of its broader human rights training for its diplomatic personnel.

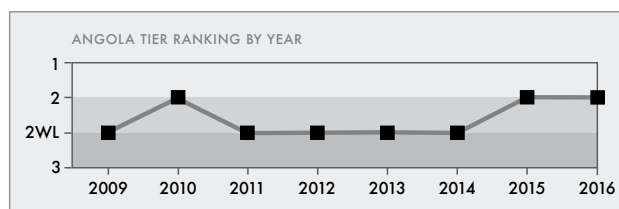
## ANGOLA: Tier 2

Angola is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Angolans, including minors, endure forced labor in the brick-making, domestic service, construction, agricultural, and artisanal

diamond mining sectors within the country. Angolan girls as young as 13 years old are victims of sex trafficking. Angolan adults use children younger than age 12 for forced criminal activity, because children cannot be criminally prosecuted. The provinces of Luanda, Benguela, and the border provinces of Cunene, Namibe, Zaire, and Uige are the most vulnerable to trafficking activities. Some Angolan boys are taken to Namibia for forced labor in cattle herding, while others are forced to serve as couriers to transport illicit goods, 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 trafficking in South Africa, Namibia, and European countries, including the Netherlands and Portugal.

Women from Vietnam and Brazil engaged 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, Brazilian, Namibian, Kenyan, and possibly Congolese migrants are subjected to forced labor in Angola's construction industry; they may be subject to 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 Democratic Republic of Congo (DRC) to Angola for labor and sex trafficking.

The Government of Angola does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Inter-ministerial Commission to Combat Trafficking in Persons (the commission) worked to improve efforts to combat trafficking in Angola by beginning to standardize the collection of data on anti-trafficking law enforcement efforts and establishing five ad hoc provincial commissions in Benguela, Huila, Namibe, Uige, and Zaire provinces. The government trained approximately 350 officials on the 2014 money laundering law that includes provisions prohibiting trafficking. Additionally, it raised awareness of its anti-trafficking efforts to more than 1,000 private citizens and NGO leaders. During the year, the government investigated 10 potential trafficking cases, two of which were referred for prosecution. The government increased protection efforts, identifying 55 potential child trafficking victims during the year; however, it made inadequate efforts to identify and provide protective services to adult victims. The government has never convicted a trafficking offender using the 2014 money laundering law.



## RECOMMENDATIONS FOR ANGOLA:



Use provisions in the 2014 money laundering law to investigate and prosecute forced labor and sex trafficking offenses; train law enforcement officials on these provisions; systematically investigate labor trafficking in the Angolan construction sector; develop systematic procedures for identifying trafficking victims, and train officials on such procedures; develop uniform and systematic referral procedures for all provinces; undertake efforts to provide 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 continue to organize nationwide anti-trafficking public awareness campaigns.

## PROSECUTION

The government maintained its minimal law enforcement efforts in 2015. The 2014 money laundering law prohibits all forms of trafficking in persons and prescribes penalties of eight to 12 years' imprisonment, which are 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 appears 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 prescribed 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 2015, the government reported on law enforcement efforts to address trafficking crimes, including its investigation of 12 potential trafficking cases, compared with 18 in the previous reporting period. Of these, the government initiated prosecutions in two cases, compared with five in 2014. Although a few of these cases involved domestic trafficking, 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. 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 anti-human trafficking. Many Angolan judges were not familiar with the 2014 money laundering law provisions as Angolan courts have been prosecuting trafficking crimes by enforcing provisions of the penal code (written in 1886) to prosecute crimes like kidnapping, forced labor, or abuse of minors rather than the more recently defined crime of trafficking with enhanced sentencing requirements. The government did not convict a trafficking offender using the

2014 money laundering law in the current reporting period.

Resistance from the national police to share information in their national crime database has slowed down the commission's analysis of trafficking in Angola. The government, at times in partnership with international organizations, trained more than 350 officials during the year. National police academy training continued to include human trafficking provisions. In August 2015, the government hosted a workshop for 101 law enforcement and social service officials on human trafficking, including indicators of trafficking and the consequences traffickers should face. The government maintained a labor agreement with the Government of China, which requires Chinese companies to follow Angolan labor laws; however, Angolan authorities have not prosecuted construction companies and employers, including Chinese-run operations, for alleged forced labor abuses.

## PROTECTION

The government increased its efforts to protect victims. The government identified and referred 55 trafficking victims to services, 51 of whom were forced labor victims, including 40 minors, compared with 17 potential trafficking victims identified the previous year. The national police, the Office of the Attorney General, and the commission demonstrated efficient coordination after police identified a minor victim allegedly subjected to sex trafficking and held captive in Kilamba city. Although multinational construction company Odebrecht was found guilty in Sao Paulo, Brazil, of subjecting Brazilian nationals to trafficking in Angola between 2012 and 2013, the government did not identify any trafficking victims in Angola after a series of site visits.

The National Institute of Children (INAC) received referrals of child victims and managed child support centers in all 18 provinces, which provide food, shelter, basic education, and family reunification for crime victims younger than age 18; however, it was unclear how many children were assisted at such centers during the year. The Ministry of Social Assistance and Reinsertion (MINARS) and the Ministry of Family and Women's Affairs (MINFAMU) received referrals of female victims, as they manage a national network of safe houses for women. Both networks of shelters provide legal and psychological assistance to victims. MINARS, MINFAMU, and the Organization of Angolan Women (the women's wing of the ruling Popular Movement for the Liberation of Angola political party) operated 30 counseling centers, seven multipurpose shelters, and 52 children's shelters, which trafficking victims could access. The commission developed guidelines for referring possible trafficking victims to the provincial attorney general's office and representative for the Directorate for Human Rights, and for liaising with INAC and MINFAMU.

Law enforcement and social services officials lacked a mechanism for screening vulnerable populations, including persons in prostitution. Neither documented nor undocumented foreign workers 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, authorities who found workers without work permits during labor inspections fined the employers and arrested and deported the workers. On previous occasions when authorities identified trafficking victims among foreign laborers, the Angolan government routinely repatriated them to the source countries without providing care or ensuring proper treatment upon their

arrival. 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 national police, with the assistance of social workers and psychologists as appropriate, reportedly used victim testimonies for their investigation and prosecution of traffickers.

## PREVENTION

The government increased its efforts to prevent human trafficking. The commission—established in 2014 under the direction of the Ministry of Justice and Human Rights and the Ministry of Social Assistance and Reintegration—was instrumental in encouraging increased collaboration between national police and provincial government officials. The commission established provincial commissions to combat trafficking in Benguela, Huila, Namibe, Uige, and Zaire that shared information with the national commission. It also convened government officials from all the provinces for a series of meetings to examine the extent of trafficking in the country. Preliminary findings from a government-funded report assessing the nature of trafficking revealed children were working on farms in the southern provinces, as well as in the construction sector, and highlighted the vulnerabilities of migrants in search of work along the Angola-DRC border. The commission also established formal partnerships with the National Council for Youth, the Pastoral Group on Immigration of the Catholic Church, and several Protestant community associations. In November, the commission started a bilateral working group with Mozambique's national coordinating body to discuss regional trafficking concerns and share best practices.

During the reporting period, the government funded six public information radio campaigns to raise awareness of trafficking. Additionally, in May 2015 commission members participated in a series of discussions on trafficking issues on two popular television shows. At a young women's empowerment event, the national police commander spoke to 125 female high school students on the dangers of trafficking, how to identify traffickers and methods for reporting suspected trafficking cases. INAC launched a campaign called "Cata-Vento" ("Pin Wheel") to promote awareness and educate the public about the consequences of child labor. The government provided anti-trafficking training for its diplomatic personnel.

## 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, notably from Jamaica, Guyana, Haiti, and the Dominican Republic, as well as from Southeast Asia, are most vulnerable to trafficking. The trafficking in persons committee reported sex trafficking in bars, taverns, and brothels. There are anecdotal reports that children are subjected to sex trafficking, including by parents and caregivers. Forced labor occurs in domestic service and the retail sector. Credible sources reiterated concerns of possible trafficking-related complicity by police officers, such as officials facilitating movement of a trafficking victim by receiving them at the airport, collaborating with the trafficker in the movement of a victim, and providing security for an establishment involved in trafficking. The police reported that traffickers changed tactics, remitting a greater portion of

the proceeds to victims and allowing victims to keep their passports, making it difficult to investigate cases.

The Government of Antigua and Barbuda does not fully meet 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 for the third consecutive year. Per the Trafficking Victims Protection Act, Antigua and Barbuda was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards. The government amended the 2010 trafficking in persons act to remove legal obstacles to successful prosecutions, in particular by giving the high court authority for trafficking cases. The government did not report any prosecutions or convictions of traffickers, though it increased the number of investigations of suspected cases of trafficking from two to 10. Authorities identified and offered services to those who wished to stay in the country and facilitated the repatriation of those who wished to return home.



## RECOMMENDATIONS FOR ANTIGUA AND BARBUDA:

Vigorously prosecute trafficking offenses and convict and punish traffickers, including complicit officials; formalize procedures for law enforcement, child welfare officials, and other front-line responders to identify victims, including children subjected to trafficking for sexual exploitation, and refer them to appropriate services; train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence to reduce dependence on victim testimony; implement the national action plan to guide government efforts in combating trafficking; and improve data collection on prosecutions, convictions, and victim identification and care.

## PROSECUTION

The government maintained minimal prosecution efforts. In 2015, the government amended the Trafficking in Persons (Prevention) Act of 2010, vesting jurisdiction for trafficking cases in the High Court of Justice as opposed to the Magistrate's Court. This amendment corrected a problem, noted since 2010, that impeded the government's ability to prosecute and convict suspected traffickers. Antigua and Barbuda's anti-trafficking act prohibits all forms of human trafficking, including bonded labor, and prescribes punishments of 20 to 30 years' imprisonment and 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.

Authorities conducted 10 trafficking investigations, including four sex trafficking investigations and five labor trafficking investigations, one of which involved the false recruitment of a caretaker from Guyana that remained under investigation. One



investigation was discontinued due to insufficient evidence. The government has not reported any prosecutions of traffickers since 2011, though two suspects were charged during the reporting period. In comparison, authorities investigated and charged two suspected sex traffickers in two cases in 2014, although judges dismissed both cases due to the prior flaw in the law. The government has never reported any trafficking convictions. The national police acknowledged it struggled to identify perpetrators and obtain evidence. Credible sources raised concerns of continued possible trafficking-related complicity by police officers and an apparent conflict of interest in the practice of police officers providing security for sex trade establishments. The acting commissioner of police issued two directives ordering police officers to cease working at strip clubs; two officers were suspended for violating the new policy, but later were reinstated. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, NGOs reported that three investigations involved police officers, including one case in which a police officer went to the airport to collect the victim, another in which a police officer collaborated with the trafficker in the movement of a victim, and a third in which a police officer acted as security for an establishment involved in trafficking. Two of these officers received formal reprimands, but authorities took no further action due to insufficient evidence. One case remains under investigation. Some members of the Trafficking in Persons Prevention Committee, the national coordinating body, reported distrust of law enforcement within the population. The government did not train law enforcement or immigration officers on trafficking. Several members of the national coordinating body cited lack of training as an obstacle to anti-trafficking efforts.

## PROTECTION

The government made moderate progress in the protection of victims. The government identified 10 trafficking victims—two adult female Guyanese sex trafficking victims, four adult female Jamaican sex trafficking victims, and four adult male Haitian labor trafficking victims—an increase from seven identified in 2014. The immigration department began modifying its written procedures to identify victims at the port of entry. An anti-trafficking taskforce responded to 10 suspected trafficking situations, provided emergency relief, and informed the immigration department about 10 new victims. The gender affairs department funded victim services and continued to offer 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, through an ad hoc referral process. This was augmented with in-kind donations from businesses. There are no specialized services for victims and no organized NGOs that shelter victims. In 2015, the government provided modest financial assistance to various entities for victim assistance. The government granted temporary residency to one victim for two weeks; at the close of the reporting period, the government had successfully repatriated all 10 identified victims upon request by the victims. One victim from an ongoing sex trafficking investigation supplied video testimony. 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. The 2010 anti-trafficking act protects identified victims from punishment for unlawful acts committed as a direct result of having been

subjected to trafficking. Per the anti-trafficking act, a victim can file a civil suit for restitution from a government official complicit in trafficking; however, the government reported no civil suits during the reporting period.

## PREVENTION

The government sustained modest prevention efforts. The ministry of national security estimated its annual budget for anti-trafficking efforts at 66,000 Eastern Caribbean dollars (\$24,400), a six percent decrease from 2014 levels. The government conducted a week-long awareness-raising campaign, including a march; school, government office, and NGO visits; and a fair, which resulted in greater awareness of the crime and contributed to an anecdotal increase in calls to the government-run hotline that also serves victims of domestic violence and sexual assault. Six of the 10 cases investigated in the reporting period originated with calls to the hotline. The anti-trafficking committee met 10 times during the reporting period, and continued to oversee implementation of the three-year national action plan, which expires in 2016. The government released a 2015 annual report on the efforts of the anti-trafficking committee during the reporting period. The government approved a new action plan, covering 2016 through 2018. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government and NGOs reported no evidence that child sex tourism occurred in Antigua and Barbuda; the government reported no child sex tourism investigations.

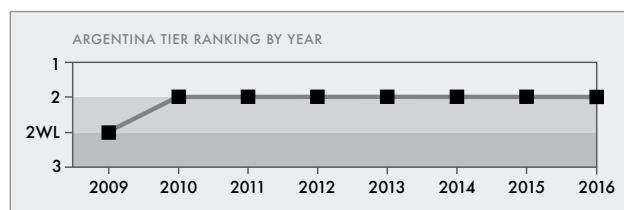
## ARGENTINA: Tier 2

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. 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.

Women and girls who live in extreme poverty, a violent family environment, or suffer from addiction are among those most vulnerable to trafficking; a significant number of them, mainly from Bolivia and Paraguay, and to a lesser extent from the Dominican Republic, Uruguay, and Brazil, are victims of sex trafficking, along with individuals from rural areas and the northern provinces. Traffickers from across Argentina bypass regulations that ban brothels by establishing “mobile brothels” in vans and trucks, making raids more difficult; this practice is particularly prevalent in the northern area of the country. Street vendors may victimize susceptible migrants from neighboring or African countries in forced labor. Transgender Argentines are exploited in sex trafficking within the country and in Western Europe. Social and online networking has become one of the most common methods to recruit women and

children for sexual exploitation. Since the passage of a law prohibiting newspapers from publishing offers for sexual services, there has been a rise in misleading classified ads promising employment. Official complicity, mainly at the sub-national levels, continues to hinder the government's efforts to combat trafficking. Two provincial police agents and a local labor inspector were convicted for complicity in trafficking-related crimes during the year.

The Government of Argentina does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The General Prosecutor's Office for Human Trafficking and Sexual Exploitation (PROTEX) continued its efforts to investigate cases and build partnerships for legal assistance to victims. The government convicted some complicit officials, but official complicity remained a widespread problem. The government identified fewer victims but increased the availability of services by opening five regional anti-human trafficking offices. The establishment of the Federal Council to Fight Human Trafficking and Exploitation and for Victims' Assistance, as mandated by the Trafficking in Persons Law, remained pending.



## RECOMMENDATIONS FOR ARGENTINA:

Increase funding for and availability of specialized shelter, legal, medical, and employment services for victims, particularly of forced labor crimes, in partnership with civil society, at the federal, provincial, and local levels; increase prosecutions and convictions with dissuasive sentences of government officials complicit in trafficking; 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 an adequate budget; improve efforts to collect data on anti-trafficking law enforcement and victim protection efforts; and expand training for officials, including 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, which 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 trafficking, 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 2015. The anti-trafficking prosecutor's office, which monitors trafficking cases heard by courts in the country, opened investigations of 226 sex trafficking cases and 132 labor trafficking cases, compared with 200 investigations in 2014. Authorities prosecuted 47 individuals for sex trafficking and 51 for labor trafficking in 2015, compared with 92 individuals prosecuted for sex and labor trafficking in 2014. The government convicted 35 traffickers in 2015 and acquitted 10 alleged traffickers; six other individuals were convicted of trafficking-related crimes. Sentences ranged from three to 12 years' imprisonment. Authorities did not report how many sentences were suspended. In comparison, authorities convicted 67 traffickers in 2014. A federal court in Mendoza province convicted a group of individuals, including two police agents and a local labor inspector, of sex trafficking of women in a brothel. Three police officers were among 16 individuals suspected of sex trafficking women in Buenos Aires province; the three officers were indicted and awaited trial at the close of the reporting period. The federal court overturned the acquittals for human trafficking of the Mayor of Lonquimay and a police official of La Pampa province. Several 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. In an instance of international cooperation, upon the request of an Argentine judge, Spain granted the extradition of a citizen who, along with a group of Argentines, was charged with sex trafficking Argentine and Paraguayan victims.

The government provided anti-trafficking training to police, prosecutors, and judicial officials, among others, 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.

## 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 424 potential human trafficking victims in December 2015, compared with 1,509 potential victims in 2014. 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. Authorities did not report how many of these victims were adults or children, men or women, Argentine citizens or foreign nationals, or how many were exploited in sex or labor trafficking. The government opened five new regional counter-human trafficking offices in the provinces of Chaco, Santa Fe, La Pampa, Mendoza, and La Rioja, which served to cooperate with security forces in raids and liaise with hospitals, educational centers, NGOs, and other government and social services agencies. The offices



employed psychologists, social assistance workers, and lawyers and provided counseling and other services to victims. While the quality and extent of victim care varied by province, overall victim support improved in Buenos Aires and the provinces where the regional human trafficking offices opened. Foreign victims had the same access to care as Argentine nationals, although foreign victims were sometimes unaware of available services. Some federal officials had formal procedures for 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. There were no efforts made to identify and assist victims of domestic servitude.

Authorities did not report how many victims they provided with comprehensive services in 2015 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. 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, but authorities did not report how many trafficking victims were assisted at shelters or lodged in hotels in 2015. 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 2015. 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 2015. 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. The government successfully collaborated with Bolivia, Paraguay, Peru, and Spain, on human trafficking cases. Argentine immigration authorities and NGOs reported repatriating victims to neighboring Bolivia and Paraguay.

Human trafficking laws provide for legal counseling for victims by the justice and labor ministries, including legal assistance during prosecution of traffickers and the filing of civil suits to obtain restitution. The prosecutorial office, established in the previous reporting period, continued to provide victims assistance during trials and referrals to government services and pro bono legal services. In September 2015, PROTEX and the Law School of the National Center University signed a cooperation agreement to implement legal assistance clinics for trafficking victims, although the clinics had not opened during the reporting period.

## PREVENTION

The government sustained prevention efforts. The efforts of the federal council on human trafficking—a broad working group mandated by the 2012 law to include federal government entities, provincial officials, and NGOs—and the smaller executive council on human trafficking—mandated to implement the initiatives of the federal council—were unclear during the year.

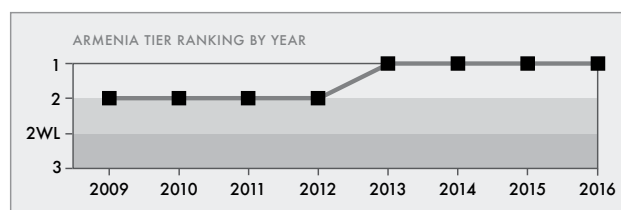
Authorities did not issue a national anti-trafficking plan as required by law; without a plan, no specific budget allocations could be assigned to new anti-trafficking structures. Some provincial governments undertook prevention efforts. NGOs and municipal authorities continued to express concern about 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 government provided anti-trafficking training for its diplomatic personnel. The government did not launch new programs but continued with training programs targeting employers, unions, and the general public to reduce the demand for commercial sex acts and forced labor. Argentine troops received anti-trafficking training prior to their deployment abroad on international peacekeeping operations.

## ARMENIA: Tier 1

Armenia is a source and, to a lesser extent, destination country for men, women, and children subjected to sex and labor trafficking. Armenian women and children are subjected to sex and labor trafficking within the country as well as sex trafficking in United Arab Emirates (UAE) and Turkey. Chinese women have been subjected to sex trafficking in Armenia. 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 vulnerable to labor trafficking. Men in rural areas with little education and children staying in child care institutions remain highly vulnerable to trafficking. Conflict-displaced persons, including Syrian Armenians, living in Armenia are at risk of exploitation and have been subjected to bonded labor.

The Government of Armenia fully meets the minimum standards for the elimination of trafficking. A law entered into force in June 2015 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. It also affords foreign trafficking victims the same rights and services as Armenian citizens, and ensures assistance is provided regardless of a victim's cooperation with law enforcement efforts. The government maintained strong collaboration with anti-trafficking NGOs, local media, donor organizations, and regional partners. The government had dedicated resources for victim services and provided funding to one NGO-run shelter for trafficking victims. The anti-trafficking interagency group met regularly to coordinate activities across the government. The government provided training and materials on victim identification to police investigators and border officials, as well as appropriate human rights training to employees at correctional institutions. The government increased the number of trafficking investigations, but initiated fewer prosecutions and secured slightly fewer convictions. The government continued to lack formal victim-witness protection.



## RECOMMENDATIONS FOR ARMENIA:

Improve efforts to identify victims of forced labor, including by strengthening victim identification training for officials, ensuring labor inspectors are able to conduct regular inspections and identify victims through unannounced visits, and increasing cooperation across law enforcement entities; adopt a new national action plan for 2016-2018; license, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad; provide sensitivity training to judges and lawyers to improve treatment of 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; approve legislation to establish victim-witness protection measures; effectively develop and implement new trafficking victim compensation mechanisms; continue awareness-raising campaigns to rural and border communities and to children leaving child care institutions; and continue robust partnerships with civil society groups.

## PROSECUTION

The government sustained modest law enforcement efforts, but authorities reported fewer prosecutions and convictions. Articles 132 and 132-2 of the criminal code prohibit both sex and labor trafficking and prescribe penalties of five to 15 years' imprisonment; these are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 14 new trafficking cases in 2015, compared with 10 in 2014. Four of the cases involved labor trafficking; of the 10 sex trafficking cases, six were redefined as rape or prostitution charges and one was dropped. Authorities initiated prosecutions against two defendants and courts convicted three traffickers in 2015, compared with seven prosecutions and convictions in 2014. Two traffickers received sentences of 11 years' imprisonment and one received 11 years and six months' imprisonment. Prosecution of labor trafficking cases remained a challenge as most cases happened in Russia, where Armenian investigators continued to have difficulties collaborating with law enforcement. The government provided training on trafficking and victim identification to more than 250 police investigators and new border control employees. The Ministry of Justice continued to include trafficking topics in mandatory human rights training for employees of corrections institutions. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

## PROTECTION

The government increased protection efforts. The Law on Identification and Assistance to Victims of Human Trafficking and Exploitation came into force in June 2015. The law outlines actions for national and local government bodies, NGOs, international organizations, and civil society to identify and support trafficking victims. It also ensures victim assistance is not linked to their cooperation with law enforcement and affords foreign trafficking victims the same rights and services as Armenian citizens. The mechanisms to compensate victims provided by the law were not finalized by the end of the reporting period. The government identified three male and six female trafficking victims in 2015, compared with 11 in 2014; authorities notified all victims of their right to services and five of the victims accepted NGO shelter assistance. The government assisted an NGO to repatriate a male labor trafficking victim from Russia; the victim did not stay at a shelter or testify

against his traffickers. The absence of an Armenian embassy in Turkey hindered the identification of Armenian trafficking victims in Turkey. The National Security Service distributed to border control troops 150 manuals on providing assistance to trafficking victims.

In 2015, the government allocated 46,259,000 drams (\$95,000) for assistance to trafficking victims and partially funded one NGO that provided shelter to 18 victims and vulnerable individuals, six of whom were referred in 2015. A short-term shelter operated by another NGO provided support to seven victims. The government and local NGOs jointly provide victims legal, medical, and psychological assistance; housing; and access to social, educational, and employment projects. Victims of trafficking are eligible for free health care through a government program; two victims received this service in the reporting period. 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. As a result of a legal change that suspended the majority of labor inspectorate functions in July 2015, inspectors were unable to conduct regular inspections and thus unable to identify indications of forced labor. During the last several years, victims reported greater trust in law enforcement when assisting investigations and prosecutions; however, observers reported that for various reasons, including fear of retaliation from their traffickers, victims were reluctant to assist in prosecutions. The government continued to lack formal victim-witness protection. In 2014 a draft law establishing victim-witness protection was submitted to Parliament; the law remained pending at the close of the reporting period. There were no reports in 2015 that authorities inappropriately detained identified trafficking victims; the law exempts them from criminal prosecution for crimes they were forced to commit as a result of being subjected to trafficking. However, there was one incident of police providing information on a victim's location at an NGO to her alleged trafficker; an internal investigation resulted in disciplinary action against the police station's leadership.

## PREVENTION

The government continued robust trafficking prevention efforts. Government agencies conducted a variety of prevention projects and activities, although the government reported that some observers believed it did not reference trafficking in public awareness campaigns frequently enough. Police transmitted videos and participated in television programs devoted to trafficking issues. Police held awareness-raising discussions at schools, and officials distributed informative materials on the risks of trafficking to individuals crossing the border, as well as Armenians residing in the Middle East and European countries. Government agencies posted trafficking information on their websites, including information on hotlines operated by police and NGOs; hotline calls led to preventive measures and investigations. The Inter-Agency Working Group against Trafficking in Persons met regularly, published reports of its activities, and began developing a fifth national action plan for the period of 2016-2018; a new action plan was not approved by the end of the reporting period. The Ministerial Council to Combat Trafficking in Persons only met once during the year due to the resignation of its chair; however, a new chair was appointed by the end of the reporting period. The government

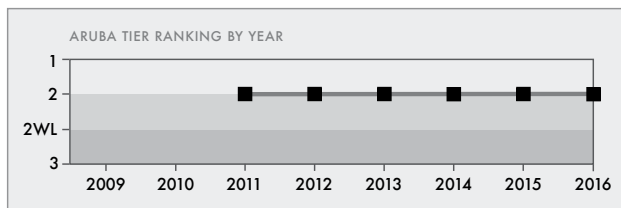


provided anti-trafficking training for its diplomatic personnel and for its troops before deployment overseas on international peacekeeping missions.

## ARUBA: Tier 2<sup>†</sup>

Aruba is a source and destination country for women, men, and children subjected to sex trafficking and forced labor. Venezuelan women are vulnerable to trafficking in Aruba's commercial sex trade and foreign men and women are vulnerable to forced labor in the service and construction industries. 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 of forced labor. 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 vulnerable to trafficking. This report also noted some children may be vulnerable to sex trafficking and to forced labor in Chinese-owned supermarkets and restaurants.

The Government of Aruba does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government drafted a new national anti-trafficking action plan for 2015-2019, formalized standard operating procedures to guide front-line responders in the proactive identification of trafficking victims and their referral for care, and appointed a deputy national anti-trafficking coordinator. The government screened potential trafficking victims, identified one potential victim, initiated one investigation, and sought to uphold a conviction; but did not initiate any new prosecutions or secure any new convictions during the reporting period.



### RECOMMENDATIONS FOR ARUBA:

Vigorously investigate and prosecute trafficking offenses, and convict and punish traffickers; proactively identify trafficking victims among all vulnerable groups, including domestic workers, migrants in construction, supermarkets, and the retail sector, and women in the regulated prostitution industry and who hold adult entertainment visas; continue to 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; finalize and implement the victim assessment and referral process; formalize agreements with local NGOs and private sector accommodations to shelter adult and child victims; allocate sufficient resources to enable the national anti-trafficking taskforce and national coordinator to improve anti-trafficking efforts; and implement the 2015-2019 national anti-trafficking action plan.

### PROSECUTION

The government did not initiate any new prosecutions for trafficking offenses for the second consecutive year, but sought to uphold the conviction of a human trafficker in the court of appeals. Articles 203a and 286a of the criminal code prohibit all forms of trafficking in persons. In 2014, the government enacted amendments to the penal code that increased penalties for trafficking offenses to eight to 18 years' imprisonment and a fine of 25,000 to 100,000 florins (\$14,045-56,180). These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The national coordinator received five referrals for potential sex trafficking and forced labor cases, but found only one potential forced labor case warranted further investigation. The government did not prosecute or convict any traffickers in 2015—it similarly failed to prosecute or convict any traffickers in 2014; in 2013 there were two prosecutions and convictions. A trafficker convicted in 2013 appealed his conviction; the public prosecutor sought to uphold the conviction and sentencing, but the court has not yet rendered a judgment. The public prosecutor and police screened all human smuggling cases for indicators of human trafficking. 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 police officers and managers, prison guards, health and social affairs officials, and immigration officials.

### PROTECTION

The government sustained progress protecting victims. The government drafted a trafficking victim referral process to guide officials using a three-tier system of high, medium, and low urgency based on factors such as risk of bodily harm or injury, vulnerability of the potential victims involved, and living conditions at the moment of assessment. Upon referral by the national hotline, police, or a concerned resident, the national coordinator screened six potential trafficking victims and identified one potential labor trafficking victim in 2015, compared with one potential labor trafficking victim identified in 2014 and two potential victims identified in 2013. The labor trafficking victim received services from local NGO partners, and the case remained under investigation. Multi-disciplinary teams of police, labor officials, and immigration officials conducted inspections aimed at identifying potential labor exploitation. The government operated a hotline for trafficking victims and had a policy to provide potential victims with emergency shelter, food, medical care, legal assistance, temporary immigration relief, and financial and repatriation assistance. Authorities maintained informal, verbal agreements with local NGOs and private sector accommodations to shelter adult and child victims. The national anti-trafficking taskforce lacked a dedicated budget for shelter and other forms of victim assistance, but formally requested funding. Foreign victims are entitled to the same rights and protection as Arubans. Officials conducted risk assessments before deciding whether victims could leave shelters unchaperoned, and their movement was limited if their lives were at risk. The anti-trafficking taskforce continued to provide law enforcement and social services officials with a checklist of the most common signs of human trafficking. The law authorizes the extension of temporary immigration relief for foreign victims for three

<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.

to six months on a case-by-case basis, and allows foreign victims whose employers are suspected of human trafficking to change employers; no identified victims required such relief in the reporting period. The criminal code enables trafficking victims to receive restitution not to exceed 50,000 florins (\$28,000) for financial and emotional damages inflicted by their traffickers. Trafficking victims may file civil suits against their traffickers, and there is no limit for damages awarded in such suits. There were no reports of the government punishing victims for unlawful acts committed as a direct result of being subjected to human trafficking.

## PREVENTION

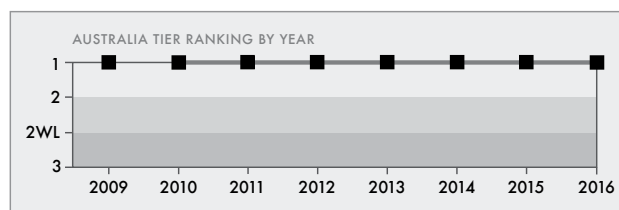
The government increased prevention efforts. The taskforce completed a national anti-trafficking action plan for 2015-2019, which was pending approval by the minister of justice. The government also assigned to the taskforce a deputy national coordinator with anti-trafficking experience in the Netherlands. In 2015, the government partnered with the Netherlands and other Kingdom of the Netherlands partners to update their memorandum of understanding to strengthen coordination and cooperation on anti-human trafficking efforts. The government continued its on-going trafficking awareness campaign, which included posters and flyers in four languages targeting both victims and the general public; the campaign was linked to a hotline staffed by the national coordinator trained to assist trafficking victims. The minister of justice led an outreach event for more than 500 high school students on National Anti-Human Trafficking Day to raise awareness about sex trafficking. 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 developed an information card for immigrants on how to recognize forced labor, which will be placed on work permit applications in 2016. The government adopted new procedures to screen and inform adult entertainers and meet with a Dutch consular officer to ensure the applicant knows his/her rights and are fully informed of the work agreement before picking up their in-flight letter at the Dutch Embassy in Colombia. Upon arrival, such visa recipients undergo medical check-ups and receive information about their rights, risks, and resources. The government launched a new research project on the commercial sex industry with the Pan American Health Organization. There were no reports of child sex tourism occurring in Aruba or of Arubans participating in international sex tourism. The government provided anti-trafficking training for its diplomatic personnel.

## AUSTRALIA: Tier 1

Australia is primarily a destination country for women and girls subjected to sex trafficking and for women and men subjected to forced labor. A small number of children, primarily teenage Australian and foreign girls, are subjected to sex trafficking 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. After their arrival, some of these women are coerced to enter or remain in prostitution. Some foreign women—and sometimes girls—are held in captivity, subjected to physical and sexual violence and intimidation, manipulated through illegal drugs, obliged to pay off unexpected or inflated debts to traffickers, or otherwise deceived about working arrangements.

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 service. Traffickers often operate independently or are part of small organized crime networks that frequently involve family and business connections between Australians and overseas contacts. Some 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 meets the minimum standards for the elimination of trafficking. The government prosecuted a modest number of suspected traffickers, although it did not obtain any convictions under trafficking provisions for a second year. The government increased the number of victims it identified and referred to the government-funded support program, and it made changes to its visa policies intended to better address the needs of foreign trafficking victims. It prosecuted two and convicted one Australian child sex tourist for exploitation of children abroad. The government began implementation of a new five-year national action plan to combat human trafficking.



## RECOMMENDATIONS FOR AUSTRALIA:

Vigorously investigate and prosecute trafficking offenses, with increased focus on labor trafficking, and convict and stringently sentence sex and labor traffickers; 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; increase training for prosecutors and judges on Australian trafficking laws; 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 potential victims and ensure such interviews are conducted in a safe and neutral location; continue efforts 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; 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 the legal commercial sex industry 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 of up to 197,000 Australian dollars (\$144,000). These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. A February 2015 amendment to the criminal code grants universal jurisdiction to slavery offenses under division 270. The criminal code, through the 2013 Crimes Legislation Amendment, also 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 the prostitution of children.

The Australian Federal Police (AFP) investigated 61 cases of alleged trafficking and related offenses, a decrease from 87 cases investigated in 2014; nearly half of these cases related to suspected forced marriage offenses and it is unknown how many of these involved sex or labor trafficking. The government initiated prosecutions of four defendants, including three for suspected labor trafficking offenses, and one for suspected sex trafficking, and continued prosecution of two defendants (one for suspected sex trafficking and one for forced labor) begun in previous years; this is a decrease from nine defendants prosecuted in 2014.

For the second year, the government did not obtain any convictions under the trafficking provisions in the criminal code: it convicted six suspected traffickers under other laws which carry lesser penalties, prosecutors dropped trafficking charges against three suspects, and courts acquitted two individuals on trafficking charges.

One suspect was found not guilty on all trafficking charges but sentenced to 16 months' imprisonment for violations of the migration act; in a separate case, a defendant was found not guilty on all trafficking charges and charged a fine for violation of the Foreign Passports Act. Four individuals involved in the deceptive recruitment and debt bondage of foreign women in sex trafficking were convicted and sentenced to prison terms ranging from three years and two months' imprisonment to four years' imprisonment on charges of dealing in proceeds of crime. The government dropped all charges against three individuals suspected of labor trafficking offenses. AFP maintained its use of specialized teams to investigate suspected trafficking offenses, although the majority of labor trafficking cases continued to be addressed through civil mechanisms. The government funded and facilitated training on trafficking investigations, legal provisions, and victim support for 22 police and immigration officers. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government sustained efforts to protect trafficking victims. Authorities identified 35 potential victims (including four for sex trafficking, 17 for forced labor, and 14 for which the form of exploitation was unclear), compared with 33 in 2014, and referred them to the government-funded support program. Only AFP has the legal authority to refer victims to the government's support program; NGOs provided services for additional victims who were either not formally recognized by AFP or who chose not to communicate with law enforcement. Potential victims could typically access accommodation, living expenses, legal

advice, health services, vocational training, and counseling provided by the government. In 2015, the government amended policies to expand access to English language training for foreign victims. The government continued to provide approximately one million Australian dollars (\$731,000) annually to fund its victim support program. In 2015, the government repatriated one Australian trafficking victim from abroad and provided unspecified support through this program. There were no government-run shelters for trafficking victims and one known trafficking-specific shelter run by an NGO in the country. In 2015, the government made reforms to its visa policies intended to better address the needs of foreign trafficking victims. It granted referred stay (permanent) visas, which required victims to assist with an investigation or prosecution of a trafficking offense, to four victims and their immediate family members. 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 to services were limited; authorities did not routinely screen for indicators of labor trafficking among vulnerable groups. Authorities identified the majority of victims through immigration compliance actions, which may have made some victims reluctant to communicate with law enforcement officers 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. In March 2015, a court ordered a convicted trafficker to pay 186,000 Australian dollars (\$134,000) in back wages and interest to the Indian national he subjected to forced labor. In May 2015, the Supreme Court of Victoria enforced a United States court order for \$3.3 million in damages against a former U.S. diplomat living in Australia, related to trafficking offenses committed against a domestic worker. The former domestic worker advised the court that she had received in full a settlement sum. 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

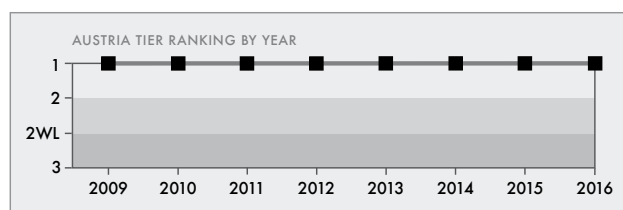
The government sustained efforts to prevent trafficking. It began implementation of its five-year national action plan to combat trafficking, launched in the previous year, and submitted an annual report to Parliament detailing its work. The government continued to fund the Australian Institute of Criminology 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 AFP or immigration officials for criminal investigation of potential forced labor. The government funded anti-trafficking initiatives and delivered trainings in the Asia-Pacific region. The government continued to distribute materials to passport applicants outlining the application of Australian child sexual exploitation and child sex tourism laws to Australians overseas, and in 2015 it prosecuted two and convicted one Australian for committing child sex tourism crimes in other countries. 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 industry. It provided anti-trafficking training for its diplomatic personnel prior to being posted abroad and to military personnel prior to deployment on international peacekeeping missions.

## AUSTRIA: Tier 1

Austria is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. 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. Physically and mentally disabled persons from Eastern Europe and Romani children are victims of forced begging. In 2015, authorities identified trafficking victims among a growing population of unaccompanied minor asylum seekers, including children from Syria, Afghanistan, and North Africa forced into begging.

The Government of Austria fully meets the minimum standards for the elimination of trafficking. While the number of prosecutions and convictions declined, the government substantially increased funding for victim services and continued to identify and refer victims in partnership with NGOs. The government improved its efforts to identify trafficking victims among refugees, irregular migrants, and asylum-seekers, and provided training on victim identification to NGOs providing care to those vulnerable populations. The government continued its efforts to prevent domestic servitude in diplomatic households and its support of campaigns to sensitize buyers of commercial sex acts about sex trafficking and to prevent child sex tourism.



### RECOMMENDATIONS FOR AUSTRIA:

Sentence convicted traffickers proportionate to the gravity of the crime; expand and enhance efforts to identify victims among irregular migrants, asylum seekers, and individuals in prostitution; continue to sensitize judges on the challenges trafficking victims face in testifying against their exploiters; revise procedures to allow victims who agree to cooperate in prosecutions, particularly EU nationals who do not meet the current criteria for residency, to receive residence permits; and continue efforts to identify trafficking victims among children exploited in prostitution and forced begging and men working in sectors vulnerable to labor exploitation.

### PROSECUTION

The 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. article 217 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. In January 2016, the government adopted additional criminal code provisions strengthening prohibitions against trafficking-related crimes, including section 106a, criminalizing forced marriage and section 205a, criminalizing nonconsensual sex, exploitation, and the use of intimidation to obtain consent.

The government investigated 118 trafficking suspects in 2015 (six under article 104, 57 under article 104(a), and 55 under article 217), compared with a total of 147 investigations in 2014. The government prosecuted 35 trafficking defendants in 2015 (10 under article 104(a), and 25 under article 217), a decrease from 57 prosecutions in 2014. Austrian courts convicted 15 traffickers in 2015 (two under article 104(a), and 13 under article 217), a decrease from 49 convictions in 2014. Prison sentences ranged from three months to more than five years in 2014, the most recent year for which sentencing data was available, but courts partially or fully suspended some sentences.

The government provided training on victim identification and trafficking awareness to a wide range of government employees, including law enforcement, military, diplomatic, detention center, asylum reception center, revenue authority, labor inspectorate, border control, and judicial personnel. Training was conducted at all levels, and is included as part of the standard curriculum for law enforcement. 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 271 female and 30 male victims in 2015, an increase from 268 victims in 2014. The government disbursed approximately 831,760 euros (\$905,000) to a specialized anti-trafficking NGO to assist and house victims, a decrease from 838,740 euros (\$1.02 million) disbursed in 2014. The government also disbursed approximately 400,000 euros (\$435,000) to two NGO-run counseling centers for male trafficking victims and undocumented migrants, a substantial increase from 180,000 euros (\$219,000) disbursed in 2014. Government funding comprised the bulk of these organizations' budgets. The center for male victims, which began to offer secure accommodation in March 2015, assisted 30 victims and provided counseling to 424 men, some of whom may have been unidentified victims. The center for undocumented migrants identified and referred one trafficking victim in 2015. A government-run center for unaccompanied minors assisted child trafficking victims and offered specialized psychological care. Government-funded NGOs provided trafficking victims with emergency shelter, medical care, psychological care, and legal assistance. NGO staff helped victims prepare for court proceedings and assisted foreign victims with repatriation.

The government granted 17 foreign victims temporary residence permits in 2015, which allowed them unconditional access to



the Austrian labor market. 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 EU victims in previous years, and many had to leave who would have preferred to remain in Austria. Government officials from multiple agencies had guidelines and checklists to proactively identify trafficking victims. Government inspectors and police proactively screened women in prostitution for trafficking indicators; however, in previous years, NGOs reported that staff at health centers lacked resources to identify victims among individuals in prostitution. NGOs worked with government officials to improve their ability to identify trafficking victims and reported police identification was generally effective. The government increased efforts to identify trafficking victims among migrants and asylum-seekers, providing training to border officials, NGOs, and directly to migrants; nonetheless, officials identified no trafficking victims among migrants transiting through or remaining in Austria in 2015. Identified victims of trafficking were granted a 30-day reflection period to receive assistance and decide whether to cooperate in investigations. The justice ministry reported 160 victims assisted in prosecutions during 2015. Victims could testify via video conference and could provide anonymous depositions. Victims could also file civil suits for compensation against traffickers, though it was unclear whether any victims collected judgment awards in 2015. In previous years, experts reported Austrian judges needed more sensitization training on dealing with trafficking victims as witnesses. While the government did not report any cases of trafficking victims being detained, fined, or jailed for unlawful acts committed as a direct result of being subjected to human trafficking, NGOs identified cases where authorities convicted and fined victims who had been forced to commit misdemeanors, such as pickpocketing.

## 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 detailed annual report on its website on the implementation of its 2012-2014 national action plan and began implementation of its action plan for 2015-2017. The government subsidized several publications and television programs on trafficking and funded campaigns to inform women in prostitution of their legal rights. 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 support regional anti-trafficking initiatives, hosted several international conferences on trafficking, and 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 government continued efforts to prevent trafficking by diplomats posted in Austria. The foreign ministry continued events for employees of diplomatic households, increasing workers' awareness of their rights and sensitizing them to trafficking. The government required foreign domestic workers in diplomatic households to appear in person to receive their identity cards. 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 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 are subjected to forced labor in Turkey, Russia, United Arab Emirates (UAE), and Azerbaijan. Women and children from Azerbaijan are subjected to sex trafficking within the country and in Turkey, Russia, and UAE. Azerbaijan is a destination country for sex and labor trafficking victims from Turkey, Uzbekistan, Turkmenistan, Ukraine, and, in previous years, China and Russia. 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 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 are subjected to domestic servitude in Azerbaijan.

The Government of Azerbaijan does not fully meet 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, maintained strong prosecution and conviction rates, and handed down severe sentences for labor and sex traffickers. The government increased victim identification efforts through the identification of seven Azerbaijani victims of forced labor; however, the government did not provide adequate and consistent financial support to NGO partners that provide rehabilitation and reintegration services to victims for the third year in a row. The government did not have formal standard operating procedures for implementation of the referral mechanism, and communication amongst participating agencies and organizations remained weak. Sources reported the government continued to pressure victims to assist in the investigation and prosecution of alleged traffickers, and victims who refused to participate did not receive the same quality of care as those who did participate.



## RECOMMENDATIONS FOR AZERBAIJAN:

Proactively investigate potential trafficking cases, particularly situations of potential forced labor; vigorously investigate and prosecute trafficking offenses and convict and punish trafficking offenders; create standard operating procedures to implement the national referral mechanism and formalize the role of NGOs and other stakeholders in the referral process; improve communication among government agencies, including about

victim referrals and potential cases; increase funding to victim service providers and expand the network of providers outside Baku; proactively respond to the referral of potential trafficking victims by NGOs; provide safe accommodation and the same protective services for victims who choose not to cooperate with law enforcement as for those who do; 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 to services; and target public awareness campaigns to foreign migrant workers, describing indicators of human trafficking and avenues to seek help.

## PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. The 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 investigated 29 potential sex or labor trafficking cases in 2015, 22 for suspected sex trafficking offenses and seven for suspected labor trafficking offenses, an increase from 23 trafficking investigations in 2014. The government prosecuted 32 defendants and convicted 23 traffickers in 2015, compared with 26 convictions in 2014; 18 were for sex trafficking and five for forced labor. All of the convicted traffickers were sentenced to prison: seven traffickers, two charged with forced labor and five charged with sex trafficking, received one- to five-year sentences; and 16, three charged with forced labor and 13 charged with sex trafficking, received five- to 10-year sentences. Civil society reported the government increased capacity of front-line responders through the institutionalization of training through the Ministry of Justice. The government did not report training prosecutors or judges during the reporting period.

## PROTECTION

The government increased efforts to identify and assist victims, although funding for NGOs remained insufficient for the third consecutive year. The Ministry of Internal Affairs' (MIA) Anti-Trafficking Department (ATD) continued to run a shelter in Baku; however, the shelter was heavily guarded and victims, including adults, did not have freedom of movement. Experts reported the shelters lacked specialized care for victims. In 2015, the government certified 63 trafficking victims, of which 56 were women, six were men, and one was a child, compared with 54 victims certified in the previous reporting period. Of the 56 women certified, 53 were sex trafficking victims and three were labor trafficking victims. All six men certified were labor trafficking victims and one child was a sex trafficking victim. Of the 63 certified victims, 49 were Azerbaijani citizens exploited abroad, 38 in Turkey, eight in UAE, and three in Russia; the government referred 48 to the MIA-run shelter, where they received legal, medical, and psychological support. The government provided 63 victims with a one-time allowance of 400 manat (\$245), nine victims with employment assistance, and eight victims with vocational training; it also directed 40 victims to NGOs and 58 to the state-run Victim Assistance Center (VAC) for additional social services. The government allocated 44,000 manat (\$27,500) to the VAC, an increase from 32,000 manat (\$20,000) in the previous reporting period; however, this budget did not allow the VAC to hire adequate staff. The government did not provide any funding for victim assistance

to the NGO partners that provided shelter and other services for 40 victims during the reporting period. These institutions continued to be significantly underfunded, considering the frequency with which they are asked to provide vital housing, medical, employment, and legal assistance to victims. For example, most shelter staff that provided critical protective services during the reporting period worked on a voluntary basis. Sources reported the government pressured victims to assist in investigation and prosecution of alleged traffickers. Victims who refused to participate did not receive the same quality of assistance as those who did and were not permitted to stay at the MIA-run shelter in Baku.

The government identified seven foreign national victims of trafficking from Turkmenistan, Ukraine, and Uzbekistan, all of whom received services from ATD. The government paid for five sex trafficking victims from Uzbekistan to reside in a private apartment rather than the MIA-run shelter upon the victims' request, and it coordinated with the Government of Uzbekistan to repatriate all of them. One Chinese victim from the previous reporting period remained at the Azerbaijan Children's Union shelter awaiting the conclusion of his case. Another victim from the previous reporting period was awarded restitution of 5,000 manat (\$3,000). ATD authorized the provision of legal representation to trafficking victims at the government's expense. Although ATD had a list of indicators for identifying victims, it was unclear how the list was distributed or when it was referenced in the course of an inspection. The government did not have formal standard operating procedures for implementation of the referral mechanism, and communication among participating agencies and organizations remained weak. Experts widely reported flaws in the referral process, including the government's failure to officially acknowledge or provide services for victims identified by NGOs. The government did not follow up on the referral of 130 potential trafficking victims received by an international organization during the reporting period.

## PREVENTION

The government increased prevention efforts. ATD led the implementation of the national action plan (2014-2018) during the reporting period. The government publicly released an annual assessment of the country's anti-trafficking efforts, including prosecution data and protection efforts, which was made available online. The national anti-trafficking coordinator presented the government's efforts to Parliament in April 2016. On October 14, 2015, the Cabinet of Ministers ruled in Decision 330 for an expansion of social services for migrants vulnerable to trafficking and requiring additional training of migration, customs, and border officials to help improve the identification of migrants as potential trafficking victims. VAC conducted awareness campaigns in 20 regions, reaching approximately 600 individuals. The Ministry of Youth and Sport and the State Committee for Women, Family, and Children Affairs (SCWFCA) held events to raise awareness in 53 regions and also used social media and the government's website to share information intended to raise awareness about trafficking. SCWFCA published booklets, ran three different public service announcements, and participated in public and private television programs to discuss the dangers of trafficking. The labor inspectorate placed billboards throughout the city to encourage employees to register their contract in the government's electronic database and held awareness campaigns in vocational schools throughout the country. The United States Department of Justice and ATD co-sponsored an international conference promoting multidisciplinary,



interagency taskforces and regional mutual legal assistance in March 2016 that focused on trafficking in persons. The program increased the capacity of domestic enforcement agencies to share information, avoid duplication of effort, leverage resources, and establish points of contact and working relationships with their regional counterparts. It also improved the Azerbaijanis' response to trafficking in persons crimes by increasing the capacity of prosecutors to obtain foreign evidence through a variety of channels. The State Migration Service (SMS) issued identity documents and residency status to 198 illegal migrants and legalized the residency status of 2,039 illegal migrants reducing the vulnerability of these individuals to trafficking. The government did not report any new measures to reduce the demand for commercial sex or forced labor. In accordance with the national action plan, the government trained diplomats to protect the rights and interests of Azerbaijani citizens who are discovered as victims abroad. The training did not address the prevention of diplomats themselves from engaging in trafficking, but the government had plans to hold additional such training.

## THE BAHAMAS: Tier 1

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—especially from Haiti, Jamaica, Colombia, and Venezuela—who arrive voluntarily to work as domestic employees and laborers, but may be recruited or deceived by traffickers who lure victims with fraudulent recruitment practices, such as false promises of employment through advertisements in foreign newspapers. Also vulnerable are children born in The Bahamas to foreign-born parents who do not automatically receive Bahamian citizenship and individuals in prostitution and exotic dancing. Traffickers confiscate victims' passports and restrict their movements.

The Government of The Bahamas fully meets the minimum standards for the elimination of trafficking. The government continued strong collaboration across multiple government agencies, resulting in prosecutions of traffickers and protection of victims. The government arrested and prosecuted five alleged traffickers during the reporting period, sent letters to employees with work permits explaining the definition of trafficking and advising employers of the prohibition against document retention, tasked labor inspectors to screen for trafficking indicators when inspecting labor sites, and developed a referral process for immigration officers to screen for trafficking indicators. The government faced challenges in identifying victims, but continued efforts to implement its victim identification and referral protocol and provided training on trafficking in persons for 157 government officials responsible for identifying and assisting trafficking victims.



## RECOMMENDATIONS FOR THE BAHAMAS:

Increase efforts to prosecute, convict, and appropriately punish traffickers; implement the victim identification and referral protocol to identify victims of sex and labor trafficking, especially among vulnerable groups; continue to provide all identified victims with adequate protection and assistance; use independent interpreters when conducting inspections of migrant worker labor sites, and continue to interview workers privately; increase grassroots outreach with potential trafficking victims among vulnerable groups, in partnerships with NGOs; finalize policies and procedures for data collection, victim care, research, and case management; strengthen engagement with officials involved in anti-trafficking activities in other countries in the region; and continue to implement a nationwide public awareness campaign to educate the public and officials about human trafficking and its manifestations in The Bahamas, including the distinction between trafficking and smuggling.

## PROSECUTION

The government sustained anti-trafficking law enforcement efforts. The Trafficking in Persons (Prevention and Suppression) Act 2008 prohibits all forms of human trafficking and 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. Authorities initiated three new human trafficking prosecutions of five alleged traffickers and continued prosecutions against three alleged traffickers during the reporting period, but did not obtain convictions. It initiated 12 new labor and sex trafficking investigations involving 53 potential victims from The Bahamas and other Caribbean countries, South and Central America, and Asia, compared with 13 new investigations involving 50 potential victims in 2014. Officials screened 49 of the individuals for possible trafficking indicators during these investigations, and confirmed three through in-person interviews. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. In January 2016, the Court of Appeal ruled trafficking cases cannot be tried in the Supreme Court absent an amendment to Bahamian criminal procedure, quashing the Supreme Court's 2014 sentence of one convicted perpetrator of trafficking crimes to 15 years' imprisonment for trafficking in persons and seven years' imprisonment for withholding the victim's documents. The government appealed the Court of Appeal ruling to the Privy Council in London; meanwhile, it continued to prosecute cases in the Magistrates' Courts. Government officials funded and delivered training to 157 police, investigators, prosecutors, judges, and other officials on the Bahamian anti-trafficking law, trafficking indicators, victim referral and assistance, and trafficking investigations and prosecutions. The government cooperated with the United States to investigate a potential forced labor case, and with Costa Rica to investigate a potential trafficking case. Bahamian officials also worked with Colombian authorities to facilitate a Colombian victim's testimony in a case before the Bahamian courts.

## 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. During the reporting period, the government screened 49 potential trafficking victims—41 adult females and seven adult males—and one potential child victim. Authorities identified three sex trafficking victims—all

foreign nationals, one child and two adults—and referred them for appropriate care and assistance, including housing and medical, psychological, legal, immigration, and reintegration assistance. The government reported spending approximately 42,000 Bahamian dollars (\$42,000) on trafficking victims' care, including subsidies to three NGOs. The government granted three foreign victims relief from deportation; two victims were ultimately repatriated with Bahamian government assistance to their home countries and one victim remained in the country and continued to receive deportation relief. Authorities initially provided a work permit to one of the adult victims who later requested repatriation. Authorities encouraged trafficking victims to assist in prosecutions by providing lodging, food, a stipend, clothing and other basic necessities, accompaniment to court proceedings, and witness protection, as needed. For the first time, the justice system allowed the statements of five sex trafficking victims who had been repatriated to their country of origin to be admitted as evidence pursuant to a 2014 amendment to criminal procedure and evidence laws. In addition, the Criminal Procedure Code allowed trafficking victims to submit statements to the court to inform judges of the harm inflicted by their traffickers prior to sentencing of convicted traffickers.

The 2008 anti-trafficking act provides victims with immunity from prosecution for unlawful acts committed as a direct result of being subjected to trafficking, which the government effectively implemented for the three confirmed trafficking victims during the reporting period. The anti-trafficking act also authorizes the court to order convicted defendants to pay restitution to victims, however, such restitution was not ordered in 2015. In response to previous concerns about the small number of foreign trafficking victims formally identified among those foreign nationals detained at the migrant detention center, the government developed a process for law enforcement officers to screen for trafficking indicators and refer potential victims to service providers for assistance, including legal and interpretation assistance, as well as appropriate immigration relief.

## PREVENTION

The government increased prevention efforts, taking 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. In addition, the minister of national security met with members of the diplomatic and honorary consul corps to inform them about government efforts to combat trafficking and resources available for potential victims. The government continued to conduct a nationwide public awareness campaign to educate students about human trafficking, disseminated 2,700 anti-trafficking pamphlets to inform potential victims of their rights and available resources, conducted outreach in vulnerable communities to inform people about trafficking, and continued to air public service announcements on television and radio throughout the country. The government partnered with NGOs to implement its 2014-2018 national anti-trafficking strategy and detailed action plan that outlines efforts related to government infrastructure, prevention, victim and witness protection, investigation and prosecution, and partnerships. NGOs reported the government actively solicited their participation and feedback, including in outreach to vulnerable communities.

The government did not have standard operating procedures

for data collection and victim care or terms of reference for research, and case management. Authorities developed and disseminated anti-trafficking pamphlets, which included checklists of warning signs that may indicate a person is being subjected to trafficking and a telephone number to call for help. The government sent letters to employees with work permits explaining the definition of trafficking and advising employers of the prohibition against document retention, and it published a notice advising job seekers on avoiding potential fraud in the cruise ship industry. Labor inspectors screened for indicators of trafficking when inspecting work sites. The government provided anti-trafficking training for its diplomatic personnel, including a rotation in legal affairs and written material. The Ministry of Foreign Affairs distributed trafficking awareness-raising materials in consular reception areas. The government conducted awareness efforts targeted at potential clients of the sex trade or potential victims of forced labor; it closed some sex trade establishments, conducted random inspections of businesses and conducted operations in strip clubs and bars to identify and hold accountable owners of such establishments. Authorities did not consider child sex tourism to be a problem in The Bahamas and reported no child sex tourism investigations, although it did train tourism officials and placed anti-trafficking pamphlets in tourism information booths.

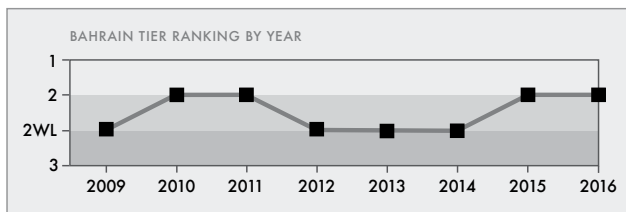
## BAHRAIN: Tier 2

Bahrain is a destination country for men and women subjected to forced labor and sex trafficking. Men and women from South, Central, Southeast, and East Asia; East and West Africa; the Middle East; and other countries migrate voluntarily to Bahrain to work as domestic workers or as laborers in the construction and service industries. In recent years, NGOs observed a greater influx of workers from parts of Africa. Some migrant workers face forced labor after arriving in Bahrain, experiencing unlawful withholding of passports, restrictions on movement, contract substitution, non-payment of wages, threats, and physical or sexual abuse. Withholding of workers' identity cards and passports and intimidation by employers prevents some workers from reporting abuse. "Free visa" holders, who work for an employer who is not their sponsor and are therefore working illegally, are particularly vulnerable to exploitation. Government and NGO officials report physical abuse and sexual assault of female domestic workers, who are often strictly confined to the household, are significant problems in Bahrain. 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 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. Migrant workers did not always have access to their employment contracts and many were unaware of their terms of employment. A large percentage 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, and Eastern European states are subjected to forced prostitution in Bahrain.

The Government of Bahrain does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government identified an increased number of trafficking victims; continued to refer victims to services, including to a newly established



shelter; made modest efforts to prosecute and convict trafficking offenders, including a government official; launched a hotline to report migrant worker abuse; and continued awareness-raising efforts. The government provided anti-trafficking training for more than 120 officials, including prosecutors, immigration officials, labor officials, and police officers. However, among hundreds of reported labor violations in Bahrain, efforts to investigate and prosecute serious trafficking crimes or identify potential forced labor victims remained minimal. Corruption and official complicity, especially in facilitating the “free visa” scheme, remained a concern in the reporting period. Despite past commitments and pledges, the government did not abolish the sponsorship system, which contributed to forced labor and debt bondage in the country. The government continued to arrest, detain, and deport potential trafficking victims.



## RECOMMENDATIONS FOR BAHRAIN:

Significantly increase the investigation, prosecution, and conviction of traffickers, particularly those involving forced labor; abolish or significantly amend provisions of the sponsorship system, including taking steps to eliminate the “free visa” scheme; vigorously investigate cases involving passport retention and non-payment of wages; continue to institute and apply formal procedures to identify trafficking victims among vulnerable groups, such as domestic workers and women in prostitution; institute a formal victim referral mechanism for law enforcement and other government officials to refer identified victims to protection services; ensure identified trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking, such as illegal migration or prostitution; expand labor law protections to include domestic workers and actively enforce those laws; ensure shelter staff receive anti-trafficking training and have appropriate resources to communicate with expatriate workers that speak other languages; eliminate obstacles to migrant workers’ access to legal recourse; 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 modest efforts to investigate, prosecute, and convict trafficking offenders. 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 or the Labor Market Regulatory Authority (LMRA), which can only refer a complaint to the court if the employer refuses to return the passport. According to NGO sources, employers accused of passport retention often claimed a worker’s passport was lost. A 2014 royal decree prohibiting and penalizing the

falsification of immigration documents enables authorities to prosecute Bahraini companies that illegally obtain work permits; however, it was unclear whether the decree was implemented during the reporting period.

The government reported it investigated 18 trafficking cases involving 28 suspects during the reporting period, eight of which were forced labor cases and 10 sex trafficking cases, compared to 21 investigations the previous reporting period. The government convicted 17 traffickers for sex trafficking; sentences were usually 10 years’ imprisonment and a fine of BD 2000 (\$5,300), and deportation after serving their jail sentence for non-Bahrainis. There were five additional cases being prosecuted at the end of the reporting period, including three sex trafficking and two forced labor cases.

Cases of unpaid or withheld wages, passport retention, and other abuses were often treated as labor violations and resolved through arbitration; a worker could file a complaint against the employer in labor court if arbitration was not successful. LMRA could refuse to issue new work visas to an employer until its open cases were resolved. Only particularly egregious cases were referred to the public prosecutor under the anti-trafficking law. In 2015, the Ministry of Labor and Social Development (MOLSD) received 746 complaints of non-payment of wages covering 945 migrant workers, and successfully arbitrated 255 of those cases. It referred four cases of non-payment of wages to the public prosecutor. Most of the cases resolved by MOLSD involved wage payment delays of one to two months. LMRA employed 63 inspectors in enforcement of the anti-trafficking law. According to LMRA, embassies could also inspect their nationals’ living situations, and all workers had the right to file complaints with MOLSD. The Ministry of Interior (MOI) funded anti-trafficking training sessions for 50 officials annually at the Royal Police Academy. Government officials reported a general lack of awareness of trafficking crimes among working-level police.

## PROTECTION

The government made modest efforts to protect victims. The government identified 90 trafficking victims in 2015, compared with 50 victims in 2014. The National Committee to Combat Trafficking in Persons (national committee) opened the new Migrant Worker Service Center and Shelter in November 2015, with a capacity of up to 120 victims in separate men’s and women’s sections. The service center maintains offices for LMRA’s migrant worker protection unit, physical and mental health professionals, and a representative from the police anti-trafficking unit and provides a training room for shelter residents to learn new skills and a conference space for the national committee. Trafficking victims in Bahrain also sought shelter at their embassies or at an NGO-operated trafficking shelter.

Labor Law No. 36 provides some protection to domestic workers, requiring employers provide domestic workers a labor contract specifying working hours, annual leave, and bonuses and to pay the worker at least once a month. Nonetheless, the government did not report any efforts to issue guidance on implementing the law. LMRA was responsible for coordinating with other relevant ministries, referring trafficking cases for prosecution, and conducting interviews of victims in collaboration with the respective embassies. When investigating claims of abuse from domestic workers that ran away from their employers, some police stations reportedly followed up immediately, while others waited days or weeks before attempting to contact the employer. Inspection agencies cited

difficulties conducting unannounced inspections of domestic worker living situations and investigating claims of abuse of domestic workers without receipt of an official complaint, due to cultural norms surrounding privacy in homes. This failure to immediately investigate claims of abuse and potential trafficking crimes left victims at risk of further exploitation and without protection services.

The MOI's anti-trafficking division provided law enforcement officials with written procedures, developed in partnership with an international organization, on taking statements and referring victims to services such as medical care and shelter. However, police identification of victims and implementation of those procedures continued to be inconsistent across different stations. Many police officials across the country did not systematically and proactively identify victims among vulnerable groups, such as domestic workers who fled abusive employers or women arrested for prostitution. More than 80 government officials, including inspectors, health officials, police officers, social workers, shelter personnel, and prosecutors were trained in December 2015 on victim assistance and referral procedures for specialized services.

NGOs reported workers who entered the country illegally or under false pretenses often did not benefit from protections in the law. The government sometimes punished trafficking victims for crimes committed as a direct result of being subjected to human trafficking. Some migrant workers who fled abusive situations were unaware that they should contact police to report the abuse, or chose not to due to their status as a "free visa" holder. Cases could be difficult or expensive to resolve; workers who could not resolve the cases were often deported. NGOs assessed punishment of trafficking victims had decreased in recent years.

Bahraini officials stated they encouraged victims to participate in the investigations and prosecutions of their traffickers, and the public prosecutor was responsible for protecting trafficking victims during preliminary investigations and court proceedings. The labor law stipulates foreign workers may change sponsors during investigations and court proceedings. It was unclear how many trafficking victims whose cases were not being adjudicated were able to change sponsors. Workers rarely filed complaints against employers due to distrust of the legal system, 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. The government assisted with the repatriation of trafficking victims during the reporting period. The national committee reported a new policy was implemented allowing foreign nationals identified as trafficking victims to obtain alternative employment without being subjected to the 30-day restrictions placed on migrant workers.

## PREVENTION

The government maintained efforts to prevent human trafficking by continuing its awareness campaigns targeting both migrant workers and Bahraini employers. The national committee met regularly during the reporting period and focused primarily on expanding victim assistance, including the newly established shelter, broadening training for government personnel, and raising awareness. From July to December 2015, LMRA held an amnesty for "free visa" holders in which they could legalize their employment with a new sponsor or return to their country and retain the right to return to Bahrain legally in the future.

More than half of the "free visa" holders took advantage of the amnesty; approximately 32,000 legalized their status and approximately 10,000 left Bahrain. In November 2015, the national committee launched a hotline for reporting abuse of migrant workers in English, Hindi, and six other Indian languages. The hotline served as a resource to educate workers about their rights and the services available. The government held the second annual Bahrain Awareness Awards in November 2015, a public awareness campaign focused on fair treatment of domestic workers. The awareness-raising competition targeted Bahraini youth aged 16 to 26 years, calling for submission via social media of photos, drawings, short movies, or posters to encourage respect for the rights of domestic workers.

LMRA continued to make available pamphlets on workers' rights, sponsored advertisements on public transit, and provided mobile phones with SIM cards to each foreign worker upon arrival at the Bahrain Airport. The Expatriate Protection Unit within LMRA maintained its role as an information hub and service center for trafficking victims and potential victims. LMRA continued overseeing domestic workers during the reporting period. 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 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, Southern and East Africa, South and Southeast Asia, Europe, and the United States 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 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. Bangladesh is host to an estimated 32,000 registered Rohingya refugees and up to 500,000 undocumented Rohingya, whose stateless status increases their vulnerability to human trafficking. Rohingya and Bangladeshi migrants who travel by boat to Southeast Asian countries are subject to starvation, assault, abduction, and ransom demands—some migrants who are not able to pay ransom are sold into forced labor, primarily on fishing boats. Women and girls who migrate for domestic work are particularly vulnerable to abuse. Some women who migrate through Bangladeshi recruitment agencies to Lebanon or Jordan for domestic work are subsequently sold and transported to Syria and subjected to forced labor and sex trafficking. Some women and children are subjected to sex trafficking and forced labor in India and Pakistan.

Within the country, 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 employment terms. 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 sex trafficking. 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. NGOs allege some officials allow human traffickers to operate at brothels, at India-Bangladesh border crossings, and at maritime embarkation points.

The Government of Bangladesh does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government significantly increased trafficking investigations—with a notable increase in labor trafficking investigations from 12 cases in 2014 to 265 cases in 2015. Prosecutions also increased, and the government finalized and launched its 2015-2017 national action plan and continued to fund nine multipurpose shelters, drop-in centers, and safe homes, which were accessible to victims of trafficking. However, for the third consecutive year, the government continued to prepare but did not finalize the implementing rules for the 2012 Prevention and Suppression of Human Trafficking Act (PSHTA), thereby impeding the identification, rescue, and rehabilitation of trafficking victims. Convictions decreased, and although complicity of some officials in trafficking offenses remained a serious problem, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses in 2015. The government reported identifying significantly fewer victims in 2015, and the government's efforts to refer victims to care during the reporting period were unknown. The government remained without a formal mechanism to refer trafficking victims to protective services and did not provide adequate victim services. While the government renewed a labor export agreement with Malaysia aimed to mitigate the impact of private recruitment agencies' high fees and sometimes unscrupulous practices, the agreement had not yet been implemented at the end of the reporting period, and the government did little to protect Bangladeshi migrant workers outside of this agreement from extremely high legal recruitment fees and the deceitful practices of some employment recruiters.



## RECOMMENDATIONS FOR BANGLADESH:

Finalize, adopt, and disseminate the implementing rules for the PSHTA, and train government officials on its use; take steps to eliminate all recruitment fees charged to workers by licensed labor recruiters; increase prosecutions and convictions, particularly of labor trafficking, while strictly respecting due process; establish minimal guidelines for provision of adequate victim care and standard operating procedures for the referral of victims to such services; thoroughly investigate credible

allegations of government complicity in trafficking and prosecute officials who are complicit; enhance the training provided to officials, including law enforcement, labor inspectors, and immigration officers, on methods to 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 for migrant workers, 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 demonstrated mixed efforts in law enforcement—investigations and prosecutions increased; however, convictions decreased, and for the third consecutive year the government continued to prepare the implementing rules for the PSHTA but did not finalize them. 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) (\$633), 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 investigated 181 sex and 265 labor trafficking cases in 2015, an increase from 146 sex and 12 labor trafficking cases in 2014. Of the forced labor cases, 98 cases were specifically investigated for bonded labor. Authorities prosecuted 481 alleged traffickers in 2015, compared with 449 in 2014, under the 2012 PSHTA. The government convicted four traffickers in 2015, compared with 15 in 2014. The courts sentenced three of the convicted traffickers to life imprisonment and one to 10 years' imprisonment. During the reporting period, the government provided anti-trafficking training at training centers to 10,890 police officers in 94 training programs. An international organization provided training to 81 investigators on human trafficking and other crimes; the trafficking in human beings police unit provided in-kind support for the trainings. Some NGOs reported information about the PSHTA had not been circulated widely among district and local officials.

Complicity of some officials in trafficking offenses remained a serious problem. Media reported on the alleged involvement of a Chittagong Division member of Parliament in smuggling, extortion, and possibly human trafficking related to the Andaman Sea migration crisis. 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. Observers reported police and border guards sometimes ignore potential trafficking crimes at brothels and maritime embarkation points. In 2014, a Bangladeshi citizen 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 remained ongoing, and the official has since assumed two other diplomatic posts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses in 2015.

## PROTECTION

The government demonstrated decreased efforts to protect trafficking victims. The Ministry of Home Affairs had standard operating procedures for the proactive identification of trafficking victims; however it is unclear how widely they were disseminated or used. The government reported the identification of 1,815 victims in 2015; of those identified, 1,310 were men, 315 women, and 190 children. This was a significant decrease from 2,899 victims identified in 2014; experts commented the decrease may be due in part to the application of a more accurate definition of trafficking. Of the 1,815 victims identified in 2015, police rescued 1,306. Separately, the government reported it repatriated approximately 2,700 of its citizens as part of the Bay of Bengal and Andaman Sea crisis—a small number of whom may have been trafficking victims. The government did not provide services specifically designed for trafficking victims, but children and adult female 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. Adult male victims could not access government services; NGOs provided male victims with some services. The government continued to lack a formal mechanism for authorities to refer victims to care. The government placed an unknown number of victims in government-operated shelters in 2015, compared with nine of the 2,899 victims identified in 2014 who were placed in government-operated shelters. NGOs provided shelter and services specifically for trafficking victims; police 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 assist labor trafficking victims adequately. Bangladeshi migrant workers, originally hired through the Bureau for Manpower, Education, and Training (BMET), could lodge complaints with BMET upon their return to Bangladesh, and seek government arbitration on labor and recruitment violations, including allegations of forced labor. NGOs reported not all victims were aware of this opportunity for redress. 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 provides 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 refugees, including potential trafficking victims, may have been at risk of indefinite detention because of their lack of documentation.

## PREVENTION

The government demonstrated limited efforts to prevent trafficking. The government continued to allow BAIRA to legally set extremely high recruitment fees, which may have facilitated debt bondage of Bangladeshi workers abroad. BMET did not cancel any recruitment agencies' licenses in 2015, compared with four canceled in 2014. In 2015, 29 victims filed cases against Dhaka-based recruitment agencies through support provided by

a foreign government. The government continued to use a labor export agreement with Saudi Arabia from the previous reporting period mandating that employers cover travel costs, including plane fare and medical tests, and that female domestic workers should be employed by a third party rather than the private households in which they work; however, the government did not stipulate the maximum cost or eliminate the processing fee charged to the migrant by recruitment agencies. The Ministry of Expatriate Welfare and Overseas Employment's (MEWOE) Vigilance Taskforce continued to operate with a mandate to improve the oversight of Bangladesh's labor recruiting process. In February 2016, the government signed a new agreement to facilitate the migration of up to 1.5 million 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; however, the agreement increased the fees charged to Malaysian companies that employ foreign workers, and observers expressed concern these fees would be deceitfully passed onto migrant workers by their employers, increasing their vulnerability to debt bondage. Also, shortly after the agreement was signed, Malaysia banned the recruitment of new foreign workers; this ban remained in place at the end of the reporting period, effectively nullifying the agreement. 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 included modules on trafficking awareness and self-protection.

The government finalized and launched the 2015-2017 national action plan in June 2015, providing for better coordination between the government and NGOs. The Ministry of Home Affairs published its annual report on human trafficking. MEWOE conducted some trafficking awareness campaigns, including through posters and newspaper ads, at the national level and in some high risk localities. In Cox's Bazar, the district employment and manpower office utilized television advertisements, and in response to the Andaman Sea migration crisis hosted multiple workshops to educate the public and local officials about trafficking. The government trained military personnel to recognize and prevent trafficking in persons prior to their deployment abroad on international peacekeeping missions and provided anti-trafficking training for its diplomatic personnel. The government did not demonstrate efforts to reduce the demand for commercial sex or forced labor. Bangladesh is not a party to the 2000 UN TIP Protocol.

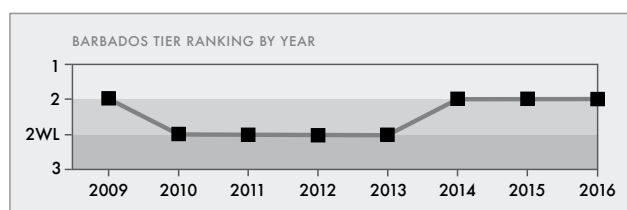
## BARBADOS: Tier 2

Barbados is a source 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 and Guyana are especially vulnerable to trafficking. Child sex trafficking occurs in Barbados. There are anecdotal reports by authorities and NGOs that children are subjected to sex trafficking, including by parents and caregivers.

The Government of Barbados does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. A new anti-trafficking law was approved by Parliament but was awaiting proclamation at the close of the reporting period and is not yet in force. Current



law does not prohibit all forms of trafficking and prescribes some penalties—fines—that are not sufficiently stringent; the new draft law would prohibit all forms of trafficking but still allow insufficiently stringent penalties to deter the crime. The government has never convicted a trafficker, but one 2013 prosecution remains awaiting trial for the second consecutive year. The government continued drafting, but did not formally approve or implement for the second consecutive year, a national action plan establishing activities and priorities for 2016 through 2020, although the government did use the national action plan to inform a two-year work plan, covering 2015-2016, which was implemented. A government-wide anti-trafficking manual outlining identification and referral procedures was not completed for the second consecutive year. The government identified 12 potential trafficking victims, and assisted a previously identified trafficking victim during the reporting period. The government cited an overall lack of resources and manpower to adequately combat trafficking.



## RECOMMENDATIONS FOR BARBADOS:

Enact and implement a new 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; investigate, prosecute, and convict traffickers, including complicit officials, and apply stringent sentences that deter future trafficking crimes; train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence to reduce dependence on victim testimony; continue training and encouraging 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; codify provisions for victims' legal alternatives to their removal to countries in which they would face retribution or hardship; continue to enhance partnership with NGOs to combat human trafficking; enact a national action plan to combat trafficking and complete the government-wide anti-trafficking manual; and make efforts to reduce the demand for commercial sex acts or forced labor.

## PROSECUTION

The government made inadequate efforts to prosecute traffickers in 2015, and has never reported any trafficking convictions. The law does not prohibit all forms of human trafficking, in particular internal trafficking, and does not prescribe penalties for trafficking that are sufficiently stringent. Articles 13, 19, and 20 of the Sexual Offenses Act; articles 33 and 34 of the Offenses against the Person Act; and article 8 of the Transnational Organized Crime (TOC) Act of 2011 address trafficking in persons. Aiding, abetting, or compelling prostitution under article 20 of the Sexual Offenses Act is punishable by five years' imprisonment, which is not commensurate with the prescribed penalty for rape, which is life imprisonment. The transnational trafficking of an adult under the TOC Act is punishable by

15 years' imprisonment or a potential fine with no jail time, which is not commensurate with the prescribed penalty for rape. Transnational trafficking of a child is punishable by imprisonment for life, which is commensurate with the prescribed penalty for rape. In 2015, the government drafted a new anti-trafficking bill, which will repeal the TOC Act, expand the definition to include internal trafficking, and enact more serious penalties for child trafficking; it was approved by the parliament and is awaiting proclamation. The trafficking of adults and children under the new bill is punishable by a potential fine with no jail time; these penalties are not sufficiently stringent or commensurate with the prescribed penalties for other serious crimes, such as rape.

Authorities investigated six new potential trafficking cases during the reporting period, compared with eight in 2014. The government determined four of the six suspected cases to be trafficking, involving 12 adult female potential trafficking victims, three of whom were subjected to sex trafficking in Jamaica and identified at the airport upon their arrival in Barbados. The three victims from Jamaica chose to return home and thus were not available to assist in prosecutions. The police identified the remaining nine Jamaican victims during a raid of a commercial sex establishment that forced the closure of the establishment. All nine of the victims elected to return to Jamaica and refused to assist in prosecutions. The other two cases were determined to be child sexual abuse and rape. The government reported no new prosecutions or convictions in 2015 or 2014. One prosecution—involving an immigration official for alleged complicity and misconduct in public office as a result of an April 2013 raid of a local brothel—remained pending, awaiting trial for the second consecutive year. The government did not report any new investigations or prosecutions of government employees complicit in human trafficking offenses and has never reported any convictions of government employees complicit in such offenses. The police said it struggled to target perpetrators and obtain evidence, given perpetrators' shift in tactics. The specialized anti-trafficking police unit, which also investigates child abuse and exploitation crimes, noted a significant increase in the number of cases referred to the unit, but cited a lack of manpower to investigate adequately all cases under its purview. The unit trained 200 front-line police officers on indicators of trafficking.

## PROTECTION

The government sustained moderate efforts in the protection of victims. Officials identified 12 adult female potential sex trafficking victims compared with none in the previous reporting period. The police intercepted three of the victims at the airport upon arrival in the country, but all three chose to depart the country. The government supplied meals to the victims in the airport and offered victim assistance, which the victims refused. The government also offered victim services to the nine Jamaican victims identified in the raid, but all nine victims refused services and elected to return to Jamaica. The government continued to provide shelter and occupational training to one of five victims identified in 2013, who 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. Authorities continued to develop a government-wide manual for the second year detailing written identification and referral procedures to better guide the victim referral process. The government had an agreement with an NGO to provide shelter for male trafficking victims, although this NGO did not assist

any during the reporting period. 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. This organization and the government's gender affairs bureau cooperated with other NGOs to offer additional services. The government acknowledged having insufficient funding to support multiple victims for long periods of time. 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 continued providing one victim with temporary residency in 2015. 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 moderate efforts to prevent trafficking. The attorney general led the government's anti-trafficking taskforce, which met monthly and included permanent secretaries from several ministries. The government developed its national anti-trafficking action plan, covering 2016 through 2020, in collaboration with various government agencies and NGOs; however, it awaited final approval at the close of the reporting period before it could be implemented. The government implemented most objectives in its two-year work plan, including quarterly reporting on national trafficking statistics; public awareness presentations at two churches, reaching 75 people; an anti-trafficking awareness and training session for all government permanent secretaries; training for 40 officials in the immigration department, the Ministry of Labor, and the child care board; coordination with the labor department to produce brochures on labor trafficking; and efforts to integrate the labor department into the taskforce. The government continued to post information at the international airport listing elements of trafficking and a hotline victims could use for assistance. The government did not provide anti-trafficking training for its diplomatic personnel. The government made efforts to reduce demand for forced labor through outreach to the private sector on the penalties in the new law, but did not make efforts to reduce the demand for commercial sex acts.

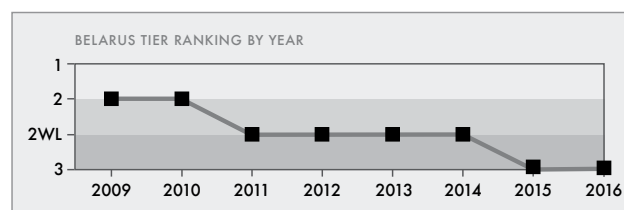
## BELARUS: Tier 3

Belarus is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Belarusian victims are primarily subjected to trafficking in Russia and within Belarus, as well as in Poland, Turkey, and other countries in Eurasia and the Middle East. Some Belarusian women traveling for foreign employment in the adult entertainment and hotel industries are subjected to sex trafficking. 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, and the UN Human Rights Council adopted a resolution in July 2015 expressing deep concern at the government's "violations of labour rights amounting to forced labour," among other human rights issues. The European Parliament condemned an April 2015 Belarusian presidential decree which requires unemployed persons to pay a fee to the state or potentially face compulsory community service. The UN Committee on Economic, Social and Cultural Rights took the position that an

earlier presidential decree, issued in December 2012, "effectively takes away the right of workers in the wood-processing industry to freely leave their jobs." That decree assigns monthly bonuses to employees in the wood-processing industry that they must pay back if they resign; failure to repay these "bonuses" risks a court order obligating the employee to continue to work in that industry under law enforcement supervision. The ILO Committee of Experts reported that a 2010 law allows for Belarusians suffering from alcoholism or drug dependencies to be "interned in 'medical labour centers' for a period of 12 to 18 months and have an obligation to work, and refusing to work results in punishment, such as solitary confinement, for up to ten days." As of June 2015, an estimated 6,700 people were held at these centers. 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. The UN special rapporteur on the situation of human rights in Belarus reported repercussions for non-participation in *subbotniks*, including non-renewal of employment contracts and the revocation of monthly bonuses. State employers and authorities also intimidated and fined some workers who refused to participate. Authorities require 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. Per a 2006 presidential decree, parents who have had their parental rights removed are subjected to compulsory labor, and the government retains 70 percent of their wages. The ILO Committee of Experts noted its deep concern in 2016 that the Belarusian criminal code permits penalties involving compulsory labor be imposed for the expression of views opposed to the established political, social, or economic system. The ILO Committee of Experts cited reports that the government used or threatened to use arbitrary detention involving compulsory labor for apparently political motives.

The Government of Belarus does not fully meet the minimum standard for the elimination of trafficking and is not making significant efforts to do so. The government continued to be a leader in multilateral efforts to combat trafficking and made efforts to protect victims exploited abroad and internally by criminal enterprises. Additionally, the government developed a formal victim identification and referral mechanism and issued a contract to an NGO to provide victim services, the first such contract since a January 2013 law created the framework for state financing for NGOs. However, the government is engaged in practices that condone forced labor, and made no efforts to reform its policies. In fact, in 2015, the government introduced a new penalty on unemployed citizens that requires payment of a fee to the state to avoid compulsory community service. Other policies effectively creating state-sponsored forced labor continued, affecting civil servants, workers in the wood processing industry, students, and citizens suffering from drug or alcohol dependency, among others. For the third consecutive year, authorities did not convict any traffickers under the trafficking statute.





## RECOMMENDATIONS FOR BELARUS:

Reform state policies to end all forms of state-sponsored forced labor, including by repealing presidential decrees and other laws that result in the unemployed, civil servants, wood processing workers, students, and citizens suffering from drug or alcohol dependency, among others being subjected to forced labor; significantly increase efforts to investigate and prosecute cases of forced labor and sex trafficking; amend article 181 to include causing children younger than 18 to engage in prostitution as a trafficking crime, regardless of evidence of coercion, as prescribed by international law; increase resources devoted to trafficking victim assistance and protection within Belarus, including for state-owned territorial centers for social services and for NGOs; provide child sex trafficking victims with services specialized to their needs and refer all identified victims to care facilities; train all relevant officials on the national identification and referral mechanism; proactively screen all individuals in prostitution for indicators of trafficking; and increase labor inspections to identify internal forced labor.

## PROSECUTION

The government did not increase law enforcement efforts. Article 181 of the criminal code prohibits both sex and labor trafficking and prescribes penalties ranging from five to 15 years' imprisonment in addition to the forfeiture of offenders' assets, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Contrary to the definition of trafficking under international law, article 181 does not consider causing children younger than 18 to engage in prostitution a trafficking crime unless there is evidence of coercion. The government reported one trafficking investigation in 2015 under article 181, compared with one in 2014 and six in 2013. Authorities also initiated one investigation under article 181-1, which criminalizes the use of forced labor. The government did not convict any traffickers under article 181 in 2013, 2014, or 2015, which reflected a continuing decrease in law enforcement efforts, following the conviction of one trafficker in 2012, seven in 2011, and 12 in 2010. Authorities prosecuted at least six individuals for potential child sex trafficking offenses under other articles in the criminal code in 2015, compared with three individuals in 2014. The interior ministry's law enforcement academy continued to provide trafficking-specific training to Belarusian law enforcement officials, as well as foreign officials invited by the government.

## PROTECTION

The government made some increased efforts in victim protection. The government identified five trafficking victims in cases investigated under articles 181 and 181-1 in 2015, compared with 16 in 2014. Authorities identified additional trafficking victims in cases investigated under other statutes; the government reported 116 actual and potential trafficking victims from cases under other statutes, compared with 97 in 2014. The government reported law enforcement officials referred 27 victims for care by international organizations and NGOs, compared with 32 in 2014. NGOs reported assisting 263 trafficking victims in 2015, 47 of whom were children. With the assistance of international organizations and NGOs, in June 2015 the government approved a formal victim identification and referral mechanism that outlined roles for state agencies and civil society in identifying, referring, and assisting victims. It also created the instructions and forms for authorities to register victims and issue referral orders for the provision of care services. The government reported training designated

police officers and diplomats on the new procedures in 2015. Authorities identified 76 potential sex trafficking victims among the 1,625 individuals charged with prostitution in 2015 and exempted them from any criminal or administrative penalties.

An NGO received 212 million rubles (\$11,425) in government funds to provide medical, social, and psychological assistance to victims of trafficking and domestic violence; this was the first instance of financing NGO-provided services specifically for trafficking victims since a January 2013 law authorized the provision of government funding to NGOs running social welfare programs. The government also provided in-kind assistance to other anti-trafficking NGOs in the form of discounted rent on office space, lower taxes, and placement of awareness-raising materials on state-owned television and billboards. The government did not have trafficking-specific facilities available to care for victims, but local authorities operated 109 "crisis rooms" that offered temporary shelter, including beds, meals, and personal hygiene products to vulnerable adults, including victims of natural and manmade disasters, domestic violence, and human trafficking. Observers reported most 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 labor and social welfare ministries reported assisting four labor trafficking victims. The education ministry maintained centers that could provide vulnerable children with shelter and basic provisions; however, similar to past years, no child trafficking victims have received services at these facilities, despite the government identifying child sex trafficking victims.

## PREVENTION

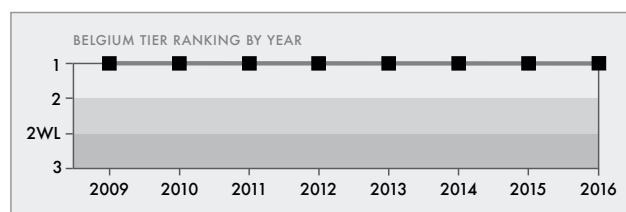
The government maintained efforts to prevent trafficking. The government conducted public awareness campaigns through television, radio, and print media. The interior ministry continued to operate a hotline for safe travel abroad to inform potential labor migrants and identify illegal recruitment practices; the hotline received 1,280 calls for consultations in 2015. Although authorities charged 58 individuals with administrative offenses related to illegal recruitment, forced labor regulations were seldom enforced, and resources and inspections dedicated to preventing forced and compulsory labor were minimal and inadequate to deter violations. The government drafted a 2016-2018 State Program on Countering Crime and Corruption, which included anti-trafficking activities; the program was not adopted by the close of the reporting period. The government did not report efforts to reduce the demand for commercial sex.

## BELGIUM: Tier 1

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, India, and 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. In 2015, approximately 35,000 people applied for asylum in Belgium, a dramatic increase over previous years; experts anticipate migrants whose asylum applications are denied are highly vulnerable to trafficking.

The Government of Belgium fully meets the minimum standards for the elimination of trafficking. The government continued to prosecute and convict traffickers, fund NGO shelters providing specialized assistance to trafficking victims, provide extensive training to police officers on victim identification, and began implementation of a new four-year national action plan. The government took measures to identify and reduce potential trafficking-related exploitation at reception centers, in response to the dramatic increase in asylum-seekers during the reporting period. However, the government did not allocate a regular budget to NGO shelters, and sentences for convicted traffickers continued to be suspended, with most traffickers receiving little to no prison time.



## RECOMMENDATIONS FOR BELGIUM:

Allocate regular funding for NGO-run shelters for trafficking victims; improve security at reception centers to prevent traffickers from recruiting asylum-seekers; increase awareness raising efforts among migrant populations, including asylum-seekers; enhance training of law enforcement, prosecutors, and judges to improve the conviction rates of traffickers and ensure sufficiently stringent sentences; enhance training of relevant professionals to increase the number of trafficking victims identified, including child victims; revise the definition of human trafficking under Belgian law to more closely align with the definition in the 2000 UN TIP Protocol; and provide disaggregated prosecution and conviction data for cases involving force, fraud, or coercion.

## PROSECUTION

The government maintained strong 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. 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. In its most recent assessment, 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 299 defendants in 2015, compared with 259 in 2014; it prosecuted 151 defendants for sex trafficking offenses and 124 for labor trafficking or economic exploitation offenses (112 and 115 in 2014, respectively). The government prosecuted 14 defendants for coerced criminality and 10 for forced begging. Authorities convicted and sentenced at least 93 traffickers in 2015 with charges including 195 counts of aggravating circumstances, compared with 47 traffickers in 2014. Most convicted traffickers received no prison time or a partially or fully suspended prison sentence. The government sentenced 88 convicted traffickers to prison terms (of which 52 were suspended or partially suspended), compared with 42 prison sentences (19 of which were suspended or partially suspended) in 2014. Most prison sentences ranged from one to five years' imprisonment; 12 offenders were sentenced to one year, 46 were sentenced to between one and three years, 21 were sentenced to three to five years, and nine were sentenced to five years or more. The government continued efforts to prosecute eight 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 conducted two investigations related to the attempted recruitment of asylum-seekers waiting in reception centers, potentially for trafficking purposes; the investigations were ongoing at the close of the reporting period. The government provided basic training to all local and federal police officers, as well as advanced training for officers specializing in cases of labor and sexual exploitation. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government maintained strong efforts to protect trafficking victims. Federal and regional governments continued to fund three dedicated NGO-run shelters providing specialized, comprehensive assistance to trafficking victims, including psycho-social, medical, and legal care. These shelters assisted at least 152 new adult victims in 2015 (including 93 victims of labor trafficking and 43 victims of sex trafficking), compared with 162 new victims assisted in 2014. While 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, immigration status, or nationality. Despite complete reliance on these three shelters for the majority of victims' services, the government provided ad hoc rather than dedicated funding. The government 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, particularly child sex trafficking victims, were vulnerable to such penalization. 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 granted most identified 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 could only 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 552 residence permits to trafficking victims. Although government-supported NGOs provided some legal representation to victims, such support was limited due to a lack of steady funding.

## PREVENTION

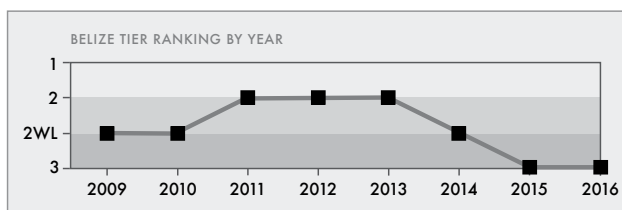
The government maintained strong efforts to prevent trafficking. The government continued to lead awareness campaigns focused on victim identification. Flyers were also available in the consular sections of Belgian embassies and consulates abroad. The inter-departmental coordination unit, in consultation with NGOs and other non-governmental stakeholders, developed and began implementation of a new national action plan for 2015-2019. The government did not make efforts to reduce the demand for commercial sex acts during the year; however, the government continued to implement programs to reduce the demand for forced labor, such as a widely used program that subsidizes the wages of maids and domestic assistants. In response to the dramatic increase in asylum-seekers in the country, authorities took measures to identify and reduce exploitation at reception centers, including training for reception center staff and awareness-raising among the migrant population; however, authorities and the national rapporteur identified vulnerabilities in securing these centers during the reporting period. The government did not provide anti-trafficking training to its diplomatic personnel.

## 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 family members facilitate the sex trafficking of Belizean women and girls. In tourist regions, foreign child sex tourists, primarily from the United States, exploit child sex trafficking victims. Sex trafficking and forced labor of Belizean and foreign women and girls, primarily from Central America, occur in bars, nightclubs, brothels, and domestic service. LGBTI men, women, and children are vulnerable to sex and labor trafficking. Foreign men, women, and children—particularly from Central America, Mexico, and Asia—migrate voluntarily to Belize in search of work and are often exploited by traffickers who recruit victims using false promises of relatively high-paying jobs. Some migrants are subjected to forced labor in restaurants, shops, agriculture, and fishing or to sex trafficking. Trafficking-related complicity by government officials, including those at high levels, remains a problem.

The Government of Belize does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Authorities initiated investigations into seven cases involving six suspects and continued one prosecution initiated in a previous year, but did not begin any new prosecutions. In early 2016, the government convicted one trafficker, but imposed a fine in lieu of jail time. Victim

identification efforts remained weak. Authorities identified seven victims in 2014 compared with 10 identified the previous year. Although law enforcement raids on commercial sex establishments increased in number from last year, they were ineffective in identifying trafficking victims; moreover, following the raids the government arrested, detained, and deported potential victims for immigration violations. The government did not investigate or prosecute any public officials for alleged complicity in human trafficking-related offenses, despite reports of a significant level of official complicity.



## RECOMMENDATIONS FOR BELIZE:

Develop and consistently implement formal procedures to identify and refer to care victims of sex and labor trafficking among vulnerable groups, 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 trafficking; implement victim-centered procedures during raids, including conducting interviews in a safe and neutral location, separate from immigration inquiries; implement the anti-trafficking law by vigorously investigating and prosecuting suspected traffickers, including complicit officials, and imposing stringent penalties, including jail time, on convicted traffickers; consider implementing measures to expedite trafficking prosecutions; increase efforts to reintegrate victims and deliver specialized victim care, in partnership with NGOs; update and implement the national anti-trafficking plan; prosecute and impose stringent penalties on child sex tourists; amend laws to effectively criminalize all commercial sex acts with minors and to restrict the ability to offer fines in lieu of prison time during sentencing for trafficking offenders; and develop a targeted campaign to raise awareness among clients of Belize's legal sex trade about the links between prostitution and trafficking.

## PROSECUTION

The government made inadequate 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 penalties are sufficiently stringent, but are not commensurate with those prescribed for rape. The 2013 Commercial Sexual Exploitation of Children (Prohibition) Act criminalizes the facilitation of prostitution of children younger than 18. This law, however, allows adults to legally engage in sexual activity with 16- and 17-year-old children in exchange for remuneration, gifts, goods, food, or other benefits if there is no third party involved—leaving children of this age group vulnerable to sex trafficking.

The government investigated seven sex trafficking cases involving six suspects, but did not initiate any new prosecutions. Authorities continued a child sex trafficking prosecution from 2014 that resulted in the February 2016 conviction of

a Honduran national for subjecting a 15-year-old Honduran girl to sex trafficking. A judge imposed a fine of approximately 74,000 Belize dollars (\$37,000), including approximately 15,600 dollars (\$7,800) in compensation to the victim, but did not impose jail time. This was the first conviction under the 2013 anti-trafficking law. The government did not provide updates on cases pending from previous years.

The government's enforcement activity against suspected trafficking consisted largely of raids on venues operating in Belize's sex trade; due to limited intelligence-gathering, a lack of formal victim identification procedures, and suspected complicity among some law enforcement officials, few trafficking crimes were uncovered during these operations and at times they caused further harm to victims. Many women and girls, potentially including trafficking victims, were arrested, jailed, or deported for immigration violations. Many off-duty police officers provided security for sex trade establishments, which may have inhibited victims from coming forward and officers from investigating allegations of trafficking in the sex trade—particularly if made against their employers. The government did not investigate, prosecute, or convict any officials for complicity in trafficking crimes. The Ministry of Human Development hosted a roundtable with judicial officials to discuss ways to improve the anti-trafficking law and prosecutions. The government coordinated training workshops financed and delivered by NGOs for front-line officials on child protection issues, including child trafficking.

## PROTECTION

The government made minimal efforts to protect trafficking victims. Authorities identified seven sex trafficking victims in 2015, including three women and four girls, compared with 10 victims identified in 2014. The government did not have formal written procedures to guide officials in identifying victims. Police asked questions to screen for indicators of trafficking among women and girls apprehended in raids on bars; officials screened more than 250 women and girls suspected to be sex trafficking victims in 2015 and identified five victims through this method. Local experts report these procedures have been largely ineffective in identifying trafficking victims, as the incidence of trafficking among this population is believed to be much higher. Instead, many women and girls, potentially including trafficking victims, were arrested, jailed, or deported for immigration violations. Victims' fear of detention or deportation may have made them reluctant to communicate with law enforcement officers, leaving some victims unidentified.

Identified victims were referred to the Department of Human Services, which made decisions for protection on a case-by-case basis. Adult victims were typically referred to an NGO shelter, while children were placed in foster homes. Experts questioned the appropriateness of foster home 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. Services such as medical care and psychological counseling, when available, were provided by NGOs. The government encouraged victims to assist in investigations by providing witness protection and coordinating lodging; court delays and fear of retaliation by traffickers may have caused victims to decline or withdraw cooperation with law enforcement and return to their home countries. The government had a policy to grant temporary residency status to victims willing to cooperate in investigations

or prosecutions, though it is unknown whether any received this benefit in 2015; one foreign victim identified in 2014 remained in the country and participated in a prosecution. Victims could apply for work permits, but the cost of 500 Belizean dollars (\$250) to obtain such permits imposed a significant barrier. Belize's anti-trafficking law exempts victims from punishment for crimes committed as a result of being subjected to trafficking; however, NGOs reported that victims not formally identified by the government were commonly arrested, jailed, and deported.

## PREVENTION

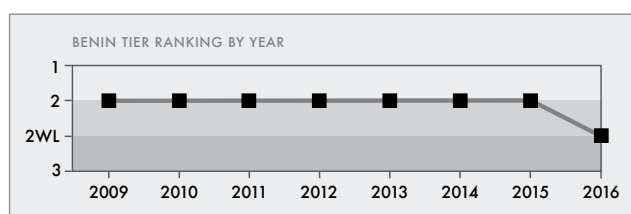
The government demonstrated minimal prevention efforts. Its anti-trafficking council met quarterly and reportedly began work on a new national action plan, though none was in place during the reporting period, and the prior 2012-2014 anti-trafficking national strategic plan remained largely unimplemented. The government, in partnership with an NGO, expanded its awareness campaign through television, posters, and billboards in English, Spanish, Mandarin, and Hindi. Authorities continued to disseminate public service announcements on child sexual exploitation, tourism, and the demand for commercial sex acts, but did not investigate, prosecute, or convict any child sex tourists. The government did not make efforts to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel.

## BENIN: Tier 2 Watch List

Benin is a source, transit, and destination country for women, children, and men subjected to forced labor and sex trafficking. Most 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 from Benin and neighboring countries 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 more than 7,800 children subjected to labor exploitation in the markets of Cotonou, Porto-Novo, and Parakou. 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 and Nigeria, *marabouts*, Koranic teachers, exploit Beninese children in forced begging in Koranic schools. Most Beninese 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 department of Oueme in southeast Benin was reportedly a primary area of recruitment for child trafficking victims. Most child victims intercepted in Benin, either from Benin or other West African countries, are exploited or intended for exploitation within the country. Benin is the largest source country for trafficking victims in the Republic of the Congo; Beninese victims are also subjected to trafficking in Nigeria, Gabon, and Lebanon. West African women are exploited in domestic servitude and forced prostitution in Benin. At least one Moldovan trafficking victim was identified in Benin during the reporting period.



The Government of Benin does not fully meet 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, Benin is placed on Tier 2 Watch List. The government decreased prosecution, protection, and prevention efforts. During the reporting period, the government identified 131 potential child trafficking victims and convicted four traffickers for the illegal movement of these children. However, authorities continued to focus on intercepting traffickers and victims in transit rather than rescuing victims from exploitation in the country. The government did not systematically investigate instances of trafficking of adults or provide protective services to adult victims. Anti-trafficking legislation—including prohibitions and penalties for the trafficking of adults—remained pending review by the Ministry of Justice (MOJ) for the fourth consecutive year. Inadequate funding and staffing for the Office for the Protection of Minors (OCPM), the Ministry of Family (MOF), and the Ministry of Labor (MOL) continued to hinder anti-trafficking progress. The government did not make efforts to investigate alleged government complicity.



## RECOMMENDATIONS FOR BENIN:

Finalize and enact legislation to criminalize all forms of trafficking consistent with the 2000 UN TIP Protocol; increase efforts to investigate, prosecute, convict, and adequately sentence offenders of sex and labor trafficking of adults and children, including complicit officials, via existing statutes; develop systematic procedures for proactive victim identification—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; increase funding to OCPM, MOL, and MOF to ensure they can adequately inspect worksites for trafficking crimes and provide 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 decreased its anti-trafficking law enforcement efforts. 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, the act focuses on prohibiting and punishing the movement of children rather than their ultimate exploitation and prescribes much lower penalties—six months to two years of imprisonment or fines—for actual trafficking crimes involving labor exploitation; these penalties are not sufficiently stringent. The penal code outlaws procuring or offering someone for prostitution and the facilitation of prostitution and prescribes punishments of six months to two years of imprisonment. The labor code prohibits forced labor and prescribes punishments

of two months to one year of 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 MOJ review 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 49 cases of child trafficking and 12 cases of exploitative child labor, compared with 102 cases of child trafficking and four cases of exploitative child labor in the previous reporting period. The government did not systematically investigate the trafficking of adults. OCPM referred 12 suspects to the courts for prosecution, compared with 19 suspects in the previous reporting period. MOJ reported convicting four offenders for child trafficking and the illegal movement of children, which may have included trafficking crimes, under act 2006-04, a decrease compared with 10 convicted in 2014, but did not report sentencing details for these convictions. However, courts routinely release convicted traffickers held in pre-trial detention before handing down suspended sentences. In one case, the government detained an alleged trafficker who forced two girls into domestic servitude in Nigeria and confessed he acted in collusion with a child trafficking network, which officials began to investigate during the reporting period.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Allegations of complicity involving Beninese diplomatic personnel resurfaced in the previous reporting period. Instead of assisting in the placement of child trafficking victims among care providers, consular staff allegedly 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 decreased efforts to protect child trafficking victims during the year and made no efforts to identify adult victims or provide them protection. OCPM identified 131 potential trafficking victims in 2015, compared with 220 in 2014. OCPM provided the children temporary shelter and legal, medical, and psychological services, before transferring 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 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 parents often sending the children or their siblings back to the trafficker to uphold their initial agreement to send children. In August 2013, Beninese and

Gabonese officials met to finalize an agreement for cooperation on child trafficking, although this remained incomplete at the end of the reporting period for the second consecutive year. The government did not make systematic efforts to identify adult trafficking victims or employ any mechanism to screen individuals in prostitution for trafficking, which may have left victims unidentified in the law enforcement system.

## PREVENTION

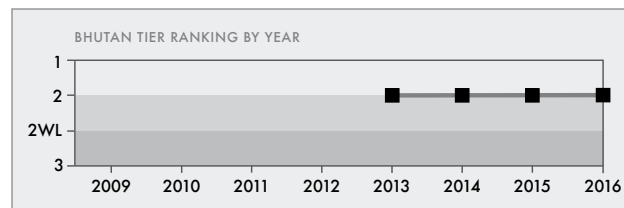
The government made decreased efforts to prevent trafficking in persons. The anti-trafficking coordinating body—the Trafficking and Exploitation Technical Working Group of the National Monitoring and Coordination Working Group for Child Protection—did not meet during the year, nor did its six affiliated working groups. The government engaged local authorities and traditional leaders in child trafficking prevention. The government has local child protection committees in 33 communities throughout the country to raise awareness, detect trafficking networks, and reintegrate victims, but it did not report any committee activities during the year. With support from a foreign donor, the government trained police officers, social assistants, local civil society organizations, and journalists to identify and re-integrate children as part of a project on migrant children in West Africa. During two five-day trainings MOL, in partnership with an international organization, trained 60 print and radio journalists on child sex and labor trafficking and subsequently disseminated information in local languages throughout villages and communities in the northern and southern Benin. In November 2015, MOL hired an additional 25 labor controllers, 31 labor inspectors, and five labor administrators. 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 its troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, conducted by a foreign donor. 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 employment in domestic work, which at times involves forced labor. While most domestic workers in Bhutan are young girls from poor, rural areas of the country, Indian women and girls also seek employment in this sector. An expanding construction sector continues to increase demand for low-skilled foreign labor, primarily men from India, who are vulnerable to trafficking.

The Government of Bhutan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government and civil society did not identify any victims of trafficking during the reporting period; subsequently, the government did not investigate or

prosecute any trafficking cases. The government continued to detail personnel to an NGO serving trafficking victims and funded programs around the country to increase public awareness on anti-trafficking laws, including at industrial and construction sites in border districts. However, the government did not train officials during the year, and a lack of understanding of the crime continued to limit the government's response to human trafficking.



## 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 report any anti-trafficking law enforcement efforts beyond its standard policing duties 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 sex trafficking. Bhutan also defines trafficking to include buying, selling, or transporting a child for any illegal purpose, and engaging a person in prostitution if the defendant transports, sells or buys the person within, into, or outside of Bhutan, 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 conduct anti-trafficking training during the year and a lack of 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. During the previous reporting period, the National Commission for Women and Children (NCWC), an autonomous agency funded by the government, began development of standard operating protocols for anti-trafficking law enforcement procedures, in partnership with an international organization and including input from government representatives; these procedures were not finalized during the reporting period. The government did not report identifying any victims during the reporting period. An NGO, supported with personnel from the government, provided shelter to women and child victims of crime, including human trafficking, and rehabilitation services to men, women, and children; however, it is unclear whether trafficking victims utilized its services during the year. There was no shelter 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

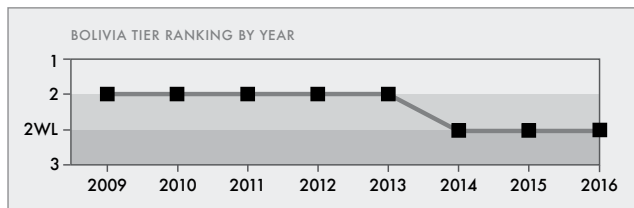
The government undertook some efforts to prevent human trafficking. The government did not have a national action plan to combat trafficking, nor did it appoint an agency to coordinate its anti-trafficking action; however, the government continued to partner with an international organization on a project designed to enhance government and civil society responses to trafficking. The NCWC partnered with an international organization to begin to establish a hotline and data collection system on women and child trafficking victims. 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 NCWC conducted government-funded programs around the country to increase public awareness on anti-trafficking laws, including at industrial and construction 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 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, Colombia, and Paraguay, have been found in sex trafficking in Bolivia. Civil society and media report Bolivia serves as a transit and destination country for migrants from Africa, Chile, and the Caribbean, some of whom become victims of forced labor and sex trafficking. Rural and poor Bolivians, most of whom are indigenous, and LGBTI youth are particularly vulnerable to sex and labor trafficking. Bolivian women and girls are found in sex trafficking within Bolivia and in neighboring countries such as Argentina, Brazil, Panama, Peru, and Chile. Within the country, Bolivian men, women, and children are found in forced labor in domestic service, mining, ranching, and

agriculture. Media 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 Chile, other countries in sweatshops, agriculture, domestic service, textile factories, and the informal sector. Media reports also indicate traffickers, including extended families with ties to the communities and groups they exploit, use social and online networks to advertise high-paying jobs abroad to recruit vulnerable populations. Traffickers also exploit the absence of a national registry of employment agencies to establish informal temporary employment agencies, through which they identify and recruit potential victims. Some suspected traffickers reportedly bribe officials to avoid facing justice.

The Government of Bolivia does not fully meet 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, Bolivia is placed on Tier 2 Watch List for the third consecutive year. Per the Trafficking Victims Protection Act, Bolivia was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards. The government published and resourced its 2015-2019 national anti-trafficking action plan aimed at prevention, protection, and prosecution, as well as national and international coordination. The government devoted 18 million bolivianos (\$2.6 million) for 2015 of an estimated 60 million bolivianos (\$8.7 million) budget to implement the plan from 2015-2019. Authorities reportedly convicted five traffickers but did not report the total number of victims identified, referred, or assisted in 2015, or the kinds of services these victims received.



## RECOMMENDATIONS FOR BOLIVIA:

Strengthen efforts to prosecute all trafficking offenses, and convict and punish traffickers, including complicit officials; implement the established protocols for the identification of trafficking victims among vulnerable populations and the referral of victims to care services; establish a national registry of employment agencies to inhibit fraudulent labor recruitment; devote additional resources to implement the 2015-2019 national anti-trafficking action plan, including funds designated for specialized assistance for all trafficking victims across the country; direct dedicated human trafficking units to increase efforts on human trafficking cases rather than focusing on other crimes, such as missing persons; implement systematic victim-centered anti-trafficking training for government officials, including police, prosecutors, judges, and social workers; improve data collection and sharing on anti-trafficking efforts; adequately distinguishing human trafficking from other crimes; provide reintegration services to returning Bolivian trafficking victims; and coordinate efforts among government and non-governmental entities working to combat trafficking.

## PROSECUTION

Government anti-trafficking law enforcement efforts remained weak. Law 263 of 2012—the Comprehensive Law against Trafficking and Smuggling of Persons—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. Law 263 diverges from the international definition of trafficking in persons, however, by classifying non-trafficking crimes, such as illegal adoption and the removal or sale of organs without the purpose of exploitation, as human trafficking. While law 263 creates separate criminal offenses for trafficking in persons and smuggling of persons, it creates only one government infrastructure to address the two crimes, which may lead to confusion in collection of data and in the response to perpetrators and victims of these separate crimes. Some officials conflated human trafficking with the movement of children within the country or to other countries without proper documentation. Some police and prosecutors charged 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 2015. Trafficking crimes reported to the Bolivian police decreased from 380 in 2014 to approximately 247 in 2015. Authorities reportedly convicted five traffickers, a decrease from 12 traffickers in 2014; however they did not report sentence length or specify the form of trafficking committed for each conviction. Press reports indicated two traffickers were sentenced to two and eight years' imprisonment, respectively, for smuggling and trafficking two newborn children for illegal adoption, a crime under law 263 but not under the international definition. The government operated two national anti-trafficking and anti-smuggling police units, one focused on internal law enforcement efforts and the other on border security. Civil society indicated departmental (provincial) governments received funding from a national tax, but devoted less than 1.5 percent to budgets for law enforcement operations, generally judged to be insufficient. As a result, police relied heavily on donations from NGOs and civil society to conduct operations, including anti-trafficking operations. The government, in collaboration with an international organization, provided anti-trafficking training to 108 investigators, police, prosecutors, judges, and social workers. While law 263 imposes a serious penalty for public servants involved in trafficking crimes, some experts reported traffickers could bribe prosecutors to avoid being charged. For the third consecutive year, no information was available regarding government response to 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 human trafficking offenses.

## PROTECTION

The government made inadequate victim protection efforts. Authorities approved an early detection protocol for police and social service providers to identify trafficking and smuggling cases, and a protocol for specialized attention to trafficking and smuggling victims. However, these protocols were not implemented nor did they receive any dedicated funds. The government did not report the total number of victims identified, referred, or assisted in 2015 or the kinds of services these victims received. An international organization reported assisting five internal trafficking victims and repatriating 18

Bolivian victims of labor exploitation without assistance from the government. A civil society organization reported providing services to three foreign trafficking victims in Bolivia. The Ministry of Health administered periodic medical tests to individuals in the legal commercial sex trade, but did not screen for trafficking indicators. The Ministry of Labor (MOL) had 10 inspectors to investigate child and forced labor, and employed another 87 inspectors who could investigate such cases if found during routine labor inspections. MOL did not report the number, if any, of labor trafficking victims identified in 2015. Law 263 requires the MOL to create a national registry of employment agencies to monitor for trafficking activity. However, authorities did not establish this mechanism in 2015; and NGOs expressed skepticism that even with the registry, many employment agencies would continue to operate informally and be difficult to regulate.

Government-funded or provided specialized victim services were lacking in most of the country. NGOs provided the majority of specialized care, including emergency housing, without government funds. Law 263 requires regional governments to create specialized care centers for trafficking victims in each of Bolivia's nine departments, but the government did not operate or fund such centers. Law 263 also requires the government to provide free access to services for victims, but the government did not fund such services. 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 did not provide services to adult male victims. The government detained boy trafficking victims in juvenile justice centers with juvenile criminals due to a lack of shelters. Five departmental governments operated special victims units, which focused on providing legal and psychological services to victims of gender-based violence, but did not report the number of trafficking victims these units assisted in 2015. Victims may provide written testimony rather than testifying in a court proceeding, although the procedure was not used in 2015. Bolivian law allowed victims to seek civil damages, but there were no reports of trafficking victims doing so in 2015. The government could provide foreign victims with humanitarian visas to remain in Bolivia temporarily and if granted, enable victims to apply for a work permit; but it did not report issuing such visas in 2015. Two Colombian trafficking victims received permanent residency through a Mercosur agreement.

## PREVENTION

The government made modest progress in its prevention efforts. The government published and resourced its 2015-2019 national anti-trafficking action plan aimed at prevention, protection, and prosecution, as well as national and international coordination. The government devoted 18 million bolivianos (\$2.6 million) for 2015 of an estimated 60 million bolivianos (\$8.7 million) budget to implement the plan from 2015-2019. The Plurinational Council against Human Trafficking and Smuggling published a national policy to implement law 263 that requires each department to develop anti-trafficking plans; only one of nine departments developed a plan. Authorities conducted some anti-trafficking awareness events. The plurinational council met seven times in 2015 and civil society representatives participated for the first time. 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. In addition, the Office of the Human Rights Ombudsman continued to coordinate a network of government officials and civil society organizations, which engaged in prevention efforts in four border cities and

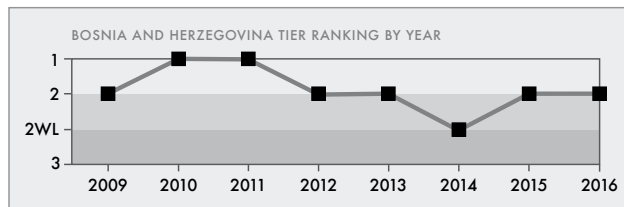


collaborated with civil society in four departments. Law 263 required media outlets to run public service announcements on trafficking and written news outlets to publish public service announcements on trafficking, and most outlets complied. The government created an observatory of trafficking crimes to collect information on trafficking trends and law 263 also mandates the plurinational council to submit an annual report to Congress on its work; neither report has been published. The Institute for Normalization of Quality, a semi-autonomous government agency, operated a “triple seal” certification program for sugar producers whose final products are certified to be free of child and forced labor. As of 2015, two companies obtained the seal. There were no reported investigations, prosecutions, or convictions for child sex tourism in 2015. The Vice Ministry of Tourism requested hotels to post signs informing tourists of sanctions for child sex tourism; some hotels complied. The government did not report efforts to reduce the demand for forced labor. The Department of Defense, in coordination with an international organization, provided anti-trafficking training to 19,000 troops that patrol national borders. The government provided anti-trafficking training 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. Economically-vulnerable Romani children are subjected to forced begging and involuntary domestic servitude in forced marriages. Foreign women and girls from European countries are vulnerable 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 Croatia, France, Serbia, Slovenia, and Austria. Corruption creates an environment enabling some trafficking crimes.

The Government of Bosnia and Herzegovina does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Federation, Republika Srpska, and Brcko District authorities increased law enforcement efforts overall. The national, state-level criminal code was amended to further establish legal jurisdiction and increase the prescribed penalties for transnational human trafficking. While the Federation began the process of amending its criminal code to prohibit all forms of trafficking, its parliament had not yet formally passed the legislation at the end of the reporting period, hampering overall prosecution of trafficking crimes at all levels of the government during the year. The government trained prosecutors and judges on trafficking case-management techniques; however, experts stated judges deciding trafficking cases remained inadequately prepared, and interview techniques and protections available to shield child trafficking victims from further trauma were not adequately utilized. The government continued to allocate small grants to NGOs for assistance to trafficking victims, but male victims could not access specialized services.



### 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 victim identification, particularly those subjected to forced labor and forced begging; standardize victim assistance throughout the country and develop specialized assistance for male victims; adequately protect victims from threats and re-victimization 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 are prosecuted.

### PROSECUTION

The government demonstrated increased progress on anti-trafficking law enforcement efforts. 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. Entity-level authorities address domestic trafficking offenses internal to their territories and state-level authorities address cases with international aspects. In May 2015, to distinguish legal jurisdiction, article 186 of the state-level criminal code was amended from prohibiting both domestic and international trafficking to only prohibiting sex trafficking and forced labor if the victim is exploited in a country in which he or she does not reside or have citizenship. The amendment also increased the prescribed penalties from a minimum of three to five years' imprisonment. Republika Srpska and Brcko District prohibit sex trafficking and forced labor with minimum prescribed penalties of three years' (Republika Srpska) and five years' (Brcko District) imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the Federation Parliament began the process of adopting articles 210a and 210b to criminalize sex trafficking and forced labor and organized human trafficking, respectively, but at the close of the reporting period had not formally passed the legislation.

During 2015, the state prosecutor's office launched an investigation against one trafficking suspect, the same number as during 2014, and indicted one individual under article 186. This was a decrease from 13 individuals indicted in 2014 for subjecting 672 individuals to labor trafficking; the case—Bosnia's largest indictment for trafficking in the country's history—remained ongoing. The state did not convict any traffickers in 2014 or 2015. In January 2015, with the support of Eurojust—the European Union's Judicial Cooperation Unit—

Bosnian and French law enforcement officials formed a joint investigative team to address a case in which Bosnian citizens, primarily Romani women and girls, were sent to France and forced to pickpocket and steal. During the reporting period, seven arrests related to the investigation were made in Bosnia and 11 in France.

During the reporting period, Republika Srpska, Brcko District, and Federation authorities increased law enforcement efforts overall. Republika Srpska authorities began two investigations into five suspected traffickers and indicted two persons, compared with zero investigations and prosecutions in 2014. Republika Srpska courts convicted two traffickers, compared with three in 2014, and sentenced them to two and three years' imprisonment. Brcko District authorities began one investigation against three suspected traffickers, compared with one suspected trafficker investigated in 2014, and issued one indictment against two suspects, compared with zero in 2014; there were no convictions in 2014 or 2015. Federation authorities investigated 10 suspects and prosecuted four defendants under their Enticement to Prostitution statute, compared with five suspects investigated and four defendants prosecuted in 2014. Federation courts convicted eight traffickers, compared with five in 2014. Two individuals received one year of imprisonment, one received two years', two received one-and-a-half years', and two persons were sentenced to three-and-a-half years' imprisonment. One trafficker received a suspended sentence, compared with two suspended sentences in 2014.

All three police academies maintained basic and advanced courses on trafficking, and the national state government continued to provide basic training for prosecutors and judges on trafficking cases. However, experts stated judges deciding trafficking cases remained inadequately prepared, and more training was necessary. During the reporting period OSCE, in partnership with the state, developed curricula for prosecutors and judges on trafficking cases and trained nine officials to serve as future trainers to their colleagues. NGOs hosted additional trainings for officials. Corruption and official complicity in trafficking crimes remained significant concerns. In December 2015, the state prosecutor's office issued an indictment of a Bosnian official for involvement in trafficking-related crimes; the consular official, based in Paris, was charged with sustained abuse of position for issuing travel documents to facilitate the movement of potential labor trafficking victims in exchange for money. A Federation police officer was charged with enticement to prostitution for coercing his paramour to provide sexual services to clients in exchange for money.

## PROTECTION

The government maintained its protection efforts. The government identified 31 victims of trafficking in 2015, compared with 48 in 2014; 24 victims were subjected to forced begging and seven to sex trafficking. Of these, 23 victims were female, 14 were minors, and all were citizens of Bosnia and Herzegovina. The state coordinator acknowledged there were likely to be additional victims that did not come to the attention of authorities. 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 NGO-run shelters; officials provided assistance to victims only if they proactively requested it. Shelters accommodated male trafficking victims but did not offer them specialized services. Shelters did not permit victims to leave without a chaperone. Six government-run social welfare centers provided assistance to 129 children

involved in begging or working on the streets and identified of being at risk of trafficking. The Ministry of Human Rights and Refugees distributed small grants totaling 60,000 marks (\$33,400) to six 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 Ministry of Security budgeted 120,000 marks (\$66,800) for NGOs to provide assistance to foreign victims, including shelter, medical and psychological support, and repatriation services. The funds were returned to the state budget when no foreign victims were identified and were not re-allocated for domestic victim assistance.

Observers reported law enforcement and prosecutors were often unwilling to pursue investigations and prosecutions against a child's parents, even if they were involved in subjecting the child to trafficking; shelters would subsequently return the child to their parents. Experts expressed concerns about interview techniques used with child trafficking victims, reporting one instance where 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 and re-victimization. Sub-state laws against enticement to prostitution permitted law enforcement to treat minors 14 years and older as juveniles willingly engaged in prostitution instead of victims of rape or sex trafficking crimes; however, during the reporting period, 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 the criminal codes of the state and Brcko District contain provisions exempting trafficking victims from prosecution for such acts. Officials acknowledged the need to strengthen continuity of victim care throughout trials and improve protection of marginalized populations, such as Roma. Foreign victims were eligible for a humanitarian visa allowing them to temporarily live and work in Bosnia. Victims were permitted a 30-day reflection period to determine whether they wanted to request a visa, although 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. Trafficking victims could seek restitution through criminal or civil suits. In 2014, an NGO filed the first lawsuit for non-material compensation on behalf of four trafficking victims; in 2015, a district court dismissed the charges and the NGO has since filed an appeal.

## PREVENTION

The government continued efforts to prevent trafficking. In December 2015, the Council of Ministers approved the 2016-2019 national anti-trafficking action plan. A nationwide interagency taskforce met monthly to monitor the progress of trafficking investigations and prosecutions and continued to implement its 2015-2017 work program towards increased awareness of trafficking, interagency cooperation, and cooperation with neighboring countries. The national anti-trafficking coordinator published its annual report in 2015. The government allocated 10,000 marks (\$5,570) for activities associated with the 2015 European Anti-Trafficking Day; an NGO developed a social media campaign that concluded with a photo exhibition and media event. The Ministry of Defense provided training on identifying and reporting trafficking to members

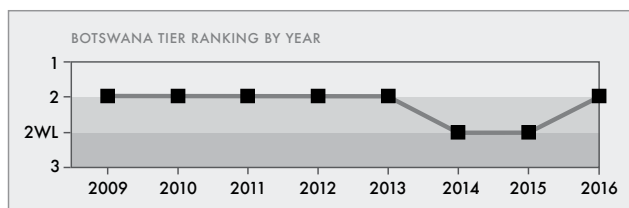


of the armed services from other European countries who participate in UN peacekeeping operations. The government continued public prevention campaigns targeting the demand for commercial sex acts. The government did not make efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

## BOTSWANA: Tier 2

Botswana is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Residents of Botswana most vulnerable to trafficking are unemployed women, the rural poor, agricultural workers, and children. Some parents in poor rural communities send their children to work for wealthier families as domestic servants in cities or in agriculture and cattle farming in remote areas, increasing their vulnerability to forced labor. 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 possibly exploited in prostitution within the country, including in bars and along major highways by truck drivers. Some women may be subjected to trafficking internally or transported from neighboring countries and subjected to sexual exploitation. Officials confirmed for both adults and children of the San ethnic minority group labor conditions on private farms and cattle posts in Botswana's rural west might rise to the level of forced labor. Undocumented migrant children might be vulnerable to trafficking in Botswana. There has been no comprehensive international or domestic study of trafficking trends within the country.

The Government of Botswana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government investigated five trafficking cases and prosecuted seven traffickers under the 2014 Anti-Human Trafficking Act, in comparison with none reported the previous reporting period. The cases were ongoing at the end of the reporting period. The government did not convict any traffickers. The government established the Anti-Human Trafficking Committee, in accordance with the Anti-Trafficking Act, in January 2016; it held two meetings during the reporting period. The government identified six trafficking victims and provided them food, amenities, and basic assistance, including medical and psycho-social care. The government provided social service personnel with formal written procedures to guide them in identifying potential trafficking victims among vulnerable populations; other officials remained without formal identification and referral procedures. The government launched a nationwide public awareness campaign, which also served to educate local government officials in 16 districts. It conducted a train-the-trainers event for law enforcement and immigration officials on anti-trafficking efforts. The government did not provide anti-trafficking training for its diplomatic personnel.



## RECOMMENDATIONS FOR BOTSWANA:

Amend the anti-trafficking law to ensure penalties are sufficiently stringent by restricting the ability of judges to impose fines in lieu of prison time when sentencing convicted traffickers; continue efforts to investigate, prosecute, and convict traffickers using the 2014 Anti-Human Trafficking Act for both internal and transnational trafficking cases; implement formal victim identification procedures for all stakeholders, including law enforcement and immigration officials, and train officials on the procedures; fully formalize the system to refer victims to social services; continue to encourage victims to participate in the investigation and prosecution of traffickers through formal procedures; develop guidelines for specific protective services for trafficking victims, to be provided either directly or in partnership with NGOs; amend the 2009 Children's Act to define child trafficking including exploitation of children in prostitution without any force, coercion, or movement necessary; continue to conduct awareness campaigns, particularly in rural areas; and provide anti-trafficking training to diplomatic personnel.

## PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2014 Anti-Human Trafficking Act prohibits all forms of trafficking, although the law's definition of trafficking also links trafficking to ancillary crimes such as rape, pornography, and child labor. The act prescribes penalties for sex and labor trafficking of up to 30 years' imprisonment or a fine of one million pula (\$111,000), which are commensurate with those prescribed for other serious crimes. For sentences that only include a fine, penalties are not sufficiently stringent with those prescribed for other serious crimes, such as rape. Sections 57 and 114 of the 2009 Children's Act prohibit child prostitution and child trafficking, respectively; section 57 prescribes penalties of two to five years' imprisonment for facilitation or coercion of children into prostitution, while section 114 prescribes penalties of five to 15 years' imprisonment for child trafficking. The children's act does not define child trafficking; however, the 2014 Anti-Human Trafficking Act specifically links its definition of child trafficking to the children's act. 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 investigated five trafficking cases and prosecuted seven traffickers under the 2014 Anti-Human Trafficking Act, in comparison with investigating an unreported number of trafficking cases and obtaining no prosecutions the previous reporting period. The prosecutions were ongoing by the end of the reporting period; the government did not convict any traffickers. There were anecdotal reports that Botswana victims may have been subjected to internal trafficking, including children exploited in prostitution or domestic servitude. While authorities conducted some targeted investigations into the issue, they did not encounter any cases nor initiate any prosecutions involving Botswana victims. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The Ministry of Defense, Justice, and Security (MDJS) led awareness-raising and training sessions on the 2014 act, prosecuting trafficking offenders, and identifying and assisting potential victims for local government officials in all 16 districts. In December 2015, it separately held an informational session to sensitize judicial

officials at the national level across the country on trafficking and the 2014 Anti-Human Trafficking Act. In July 2015, MDJS also held a train-the-trainers event for 40 law enforcement and immigration officials. Judicial authorities lectured at the Botswana Police College to sensitize incoming recruits on trafficking issues. Additionally, during the reporting period, the police service included in its curriculum a section on human trafficking to educate recruits on the anti-trafficking law, victim identification, and investigation of human trafficking cases.

## PROTECTION

The government increased efforts to protect trafficking victims. The government identified six victims during the reporting period. Law enforcement officials, in partnership with an international organization, coordinated with the Department of Social Services to refer the victims to NGO-run shelter services while their cases were pending and ensured victims received medical services funded by the government, in comparison to the previous year where the government's role in referring and providing assistance to victims was limited by the lack of qualified cases. The government provided formal written procedures to guide social service officials in proactively identifying victims of trafficking among vulnerable populations; however, it did not provide such procedures for other officials, including law enforcement and immigration officials. The government had not fully operationalized the victim referral measures detailed in the 2014 act. The government provided an NGO-run shelter with 8,965,601 pula (\$804,000) during the reporting period. As permitted under the 2014 act, the government granted one foreign national victim an extended stay in Botswana. The government did not penalize trafficking victims for crimes committed in relation to being subjected to trafficking. The government implemented informal measures designed to encourage victims to assist in the investigation and prosecution of traffickers, in comparison to the previous reporting period where no measures were taken.

## PREVENTION

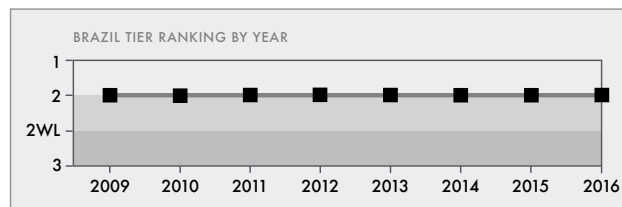
The government increased efforts to prevent trafficking during the year. In January 2016, MDJS established the Anti-Human Trafficking Committee in accordance with the 2014 act. It met twice during the reporting period. The committee and MDJS began work on a national action plan. In July 2015, in collaboration with an international organization, the government hosted an anti-trafficking commemoration day in Palapye to raise awareness on human trafficking; approximately 300 local citizens attended. The government made efforts to reduce the demand for commercial sex acts; however, it did not make efforts to reduce the demand for forced labor during the reporting period. It did not provide anti-trafficking training for its diplomatic personnel.

## 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 rates of children exploited in prostitution in the north and northeast regions. Brazilian women are found in sex trafficking abroad, often in Western Europe and China. 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, and to a lesser extent, the United States. 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. Brazilian women and children, as well as girls from other countries in the region, are exploited in domestic servitude with approximately 213,000 children employed as domestic workers in Brazil. Some Brazilian trafficking victims are forced to engage in criminal activity, including drug trafficking, in Brazil and neighboring countries. Brazilian forced labor victims have been identified in other countries, including in Europe. 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. NGOs and officials report some police officers tolerate children exploited in sex trafficking, 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 meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Brazilian law defines trafficking as a movement-based crime and statutes prohibiting trafficking do not align with international law, making it difficult to assess government efforts accurately. Decentralized data collection on prosecutions, convictions, and sentences inhibits government coordination and also makes assessment difficult. Most trafficking cases took many years to progress through the legal and judicial systems. An increased number of state governments offered vocational training and access to public services to forced labor victims. Authorities confirmed providing general services to only a small portion of potential victims, and the federal government did not fund specialized shelters, although some states provided job training for vulnerable populations, including forced labor victims. The government continued awareness-raising efforts.



## 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, the exploitation of children in prostitution and child sex tourism, and any

form of trafficking involving complicit officials; improve judicial processes, including by improving coordination and collaboration between the judiciary and the federal prosecutor's office, so measurable results are achieved in holding traffickers accountable, and implement sentences that are sufficiently stringent; train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence to reduce dependence on victim testimony; in partnership with civil society, increase funding for specialized services for victims of sex trafficking and forced labor and fund shelters for victims of sex trafficking and forced labor; amend legislation to harmonize the definition of trafficking with the 2000 UN TIP Protocol and establish sufficiently stringent sentences for traffickers; verify with measurable results 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 law enforcement dedicated to identifying victims of sex trafficking and domestic servitude; increase labor inspectors trained to recognize and report indicia of forced labor; and increase collaboration between government entities involved in combating different forms of trafficking.

## PROSECUTION

Authorities maintained uneven law enforcement efforts largely focused on sex trafficking and not sufficient given the scope of both sex trafficking and labor trafficking in Brazil. 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 they are inconsistent with international law as they require movement as a necessary element, 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 in Brazil for other serious crimes, such as rape. Officials investigated and prosecuted cases of sex trafficking not involving movement under other statutes, such as those related to pimping or sexual exploitation. 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 to work. Draft legislation to harmonize the definition of trafficking with the 2000 UN TIP Protocol and increase the minimum sentences for anti-trafficking crimes was introduced in 2014, but not approved by Congress in 2015.

Since the 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 2015, authorities reported 374 existing police investigations, 97 new or existing prosecutions under article 231 and article 231-A, and 12 new convictions, 10 under article 231 and two under article 231-A, as decided by regional federal

tribunals; and 296 new investigations, 65 new prosecutions, and nine new convictions under article 149. In comparison, in 2014, authorities reported police investigations of 75 new cases and five new prosecutions under article 231, and 77 cases and 16 new prosecutions in 2013; nine investigations and two new prosecutions under article 231-A; and 327 new or existing investigations, 105 new prosecutions initiated, and four final convictions under article 149. Most sex and labor traffickers convicted by lower courts appealed their convictions while out of jail; there were 43 appeals related to trafficking cases in the federal court system in 2015. These judicial processes lasted years and delays made holding traffickers accountable difficult. Authorities leniently implemented sentences issued under trafficking statutes. Based on incomplete data, in 2015 federal appeals courts upheld the convictions of 12 international sex traffickers in five cases and nine labor traffickers in six cases, compared with nine international sex traffickers in two cases and four labor traffickers in 2014. Officials reported no final convictions for cases involving child victims. Sex traffickers convicted in 2015 had sentences ranging from six years' to six years and five 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 in 2015 ranged from one year and two months to nine years. In 2015, federal judges emphasized that collecting evidence from victims and witnesses gathered at the scene remained challenging, and that many cases had been dismissed due to insufficient evidence.

Efforts are also being undertaken by some states. In Paraíba state, officials investigated a criminal ring that subjected more than 50 male teenagers to trafficking in Latin America and Italy for sexual exploitation as transvestites. Investigations have been ongoing since 2013, and authorities arrested and charged 12 Italians and Brazilians in criminal court in 2015. The case is in the hearing stage. The federal government also brought a civil class action lawsuit for 20 million reais (\$5,566,400) against the defendants; a final ruling is expected in 2016. This is the first time the federal government filed a civil class action suit on behalf of trafficking victims in Brazil. Any monetary compensation from the lawsuit will go to a fund that assists trafficking victims, but it is unconfirmed whether any of the money will go to the victims in the case. In 2015, labor inspectors rescued 11 trafficking victims from northeastern Brazil who were hired for the construction of the Olympic Village. The prosecutor's office for labor cases said that although no civil action had been taken on this case, each of the workers was awarded 20,480 reais (\$5,700) in back-wages. No criminal charges have been filed to date.

Anti-trafficking law enforcement efforts were disjointed due to different laws and government entities involved. Significant challenges stemming from bureaucratic and systemic deficiencies in the criminal justice system remain in the areas of investigation and prosecution. Law enforcement units required more funding, expertise, and staff to investigate trafficking, and awareness of trafficking among law enforcement was low. In addition to state committees tasked with coordinating data sharing among courts, authorities established a national forum of judges from various levels, including the president of the supreme federal court, which compares notes and information on sentences related to trafficking cases. The coordinating body sought to prioritize the collection of data on judicial cases related to international sex trafficking and slave labor, and to work with the federal prosecutor's office to share prosecution data. The government collaborated with an international partner to provide a two-day anti-trafficking training for some law enforcement officials,



judges, and prosecutors; however, training for law enforcement remained uneven, especially for state police. In Sao Paulo, the city government trained police to detect signs of trafficking. 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 the government did not criminally prosecute many *trabalho escravo* cases. 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 2015. 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.

## PROTECTION

The government maintained inadequate victim protection efforts and identified significantly fewer potential victims than in 2014. 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 of trafficking, making it difficult to assess victim identification and assistance efforts. Sixteen of 27 state governments operated state-level anti-trafficking offices, which varied in effectiveness, and unreliable data remained a problem. There were also 19 offices helping migrants at airports, up from three in 2014. The 16 state anti-trafficking offices and 19 offices at airports reported a total of 528 potential sex trafficking and 176 potential labor trafficking victims in the first half of 2015, compared to 170 potential sex trafficking and 2,145 potential labor trafficking victims in the first half of 2014. They reported 459 potential sex trafficking and 700 potential labor trafficking victims in the latter half of 2015, compared to 81 potential sex trafficking and 1,185 potential labor trafficking victims in the latter half of 2014; in some cases the same victims were counted twice. MOL mobile inspection units identified many potential labor trafficking victims and identified and freed 1,010 laborers in situations of *trabalho escravo* in 2015, compared with 1,509 in 2014. Officials did not report the total number of victims of domestic servitude or commercial sexual exploitation of children identified in 2015.

The federal government did not fund specialized shelters for trafficking victims; however, some states provided job training for vulnerable populations, including forced labor victims. There were no specialized services for male and transgender sex trafficking victims. The government did not fund long-term shelter for trafficking victims. Specialized shelters for child sex trafficking victims were lacking, and NGOs and officials reported local guardianship councils often did not have the expertise or resources to identify child victims correctly and refer them to services. General victim services and shelters varied in quality from state to state and generally remained underfunded and inadequate. Anti-trafficking centers for social assistance were responsible for referring victims to services, but authorities did not report how many victims these offices referred to services. Of the 2,453 specialized social assistance centers across the country where psychologists and social workers provided assistance to vulnerable people, only 675 centers, or 28 percent, were certified to assist trafficking victims; and many centers

were underfunded. In 2014, 623 centers were certified to assist trafficking victims. Officials generally did not refer individuals in *trabalho escravo* to these centers. In 2014, the last year for which statistics were available, these centers reported assisting 1,137 trafficking victims, including 192 girls, 284 women, 145 boys, and 516 men. In comparison, in 2013, these centers reported assisting 292 trafficking victims. The Sao Paulo shelter providing temporary assistance for refugees and trafficking victims did not report how many victims stayed at the shelter.

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 non-payment by employers. Authorities reported that rescued workers received 3.1 million Brazilian reais (\$860,000) in back pay in 2015. State governments in Mato Grosso, Bahia, Rio de Janeiro, and the "Bico do Papagaio" region provided funds to a program that offered vocational training to freed slave laborers. Most rescued slave laborers remained vulnerable to re-trafficking due to few employment options and lack of adequate assistance; however, the government sought to address this issue by expanding vocational training. The Ministries of Labor and Social Development signed a memorandum of understanding to provide forced labor victims access to comprehensive public services by including the victims in the registry for social programs, granting them priority access to the Bolsa Familia cash transfer program, unemployment insurance, subsidized low-income housing, a 60 percent discount on energy bills, and technical assistance—all implemented at municipal-level centers for social 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 created in 1999, and authorities reported that two trafficking victims received protection in 2015, one victim of international trafficking for slave labor and one for international sex trafficking. Foreign sex trafficking victims were entitled to permanent visa status, and the government reported one victim received it in 2015, compared to no victims in 2014. At least one labor trafficking victim was repatriated to China with assistance from the Rio State government and NGOs; he was the first Chinese trafficking victim ever repatriated. There were no reports in 2014, the last year for which data were available, that victims were penalized for unlawful acts committed as a result of being subjected to human trafficking, although in past years police officers deported foreign citizens in *trabalho escravo* and with the weak victim identification system it is likely some victims were detained and jailed.

## PREVENTION

The government continued modest prevention efforts, amidst reduced resources and budgets. Coordination among anti-trafficking initiatives was uneven, making the initiatives less effective. The national committee on trafficking included selected NGOs, and officials maintained a separate commission to eradicate *trabalho escravo*. Authorities issued two reports in 2015 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.

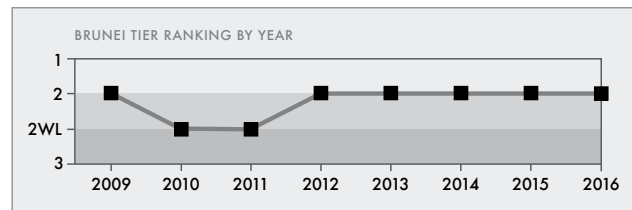
The MOL last published a public list identifying individuals and businesses responsible for *trabalho escravo* in 2014; some companies sued to be removed from the list. The July 2014 list cited 609 employers who were denied access to credit by public and private financial institutions because of this designation. The supreme federal court is expected to make a final decision in 2016 on the publication of the list. Authorities continued awareness campaigns in an effort to reduce the demand for commercial sexual exploitation of children. In 2014, federal police helped identify points of increased risk for sexual exploitation of children along federal highways; at the close of the reporting period, no data was provided as to efforts made at the points of risk. Officials did not report any new investigations, prosecutions, or convictions of child sex tourists in 2015. 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. Military troops received anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training 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 Indonesia, Bangladesh, China, the Philippines, Thailand, and Malaysia migrate to Brunei primarily for domestic work, or on social visit passes or tourist visas. Upon arrival, some are subjected to involuntary servitude, debt bondage, non-payment of wages, passport confiscation, physical abuse, or confinement. Some migrants who transit Brunei become victims of sex or labor trafficking upon arrival in Malaysia or Indonesia. Some women and girls are reportedly subjected to sex trafficking in Brunei. Although it is illegal for employers in Brunei to withhold wages of domestic workers for more than 10 days, some employers withhold wages to recoup labor broker or recruitment fees or to compel the continued service of workers. Retention of migrant workers' travel documents by employers or agencies remains a widespread practice, although the law prohibits it. Government officials have been investigated for complicity in trafficking offenses, including domestic servitude, in previous years, although no such investigations took place during the reporting period.

The Government of Brunei does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, authorities charged three foreign nationals for child sex trafficking and one individual for forced labor under the anti-trafficking law, compared to the previous two years in which it did not initiate any prosecutions. Victim protection efforts remained inadequate. Although the government used standardized mechanisms for proactive victim identification, it continued to detain and punish some individuals in prostitution and for labor and immigration violations who may have been victims of trafficking. The government did not offer foreign victims any long-term alternatives other than removal from the country, and shelters used to house victims restricted freedom of movement. The government informed the public on the illegality of withholding workers' passports but did not prosecute any employers or agencies for passport retention even though the practice remained widespread. The government continued national campaigns to raise trafficking awareness

among businesses, migrant workers, and the general public; however, it did not formally approve its national action plan to combat trafficking for the second consecutive year.



### RECOMMENDATIONS FOR BRUNEI:

Increase protective services to provide incentives for victims to participate in investigations and prosecutions, including by allowing adult victims in government shelters to move freely and by issuing work permits to all victims; cease arrest, deportation, and punishment of trafficking victims for crimes committed as a direct result of their being subjected to trafficking; train officials on implementation of proactive procedures to identify victims of trafficking among vulnerable groups, with a focus on psychological coercion as a technique used by traffickers; increase efforts to investigate and prosecute trafficking offenses and convict and punish both sex and labor traffickers, including complicit government officials; train judges on how to accurately and effectively implement Brunei's anti-trafficking laws; allocate government resources to the fund established by the 2004 law, and allow this to be paid directly to victims as restitution; enforce laws prohibiting acts that facilitate trafficking, such as retention or confiscation of migrant workers' identity documents; offer foreign victims long-term alternatives to removal from the country; expand comprehensive and visible anti-trafficking awareness campaigns directed at employers of foreign workers and clients of the sex trade; provide anti-trafficking training to diplomatic personnel; approve and implement the national action plan; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government demonstrated increased law enforcement efforts. The Trafficking and Smuggling Persons Order of 2004 prohibits both sex and labor trafficking and prescribes punishments of up to 30 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. The penal code prohibits travel outside the country for commercial sex with children, prescribing a punishment of up to 10 years' imprisonment. The government screened for suspected trafficking offenses among 66 cases involving labor complaints or prostitution, a slight decrease from 81 cases the previous year. After three years without initiating any trafficking prosecutions, the government charged three foreign nationals for child sex trafficking under the 2004 anti-trafficking law; it also charged one individual—a case pending trial since 2012—under the anti-trafficking law for allegedly recruiting and subjecting a domestic worker to forced labor. One alleged sex trafficking case from 2014 and the four cases charged during the reporting period remained pending. As in the previous reporting period, the government did not achieve any convictions. Officials continued to refer 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. Some of these cases resulted in prosecutions for other offenses.

The HTU facilitated anti-trafficking training for an unknown number of labor, immigration, and marine police authorities during the year; however, many officials continued to conflate trafficking and human smuggling. Some judicial officials interpreted the law to require deception at the recruitment stage, resulting in fewer prosecutions or convictions under anti-trafficking laws when victims migrated willingly or were not deceived into trafficking immediately upon arrival 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. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period.

## PROTECTION

The government sustained limited efforts to protect victims. The HTU continued to employ standardized interview questionnaires to screen and identify potential trafficking victims when apprehending persons in prostitution or when accompanying immigration and labor officials on operations in which there was suspected trafficking involvement. The government screened for potential trafficking victims in 66 cases and identified one child sex trafficking victim during the reporting period, although it initially detained and charged the child victim with prostitution. Once the government identified the victim as underage, it dropped prostitution charges and placed the victim in protective care. Some officials considered physical abuse or confinement as necessary factors for trafficking, and general misconceptions may have resulted in the government not identifying some victims and subjecting them to punishment. Officials apprehended foreign women and children during brothel raids and detained and deported many for labor or immigration violations; while some victims voluntarily requested deportation to avoid charges, this practice may perpetuate victims' fear of communicating with law enforcement officers. The government maintained a general-purpose shelter for female trafficking victims, but it required victims to apply to leave the shelter and to be accompanied by a chaperone. One victim and eight potential victims received assistance in the shelter, and three chose to reside at their respective embassies. No facilities were available for adult male trafficking victims.

The 2004 law established a fund to compensate victims and cover repatriation costs; however, the paucity of court judgments from which such funds are derived and the election of convicted traffickers to serve jail time instead of paying fines resulted in the fund's continued lack of resources. The Ministry of Home Affairs negotiated with finance ministers to secure financial allocation from the government's budget toward the fund; however, it did not allocate funding, as such discussions remained ongoing at the close of the reporting period. The lack of incentives to remain in Brunei encouraged foreign victims to elect immediate repatriation and decline participation in investigations. The government reported granting temporary stays in Brunei to some potential victims while working with respective embassies to obtain new travel documents or repatriation assistance; it also allowed victims of labor violations to receive temporary work passes on an ad hoc basis while assisting in investigations, although it did not issued such passes for a fourth consecutive year and many victims were ineligible as a result of not being legally employed at the time of the violation. 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 made uneven efforts to prevent trafficking. The government reported transforming its ad hoc anti-trafficking working group to a permanent interagency committee to coordinate implementation of its national action plan to combat trafficking; however, it did not formally approve this plan for the second consecutive year. Brunei's first anti-trafficking NGO was formed during the year and held a series of awareness-raising workshops, film screenings, and art exhibitions, despite lacking official recognition from the government. Police authorities and labor and immigration officials conducted 10 nationwide roadshows to raise awareness of human trafficking, which specifically targeted employers, human resource managers, students, migrant workers, and the general public, and reached over 1,200 companies and employees across the country. In 2015, the government placed informational posters in strategic public places, including immigration checkpoints, and government-influenced media continued to regularly publish articles related to trafficking. The government disseminated information to the public that employers should not withhold workers' passports, but it did not prosecute any employers or agencies for passport retention and the practice remained widespread. Officials prosecuted one individual who operated an employment agency without a license. It made limited progress in decreasing the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel. Brunei is not a party to the 2000 UN TIP Protocol.

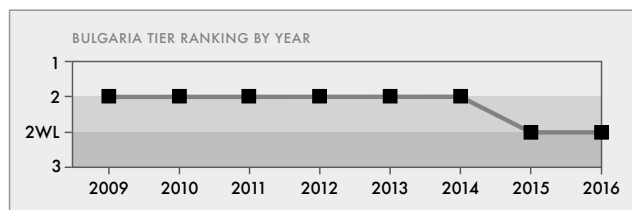
## BULGARIA: Tier 2 Watch List

Bulgaria is a source and, to a lesser extent, 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 other European states and Israel, 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 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, and officials have been investigated for suspected involvement in trafficking.

The Government of Bulgaria does not fully meet 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 for the second consecutive year. During the reporting period, the government designated a chairperson and appointed an executive secretary for the national anti-trafficking commission that drives the government's anti-trafficking efforts, leading to increased inter-ministerial coordination and policy development. The commission also awarded contracts to re-open two publicly funded shelters and an apartment for female trafficking victims. The country's overall capacity to shelter and provide services was minimal relative to the number of victims identified, and specialized services for child and adult male victims of



trafficking were nonexistent, although the government took steps to assess the needs of male victims with a view to offer consultation and other suitable services. Law enforcement investigated fewer trafficking cases, continuing a multi-year decline. Efforts to prosecute traffickers, which declined markedly in 2014, modestly improved in 2015 as prosecutors tried more traffickers. However, courts convicted fewer traffickers and issued suspended sentences for most of those convicted. Law enforcement continued to take action against public officials and police officers complicit in trafficking offenses.



## RECOMMENDATIONS FOR BULGARIA:

Enhance efforts to investigate, prosecute, and convict traffickers, particularly for labor trafficking, and hold convicted traffickers accountable with prison terms; increase the capacity of assistance available to women subjected to trafficking; proactively investigate, prosecute, and convict government officials complicit in trafficking, and hold convicted officials accountable with prison terms; provide all male victims with services, including reintegration assistance and legal services; provide specialized assistance to child victims; 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; provide knowledgeable legal counsel and courtroom protections for victims assisting prosecutions; and increase the number of traffickers subjected to fines and the number of victims receiving compensation.

## PROSECUTION

The government did not make progress in law enforcement efforts, as the government convicted fewer traffickers and issued suspended sentences to the majority of those convicted. Article 159 of the criminal code prohibits all forms of trafficking and 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 71 sex trafficking and seven labor trafficking investigations in 2015, compared with 81 sex trafficking and six labor trafficking investigations in 2014. Authorities charged 55 defendants with sex trafficking and 10 with labor trafficking in 2015, compared with 43 and four, respectively, in 2014. The government convicted 47 sex traffickers and no labor traffickers in 2015, compared with 53 sex traffickers and one labor trafficker convicted in 2014. Only 16 of the 47 convicted sex traffickers—34 percent—received a prison sentence that was not suspended, a similarly low rate as in the previous two years. As in the previous reporting period, the government was unable to report the range of sentences imposed on convicted traffickers that resulted in imprisonment. Courts issued fines to 23 convicted traffickers in 2015, compared with 31 in 2014. 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.

The specialized court for organized crime, established in 2012, continued to review trafficking cases, although the prosecutors at the court reported receiving fewer new investigations from law enforcement agencies as a result of a continuous restructuring of the units responsible for combating organized crime. In February 2015, Parliament reinstated the directorate for combating organized crime under the Ministry of Interior. Observers noted police rarely launched operations against internal trafficking and investigations were too lengthy, giving suspected traffickers time to conceal assets and relocate operations. Bulgarian authorities cooperated with six foreign governments on transnational investigations. The government provided specialized training for police officers, investigators, prosecutors, and judges.

The government demonstrated efforts to combat trafficking-related complicity of public officials. In May 2015, a court upheld a 10-year sentence of a former municipal councilor charged with leading an organized crime group involved in human trafficking; another appeal was pending at the close of the reporting period. In March 2016, prosecutors issued an arrest warrant for two police officers accused of forcing a university student to sell drugs and recruit his female classmates to prostitute themselves and sell drugs. In August 2015, authorities indicted seven police officers accused of bribery and blackmail, due in part to their alleged soliciting of bribes from pimps. The group was arrested in July 2014 and several members were held in custody during the investigation. At the end of the reporting period, a trial was ongoing against the group members at the specialized court for organized crime. 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. In addition, observers alleged some prosecutors arbitrarily dropped charges against defendants.

## PROTECTION

The government increased efforts to shelter victims, but decreased efforts in other areas of victim protection. The prosecution service identified 298 victims of sex trafficking and 32 victims of labor trafficking in 2015 from new and ongoing cases at the pre-trial and trial stages, compared with 409 sex trafficking and 27 labor trafficking victims identified in 2014. Thirty of the identified victims were children, compared with 46 in 2014. All victims identified during the year were Bulgarian, whereas two foreign victims were identified in 2014. Observers alleged law enforcement could not effectively identify victims, particularly foreign victims. 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. The government has written procedures for authorities to use in referring victims to care facilities, but authorities did not consistently apply them. Local authorities in one region trained 90 social workers, police, and NGO staff on victim identification and assistance. The government funded training for 80 labor inspectors and social workers covering human trafficking. The law permits anonymity for victims during the pre-trial and trial phases, but authorities rarely applied this, resulting in victims changing their statements out of fear, intimidation, and bribery. Authorities did not consistently inform victims of their rights, including the right to legal aid. Observers reported police investigators interviewed victims three to four times during the pre-trial stage, a practice that could retraumatize victims. There were specific cases of police interviewing child victims seven times. Observers reported victims lacked support during criminal cases, as the

state reportedly did not provide knowledgeable legal counsel during trials. Victims were often required to give testimony in the presence of the alleged trafficker, and it was common practice for alleged traffickers to confront their victims in court and question them through the judge, including inquiries into victims' previous sexual relationships.

Authorities re-opened two government-owned, NGO-operated shelters that closed in September 2014 and have a capacity of six persons each. The government spent approximately 25,000 lev (\$13,900) to refurbish and provide maintenance for both shelters in 2015. One shelter reopened in January 2016 and accommodated five victims in the first quarter of 2016. Additionally, one victim received services but did not utilize accommodation at the shelter. The government awarded a contract to an NGO in March 2016 to operate the second shelter, as well as a nearby apartment for long-term victim care; no victims were accommodated in this shelter or the apartment during the reporting period. The government allocated approximately 128,000 lev (\$71,200) for shelter operations in 2016, to be disbursed based on the number of victims receiving services during the year. Neither shelter was located in Sofia, the largest city and most common repatriation point for victims exploited abroad. However, the government also operated 16 crisis centers for child victims of violence and five for adults that could provide shelter and generalized psychological and medical assistance to victims of trafficking. The government provided these centers a fixed sum per victim assisted which, according to the State Agency for Child Protection, was insufficient to cover victims' needs, maintain the centers' premises, and attract qualified staff. The government did not offer male victims specialized services, including legal aid, reintegration assistance, or shelter. With assistance from NGOs, the national anti-trafficking commission began conducting a survey to assess the needs of male victims. The law allows foreign victims who cooperate with law enforcement to stay and work in Bulgaria for the duration of criminal proceedings before deportation, although no foreign victims had applied for this status. 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. The government did not penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. No victims received compensation during the reporting period; observers reported the process for seeking compensation continued to be overly bureaucratic.

## PREVENTION

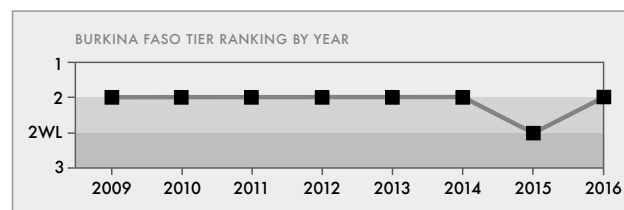
The government increased efforts to prevent trafficking. In June 2015, the government designated a chair for the national anti-trafficking commission and appointed an acting executive secretary; starting in the second half of 2015, the commission improved inter-ministerial coordination and re-energized governmental efforts, including developing long-term strategies and empowering local-level commissions. The national commission and its nine local commissions partnered with NGOs in awareness campaigns in 2015. In January 2016, the commission began developing a national anti-trafficking strategy for 2017-2021. The government continued to adopt annual national action plans accounting for individual activities to occur during the year; the government approved the 2015 plan in August 2015. The commission drafted and started implementation of the 2016 plan, although the government had not formally approved it by the close of the reporting period. The commission also continued to publish an annual report of

the government's anti-trafficking activities. Observers noted the need for improved statistics on law enforcement cases, identified victims, and their traffickers; the commission reported work on such a data collection system continued during the reporting period. The government provided anti-trafficking training to its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex.

## BURKINA FASO: Tier 2

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 forced begging by unscrupulous Koranic school teachers; girls are exploited in sex trafficking. 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 European countries but 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 recent years, Nepalese traffickers have subjected Tibetan women to sex trafficking in Burkina Faso. During the reporting period, women and girls from Cote d'Ivoire were discovered in Burkina Faso en route to Saudi Arabia, where they allegedly would have faced domestic servitude. Reports from an international organization contend 10 Burkinabe peacekeepers deployed to the UN mission in Mali may have engaged in sexual exploitation.

The Government of Burkina Faso does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government reported an increased number of prosecutions and convictions of trafficking offenders, made some modest efforts to address unregistered Koranic schools that subject students to forced begging, and continued to train authorities and social workers on victim protection. It also increased its funding for victim services. Despite identifying seven alleged traffickers posing as Koranic school teachers, however, there is no evidence the government initiated investigations into the traffickers; victim protection measures remained inadequate, especially long-term services and services for adults; and the national anti-trafficking committee remained inactive for a second consecutive year.



## RECOMMENDATIONS FOR BURKINA FASO:

Vigorously investigate, prosecute, and convict trafficking offenders—including traffickers posing as Koranic school teachers—and apply penalties prescribed by the 2008 anti-

trafficking law; increase resources for victims, including social reintegration, to prevent additional trafficking among identified victims; expand training for 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; increase the availability of shelter and services for all victims, including adults; strengthen the system for collecting anti-trafficking law enforcement and victim identification data, and ensure that authorities responsible for data collection receive adequate resources; investigate trafficking allegations that do not involve movement; improve coordination among the national and regional anti-trafficking committees, including by increasing funding to the regional bodies; convene the national, regional, and provincial anti-trafficking committees annually; and work with NGOs to develop a formal referral mechanism to provide victims with long-term care.

## PROSECUTION

The government increased its anti-trafficking law enforcement efforts. The 2008 anti-trafficking law prohibits all forms of trafficking and prescribes maximum penalties of 10 years' imprisonment. Law No. 11-2014/AN criminalizes child prostitution and the sale of children—including the sale of children for crimes not considered trafficking in the 2000 UN TIP Protocol—and prescribes penalties of five to 10 years' imprisonment or fines between 1,500,000 West African CFA francs (CFA) (\$2,490) and 3,000,000 CFA (\$4,980), or both. For sentences that include only a fine, penalties are neither sufficiently stringent nor commensurate with those prescribed for other serious crimes, such as rape. In September 2015, the government adopted a law on the prevention and repression of violence against women and girls. Under the law, sexual slavery is punishable with two to five years' imprisonment and a fine of one to two million CFA (\$1,660-\$3,320), which are sufficiently stringent and commensurate.

The government investigated 38 suspected traffickers in 2015, which led to the prosecution of 16 suspects and the conviction of nine traffickers—an increase from two prosecutions and no convictions in 2014 and closer to the 22 prosecutions and 18 convictions reported in 2013. During the reporting period, law enforcement intercepted seven unregistered Koranic teachers transporting 43 children to Mali and Cote d'Ivoire, allegedly for forced labor in cotton fields; officials returned the children to their families and arrested the seven teachers, but it is unclear if authorities investigated or continued to detain them. There were no prosecutions or convictions for forced begging by unscrupulous Koranic school teachers, despite the prevalence of this form of trafficking in the country. During the previous reporting period, the government arrested a Burkinabe woman for allegedly subjecting more than 30 women to trafficking in Lebanon, Qatar, and Saudi Arabia; she was imprisoned pending trial, but it was unclear if she remained in prison or if the case was ongoing at the end of the reporting period. Law enforcement identified 17 Ivoirian women and girls allegedly bound for domestic servitude in Saudi Arabia and arrested three suspected traffickers in connection with the case. 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 trafficking victims

and modestly increased its funding for short-term victim services for a large number of potential child trafficking victims, yet there were no shelters or services for adults, and long-term care for all victims remained inadequate. In 2015, the government continued to support 400 potential child trafficking victims, compared with 280 in 2014; it is unclear how many of these potential victims were identified during the reporting period and how many the government identified. 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 have faced exploitation, typically in gold mines or in city centers as domestic servants or street beggars. Due to data collection constraints and lack of disaggregated trafficking and smuggling statistics, it is unclear how many of these children were trafficking victims. The government, with funding and other support from local NGOs and international organizations, operated 23 multipurpose transit centers that provided limited food, medical care, and counseling to child trafficking victims and children vulnerable to trafficking before reuniting them with their families; it did not report how many victims were referred to protective services. The government allocated 21,200,000 CFA (\$35,200) to these transit centers to support protection activities, including health care, schooling, vocational training, family returns, and social workers; the government had allocated the equivalent of approximately \$11,000 the previous reporting period. The government acknowledged victim services remained inadequate; the lack of protection and resources for victims resulted in many being subjected to additional trafficking after identification. The 2015 law on the prevention and repression of violence against women and girls mandates measures for victim support, including the establishment of free emergency integrated support centers to offer comprehensive support services for women and girl victims of violence, including sexual slavery. There is no evidence the government made efforts to establish such centers during the reporting period.

The government trained 210 government employees, social workers, police, *gendarmerie*, and members of civil society on the links between mobility and trafficking. It also trained members of its anti-trafficking committees—including law enforcement, immigration, and social services personnel—on the proactive identification of trafficking victims. The government had standard victim identification and referral procedures, but authorities and front-line responders did not employ them uniformly during the reporting period. The law provides that foreign citizens may apply for asylum if they fear they will face hardship or retribution in their country of origin. The government did not report assisting with the repatriation of victims abroad, but it helped such victims upon return develop personalized plans for reintegration into local communities. There were no reports of trafficking victims penalized for unlawful acts committed as a direct result of being subjected to trafficking.

## PREVENTION

The government moderately increased efforts to prevent trafficking. The Ministry of Social Action and National Solidarity, which had the lead on anti-trafficking efforts, renewed the annual national anti-trafficking plan, but there was no evidence the government took action to implement the plan; the national anti-trafficking committee—responsible for the plan's implementation and comprised of representatives from government ministries and NGOs—did not meet during the reporting period. Thirteen regional bodies composed of police, social workers, transit companies, NGOs, and other



regional stakeholders coordinated administrative efforts to support anti-trafficking law enforcement activities and victim protection efforts, as well as collect anti-trafficking data. These bodies lacked sufficient resources, and it is unclear how many met during the reporting period. The government had child protection networks, composed of law enforcement, judicial officials, health workers, and NGO representatives in 23 of the country's 45 provinces to improve coordination between stakeholders that provide care for child victims, including victims of trafficking. Some of the committees met during the reporting period and gathered trafficking data for the national anti-trafficking committee. The government began to develop a basic integrated data system to collect statistics on child protection, including child trafficking, and sent officials on field missions to brief law enforcement agents on the proper collection of anti-trafficking data. The government continued to conduct anti-trafficking advocacy campaigns and operated a toll-free number for people to report cases of violence against children and violations of children's rights, including trafficking. Unlike in previous years, the government did not provide funding for the hotline; it is unclear if the number received any trafficking-related calls during the reporting period. The government also allocated 106,671,000 CFA (\$177,000) to vocational training for and the social reintegration of young street children vulnerable to trafficking.

During the reporting period, the government created an intermediary body to help monitor new Koranic schools and teachers at the local level and identify unregistered schools and instructors who subject children to trafficking. This organization helped law enforcement intercept seven unregistered teachers and 43 children reportedly bound for exploitation in Mali and Cote d'Ivoire. The government did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. Burkinabe labor inspectors are not allowed to inspect private homes, rendering victims of domestic servitude invisible to authorities. While inspectors are authorized to inspect private farms, they rarely did. The government, in partnership with foreign donors, provided Burkinabe troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. During the reporting period, 10 Burkinabe peacekeepers were accused of sexual exploitation while deployed on the UN mission in Mali; the government was investigating the allegations at the end of the reporting period. While the government did not provide formal anti-trafficking training for its diplomatic personnel, it did give its diplomats an informal briefing on human trafficking.

## BURMA: Tier 3

Burma is a source country for men, women, and children subjected to forced labor and for women and children subjected to sex trafficking, both in Burma and abroad. 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 fishing, manufacturing, forestry, agriculture, and construction abroad, while women and girls are primarily subjected to sex trafficking, domestic servitude, or forced labor in garment manufacturing. NGOs report a continued increase in the number of Burmese males transiting Thailand en route to Indonesia and Malaysia, where they are subjected to forced labor, primarily in fishing and other labor intensive industries. Some Burmese men in the Thai fishing industry are

subjected to debt bondage, passport confiscation, threats of physical or financial harm, or fraudulent recruitment; some are also subjected to physical abuse and forced to remain aboard vessels in international waters for years. Burmese women are transported to China and subjected to sex trafficking and domestic servitude through forced marriages to Chinese men; there have been reports that Burmese government officials are occasionally complicit in this form of trafficking. There were also limited reports of smuggled Rohingya individuals being abducted and sold into forced labor en route to other countries, or sold into forced marriage in Malaysia; some of these individuals may have become victims of domestic servitude or sex trafficking. Complicit officials in Burma, Thailand, and Malaysia reportedly facilitated the smuggling and exploitation of Rohingya migrants.

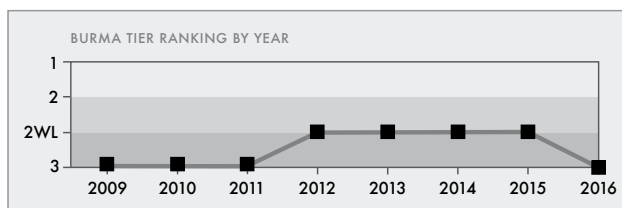
Within Burma, men, women, and children from ethnic areas—including the estimated 100,000 persons displaced by conflict in Kachin and northern Shan States and the estimated 120,000 displaced persons in Rakhine State—are at increased risk of trafficking. Rohingya individuals are particularly vulnerable to sex and labor trafficking in Rakhine State, including forced labor perpetrated by government authorities. Ethnic Rakhine are also reported to be victims of forced labor on the margins of conflict between the military and ethnic armed groups 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 (at times through debt bondage) in teashops, the agricultural and construction 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, civilian brokers, border guard officials, and ethnic armed groups continue to recruit or use child soldiers, particularly in conflict-prone ethnic areas, although monitoring groups report the incidence of forced conscription into government armed forces continued to decrease significantly. As of the close of the reporting period, international monitors had verified three cases of child recruitment by the Burmese military that occurred in 2015. In some cases, recruiters use deception, offering incentives or coercing children or their families through false promises about working conditions, salary, and promotion opportunities. Men and boys are forced to serve in ethnic armed groups through intimidation, coercion, threats, and violence; in the past, the Burmese army has employed similar tactics, though no such cases were verified during the reporting period. Some child soldiers are deployed to the front-line as combatants. In addition to formally recruiting at least three children into its ranks, the military continues to use children for labor or other support roles; children in Rakhine State are particularly at risk. Some ethnic armed groups abduct or recruit children—including from internally displaced persons camps—for use as soldiers in fighting against the Burmese army.

The Burmese military, 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 as young as 12 years old—are used for forced labor. ILO reported it continued to receive reports indicating the actual use of forced labor is decreasing overall, but the number of complaints of forced labor through the ILO complaints mechanism remains significant. Reports of forced labor occur across the country; prevalence is higher in

states with significant armed conflict, while reports have declined in cease-fire states. Reporting and verification mechanisms are weak or non-existent in conflict areas, making it difficult to assess fully the ongoing scale of forced labor. Officials continue to compel civilians to perform forced labor—at times using violence or threats of violence—including portering, mandatory work on public infrastructure projects, and activities related to the military's "self-reliance" policy. The army uses children as porters, cooks within battalions, or to carry supplies or perform other support roles. Under the self-reliance policy, military battalions are responsible for procuring their own food and labor supplies from local villagers – a major contributing factor to forced labor. Some observers noted forced labor practices are changing, resulting in a reported decrease in use of forced labor by the military and an increase in reports of forced labor in the private sector and by civilian officials. At the same time, international organizations reported forced labor remains common in areas affected by conflicts, particularly in Rakhine State. There were continued reports of widespread abuses by government soldiers, including forced labor of members of ethnic groups, in Shan, Karen, and Kachin states. Land confiscation by military, local government, and private businesses places agricultural workers at risk for forced labor, including on lands they previously occupied.

The Government of Burma does not fully meet the minimum standards for the elimination of trafficking and did not demonstrate overall increasing efforts compared to the previous reporting period. Although Burma meets the criteria for the Tier 2 Watch List, because it has been on the Tier 2 Watch List for four years, it is no longer eligible for that ranking and is therefore ranked Tier 3. The government continued to investigate and prosecute primarily cross-border sex and labor 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 146 child soldiers from its armed forces through implementation of its UN-backed action plan and launched a second national campaign to raise awareness about the recruitment and use of child soldiers. However, authorities continued to arrest and imprison deserters, including children who fled military service or were demobilized by civil society organizations. The government sent a delegation to Indonesia to advocate for victim screening and repatriation—conducted by an international organization—of more than 1,000 Burmese victims of forced labor on fishing vessels, and made efforts to provide limited reintegration assistance upon their return. Overall victim identification and protection, however, remained weak and a lack of adequate services left victims highly vulnerable to re-trafficking. Military and civilian officials continued to compel men, women, and children into forced labor, and army recruiters and civilian brokers continued to recruit children into the Burmese armed forces. Yet the government failed to make progress in holding civilian officials criminally accountable for trafficking offenses. The Ministry of Defense punished 11 officers and 14 noncommissioned personnel for child soldiering offenses, including through reprimands, fines, or a decrease in pension—but these penalties were not commensurate with the seriousness of the trafficking offenses committed. Despite several laws that prohibit underage recruitment into the military, the government has never prosecuted any military personnel or civilian brokers for child soldiering offenses in civilian courts. Furthermore, authorities have never used the 2012 Wards and Village Tracts Administration Act or other relevant laws to prosecute a forced labor offense committed by a public official.



## RECOMMENDATIONS FOR BURMA:

Prosecute and convict individuals complicit in forced labor and child soldiering offenses, including military and other government officials and civilian brokers—including in civilian courts—and apply stringent penalties, including jail time; make efforts to end the recruitment and use of children or forced labor by members of ethnic armed groups and prioritize these issues during peace negotiations; increase investigations, prosecutions, and convictions of internal trafficking offenses; cease all recruitment of children into the armed forces and actively identify and demobilize all individuals recruited as children currently serving in the military's ranks; cease official involvement in compelling civilians to perform any type of forced labor, including civilian portering; reform military policies—including the "self-reliance" policy—that drive the demand for forced labor and child soldier conscription; continue to strengthen age verification procedures for new military recruits; cease arresting, detaining, or otherwise punishing victims for acts committed while being subjected to trafficking or those fleeing trafficking situations, including through conducting age assessments of any potential minors before making an arrest for desertion; implement formal procedures for proactive victim identification among vulnerable groups and their referral to service providers; provide legal status to stateless persons in Burma to decrease their vulnerability to exploitation; continue to increase coordination between specialized anti-trafficking police units, general police units, and prosecutors; through partnerships with local and international civil society organizations, continue to prioritize and significantly increase funding for victim protection efforts, including victim shelters, provision of services for male victims, and reintegration support for former child soldiers; appoint a case manager to facilitate victims' involvement in criminal proceedings and maintain a victim-centered approach to investigations and prosecutions; and increase training and resources for consular officials and labor attaches in overseas diplomatic missions to provide assistance to Burmese migrant workers, including trafficking victims.

## PROSECUTION

The government sustained law enforcement efforts comparable to those in previous years, but it did not make progress in holding civilian officials criminally accountable for trafficking offenses. The 2005 Anti-Trafficking in Persons Law prohibits sex and labor trafficking and 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—penalties that are not sufficiently stringent. In addition, section 359 of the 2008 constitution prohibits forced labor. During the reporting period, the government continued a legal review to develop recommendations to strengthen the 2005 law.

The government reported investigating 119 cases involving 373 suspects, and prosecuting and convicting 168 traffickers in 2015, compared with 98 cases investigated and 143 traffickers prosecuted and convicted in 2014. As in previous years, most of the government's law enforcement efforts focused on sex trafficking or forced service of Burmese women through forced marriages to Chinese men. The government reported investigating 21 suspected cases of internal trafficking and 33 cases of labor trafficking—compared with 26 internal and 18 labor cases in 2014. The anti-trafficking in persons division (ATIPD) maintained dedicated anti-trafficking taskforce (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 poor police-prosecutor cooperation in Burma, continued to hamper the success of investigations and prosecutions. 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. An acute lack of basic policing equipment and resources was a major obstacle for police to undertake proactive investigations into trafficking crimes. The ATIPD provided both basic introductory and on-the-job training for police, and international organizations funded additional anti-trafficking training for Burmese officials.

Corruption and impunity remained pervasive in Burma and hindered the enforcement of human trafficking laws. Individuals with alleged ties to high-level officials reportedly pressured trafficking victims not to seek legal redress against traffickers. The power and influence of the Burmese military limited the ability of civilian police and courts to address cases of forced labor and the recruitment of child soldiers by the armed forces; there is no evidence any soldiers accused of trafficking crimes have ever been prosecuted in civilian courts, nor has the government ever prosecuted a civilian for child soldier recruitment. The Ministry of Defense undertook independent efforts to investigate and punish military personnel for child soldier recruitment; it reported punishing 11 officers and 14 noncommissioned personnel in 2015. It further reported issuing punishments for forced labor offenses, but these cases could not be verified. Imposed punishments were significantly lesser than those prescribed by criminal laws, with most receiving reprimands, fines, or a decrease in pension. There were no other investigations, prosecutions, or convictions of officials complicit in human trafficking offenses.

## PROTECTION

The government made progress in identifying and protecting victims, but overall victim protection remained inadequate and some officials reportedly continued to victimize men, women, and children in Burma. Most known victims were identified by authorities in other countries, including 1,018 men and boys an international organization repatriated after they were subjected to forced labor on Thai fishing vessels in Indonesia. Police and border officials identified an additional 118 victims at border crossings, compared with 68 such victims in 2014. An unknown number of victims were returned from Thailand and China, or were identified within Burma. In 2015, the government released 146 children from the military through implementation of its UN-backed action plan on child soldiers, compared with 322 children the previous year. The border guard forces released one child in 2015. Local observers reported once individuals were identified as possible child soldiers, the military made progress in providing immediate protections, including removal from combat, before formal verification procedures concluded. While law enforcement

officials continued to proactively identify suspected victims en route to China for forced marriages likely to result in sex or labor exploitation or to Thailand for potential sex trafficking, authorities did not follow standardized, nationwide procedures for the proactive identification of trafficking victims, and front-line officers largely lacked adequate training to identify potential victims. The government did not make efforts to screen for indicators of trafficking among other vulnerable groups such as returning migrant workers filing complaints regarding employment abroad, working children, or individuals in prostitution. The military identified 29 suspected cases of child soldier recruitment and cooperated with the UN, which received complaints throughout the year and referred to the government 210 suspected cases of forced labor and child soldier conscription committed by members of the military or civilian administrators. The military granted within 72 hours all requests from UN monitors to access military installations to inspect for the presence of children, although it sometimes denied access to certain locations within the installations. Deteriorating security conditions in Kachin and Shan states in 2015 occasionally restricted UN monitors' access to these regions—which were most likely to see the use of children around active fighting—and access to military detention facilities was at times denied or conditional. The military continued to victimize civilians. An NGO reported seven cases of forced labor by the Burmese military in Rakhine State between December 2015 and January 2016. In one case, three men were reportedly abducted from their village, subjected to threats, deprived of food, physically restrained, and forced to carry weapons and dig graves over the course of 11 days.

Police and border officials consistently referred repatriated victims and demobilized child soldiers to the Department of Social Welfare (DSW) to receive reintegration services, but the availability of services was limited. Local experts reported some improvement in working-level cooperation between DSW and the police during the year. The government conducted 10 trainings for 75 public officials and civil society members on the provision of assistance to trafficking victims. The government continued to operate five centers for women and children, including trafficking victims, one dedicated to female trafficking victims, and two facilities funded by a foreign donor that could serve both men and women. It did not report the total number of victims receiving services in these facilities, or whether shelters housed any men. The government accommodated the large influx of labor trafficking victims repatriated from Indonesia in transit centers for one or two days before reintegrating them in their home communities. Services in government facilities were rudimentary, but the government increased its funding allocation to trafficking victim protection, and some victims received psycho-social counseling, travel allowances, support for obtaining official documents, and assistance in returning to home communities. Trafficking victims, including former child soldiers, may have benefited from the government's first deployment of trained DSW social workers—whose mandate includes trafficking—to serve local communities. Overall government support to demobilized children remained minimal, with most services provided by civil society partners. NGOs and foreign donors funded and facilitated delivery of the bulk of services available to trafficking victims. Longer-term support was limited to vocational training for some former child soldiers, and 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. The government did not have adequate procedures for assisting victims identified abroad, and diplomatic missions overseas largely lacked adequate funding or capacity to provide basic



assistance or repatriate victims. However, the government maintained labor attaches in Thailand, Malaysia, and South Korea, whose responsibilities included assisting trafficking victims. In 2015, it sent a delegation to Indonesia that effectively advocated on behalf of trafficking victims on fishing vessels to facilitate their screening and repatriation by an international organization.

Authorities encouraged victims to assist in investigations and prosecutions, but the lack of adequate 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. Further, a legal impediment to victim-prosecutor communication made court processes very opaque for victims. 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. Authorities continued to arrest and imprison children who fled military service or were demobilized by civil society organizations on charges of desertion. However, in all cases where these individuals were identified as minors, authorities subsequently processed their release, although some remained in civilian detention for several months. 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 increased prevention efforts, but did not make sufficient efforts to prevent trafficking crimes perpetrated by public officials. The central body for the suppression of trafficking in persons continued to coordinate anti-trafficking programs and policies in line with the five-year national action plan. The government introduced new training courses on age assessment into curriculum for military recruitment personnel and made real progress in centralizing military recruitment to enable greater oversight. While oversight and monitoring of recruitment procedures remained insufficient to prevent child recruitment, UN observers report age verification procedures were increasingly applied and were improving the military's ability to identify and prevent some child recruitment. In April 2015 the military issued and widely disseminated a directive prohibiting the use of children by the armed forces. The government did not reform the military's "self-reliance" policy that continued to make adults and children vulnerable to forced labor. The government continued to deny citizenship to an estimated 810,000 men, women, and children in Burma—most of whom were ethnic Rohingya living in Rakhine State. The lack of legal status and access to identity documents significantly increased this population's vulnerability to trafficking in Burma or in other countries. The government continued to conduct awareness campaigns in print, television, radio, billboards, and other media and train members of community-based watch groups and students on trafficking. ILO reported the public's awareness of laws prohibiting forced labor and the mechanism for reporting such complaints remained low. In January 2016, however, the government launched a second national campaign to raise awareness about the recruitment and use of child soldiers and encourage the public to report information about such cases through the dedicated hotlines operated by the UN. 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 continued to provide training to tourism police units to stem child sex tourism, and authorities partnered with an NGO to raise awareness among some hotel industry personnel, but no related investigations or prosecutions were reported. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

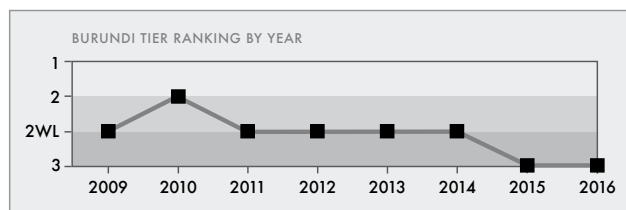
## BURUNDI: Tier 3

Burundi is a source country for children and possibly women subjected to forced labor and sex trafficking. Due to a complex political, economic, and security crisis in 2015, more than 236,000 Burundians fled to refugee camps in neighboring countries and countless more sought refuge at internally displaced persons (IDP) camps or moved to the homes of extended family members. Though there is little official data available on abuses committed against the approximately 25,000 IDPs, 60 percent are younger than age 18 and are highly vulnerable to exploitation. Burundi's chaotic security environment created an opportunity for criminals, including traffickers, to take advantage of Burundians in precarious or desperate situations. Between April and December 2015, approximately 70,000 Burundian refugees fled to Rwanda, which contributed to an increase in child sex trafficking of both male and female refugees in Rwanda. Burundian refugee girls residing in Rwanda's Kigeme refugee camp were reportedly exploited in prostitution in nearby towns. In July 2015, approximately 58 children, some younger than 15 years old, were fraudulently recruited and forced to participate in an anti-government armed invasion in Kayanza Province, which was ultimately put down by the government; it was unclear if these children were armed. Between May and December 2015, an international organization reported allegations that Burundian refugees residing in Mahama refugee camp in Rwanda were recruited into non-state armed groups, allegedly by Rwandan security forces, to support the Burundian opposition; many refugees alleged recruiters threatened, intimidated, harassed, and physically assaulted those who refused recruitment—a form of human trafficking. Most of these recruits were adult males, but six Burundian refugee children, between the ages of 15 and 17, were also identified as recruits from Mahama refugee camp. The same international organization also reported that hundreds of Burundian adult and child recruits, including girls, were allegedly trained in weaponry at a training camp in southwestern Rwanda. Some of these adult and child refugees could be victims of human trafficking. 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, some of whom were trained in Rwanda.

Children and young adults are coerced into forced labor on plantations or small farms throughout Burundi, in gold mines in Cibitoke, in informal commerce in the streets of larger cities, collecting river stones for construction in Bujumbura, and in the fishing industry. Traffickers include victims' family members, neighbors, and friends, who recruit them under false pretenses to 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 non-payment 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. Children are fraudulently recruited from rural areas for domestic work and later exploited in prostitution, including 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 in 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 2015, Rwandan officials and international and local NGOs reported that Burundian refugee girls were exploited in prostitution in Uganda after transiting Rwanda; some of these girls may also be subjected to forced labor in domestic work in Uganda.

The Government of Burundi does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government's priorities and funding were focused on the complex political and security crisis in 2015, which stalled the government's efforts to combat trafficking. The government did not prosecute or convict any trafficking offenders, nor did it investigate or punish officials complicit in trafficking crimes. Authorities continued to lack understanding of the crime, and the government did not provide anti-trafficking training for its personnel. The government did not proactively identify trafficking victims or provide them with adequate protection services. Trafficking victims, including children and adults exploited in prostitution and children fraudulently and forcibly recruited into armed groups, continued to be vulnerable to arrest and detention for crimes committed as a direct result of being subjected to trafficking. The government's inter-ministerial anti-trafficking commission was inactive in 2015, and the government made very limited efforts to prevent trafficking.



## RECOMMENDATIONS FOR BURUNDI:

Take measures to ensure children and adults are not forcibly or fraudulently recruited into governmental and non-governmental armed forces, and provide them with appropriate protection services; implement the anti-trafficking law and significantly increase investigations, prosecutions, and convictions of traffickers, including complicit officials; institutionalize anti-trafficking training to include how to implement the anti-trafficking law for all police, prosecutors, judges, and border guards; establish standardized procedures for officials to proactively identify trafficking victims, including children and

adults, and refer them to appropriate care; ensure trafficking victims, including children and adults who are forcefully or fraudulently recruited into armed groups, are not punished for crimes committed as a direct result of being subjected to trafficking; and drastically improve provision of protective services to trafficking victims, including through partnerships with NGOs that provide appropriate care to victims.

## PROSECUTION

The government made little to no law enforcement efforts. Burundi's anti-trafficking law, enacted in October 2014, 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" 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. In 2015, the government redirected funding and security forces away from regular government activities to stabilize the country and counter anti-governmental protests. The government did not provide adequate funding for law enforcement agencies responsible for investigating trafficking crimes, thereby severely limiting their capacity and effectiveness. Furthermore, rampant corruption and officials' lack of investigative skills and basic understanding of trafficking crimes continued to impede investigations. The government did not provide training for its law enforcement and judicial officials on application of the anti-trafficking law.

The government did not prosecute or convict any trafficking offenders in 2015, and it made very limited efforts to investigate potential trafficking crimes. In November 2015, authorities arrested and detained three individuals for their alleged involvement in kidnapping two girls aged 12 and 14 years from Rumonge and forcing them into prostitution in Tanzania; however, the court acquitted and released them in December 2015. The government did not report investigating or prosecuting the perpetrators allegedly responsible for fraudulently recruiting 58 children to participate in an armed invasion in Rumonge Province in July 2015. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses, despite multiple allegations of significant government involvement in trafficking. Moreover, it was extremely dangerous for civil society organizations or individuals reporting on these allegations; several activists fled the country after receiving threats against themselves and their families when they attempted to investigate a trafficking network or provide care to a trafficking victim.

## PROTECTION

The government made inadequate efforts to identify and provide appropriate protection to trafficking victims. The government identified 11 trafficking victims in 2015. It was unclear, however, whether it provided any protection services directly or referred victims to civil society organizations for such care. For example, from April to October 2015, law enforcement officials identified nine young women who were recruited to work in Oman under false pretenses; however, authorities did not report providing or referring them to NGO-provided protection services. Overall, the government did not provide adequate protection services or support for NGOs, religious organizations, or women's or children's associations that offered care to trafficking victims. The government continued to operate a care center in Gitega,

which provided protection to foreign and domestic victims of sexual and gender-based violence (SGBV) including some potential trafficking victims; this center provided services to 752 SGBV victims, but it did not distinguish if trafficking victims were among them. Overall, lack of funding seriously reduced the government's ability to support victims.

The government did not have formal procedures for authorities to identify and refer trafficking victims to protection services, and law enforcement officials lacked training to identify potential victims. Furthermore, 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. Although the government stated that trafficking victims would not be detained or held responsible for crimes committed during their exploitation, it was unlikely this policy was implemented. For example, the government detained 58 children for several months in Rumonge prison after they were forced to participate in an armed invasion in Kayanza Province in July 2015. These children were eventually released from prison, but the government did not provide them with protection services after their release; seven of the children, who were younger than the age of 15, received protection services from an international organization. The government did not 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

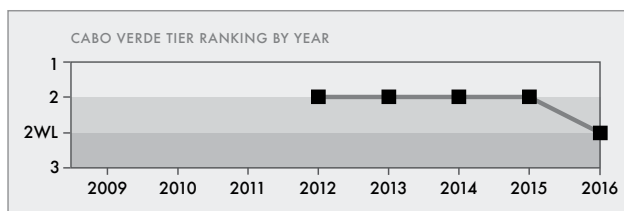
The government's efforts to prevent trafficking were inadequate. The government did not implement its national anti-trafficking action plan, which was validated in March 2014, and its inter-ministerial anti-trafficking commission was inactive. The government did not conduct anti-trafficking awareness campaigns in 2015, nor did it make efforts to prevent or raise awareness of the forcible or fraudulent recruitment of children and adults into armed groups. The government did not report efforts to monitor or investigate fraudulent labor recruitment practices. The government did not make efforts to reduce the demand for forced labor, but it took minor steps to reduce the demand for commercial sex acts and child sex tourism. The Children and Ethics Brigade, responsible for the investigation of trafficking crimes, conducted an unknown number of raids on hotels in Bujumbura and along the shore of Lake Tanganyika to combat sex tourism, but it did not report if it provided protection services to trafficking victims found during the raids or if perpetrators were referred for prosecution. The government did not provide anti-trafficking training for its diplomatic personnel. Prior to Burundian troops' deployment abroad on international peacekeeping missions, personnel received human rights training, provided by a foreign donor which included some training on human trafficking.

## CABO VERDE: Tier 2 Watch List

Cabo Verde is a source and destination country for children subjected to forced labor and sex trafficking within the country and in Guinea and a destination country for women in forced prostitution. Boys and girls, some of whom may be foreign nationals, are exploited in sex trafficking in Santa Maria, Praia,

and Mindelo. Sex tourism involving children subjected to 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. Children living in impoverished neighborhoods with little state presence are also at risk, especially for sex trafficking. West African migrants may transit the archipelago en route to situations of exploitation in Europe. Adult migrants from China, Guinea-Bissau, Senegal, Nigeria, and other ECOWAS countries may receive low wages, work without contracts, and have irregular status, creating vulnerabilities to forced labor and sex trafficking. During the reporting period, Nigerian women were identified in sex trafficking on the island of Boa Vista. Cabo Verde's porous borders make it difficult to monitor the flow of people across the borders, rendering both legal and illegal immigrants vulnerable to trafficking.

The Government of Cabo Verde does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government conducted one investigation, identified its first two adult trafficking victims, and enacted amendments to its penal code that provide a legal framework to prosecute trafficking. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Cabo Verde is placed on Tier 2 Watch List. The government did not prosecute or convict any traffickers, identify any child trafficking victims, or provide specialized services to victims, and it did not have a national committee or action plan to combat trafficking in persons.



## RECOMMENDATIONS FOR CABO VERDE:

Using the new penal code amendments, vigorously investigate and prosecute trafficking offenses, including child sex trafficking, and convict and punish traffickers; develop and institute standardized victim identification procedures—including for adults and victims among vulnerable populations—and provide specialized training to law enforcement and judicial personnel on such procedures; develop and institute a standardized victim referral mechanism to guide officials in referring identified trafficking victims to institutions that provide care; educate law enforcement that children exploited in prostitution is sex trafficking, and robustly investigate such cases, especially in high-tourist areas; provide training for law enforcement and judiciary officials on the anti-trafficking amendments; expand labor inspectors' mandates to include the regulation and inspection of workplaces in the informal sector, such as street vending, car washing, and agriculture; allocate funding for victim services—including for shelter and services for adults—to government agencies that provide care to trafficking victims; develop a system to compile comprehensive anti-trafficking law enforcement data; draft and implement a national action plan on trafficking in persons; designate a government entity specifically mandated to coordinate anti-trafficking efforts; and increase efforts to raise public awareness of human trafficking.



## PROSECUTION

The government amended its criminal code to prohibit all forms of trafficking in persons but maintained minimal law enforcement efforts. Cabo Verde amended its penal code in November 2015 in a way that appears to prohibit all forms of trafficking in persons under article 271-A by penalizing the use of force, fraud, or coercion for the purposes of sexual or labor exploitation. Article 271-A prescribes penalties of four to 10 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. When the victim is a minor, an undefined term which elsewhere in the criminal code is defined at 16, the use of any means with those purposes is a trafficking offense and the penalty increases to six to 12 years' imprisonment. As the law does not define labor exploitation, it could be implemented such that labor exploitation short of forced labor would be considered human trafficking. In addition to article 271-A, article 148 of the criminal code outlaws the promotion, encouragement, or facilitation of prostitution and sexual acts with minors younger than 16 years of age or persons suffering from mental incapacity with penalties of four to 10 years' imprisonment, or two to six years' imprisonment if the victim is between ages 16 and 18. Article 149 of the penal code punishes those who entice, transport, host, or receive children younger than 16 years of age or promotes the conditions for sexual acts or prostitution in a foreign country with two to eight years' imprisonment; however this does not prohibit such acts with children 16-18 years of age, which is inconsistent with the 2000 UN TIP Protocol. The Law of Foreigners prohibits knowingly subjecting an undocumented migrant worker to trafficking and prescribes penalties of two to six years' imprisonment. Article 271-A also prescribes penalties for those who have knowledge of trafficking crimes or use the services of trafficking victims (one to five years' imprisonment) and those who retain, conceal, damage, or destroy trafficking victims' identity documents (up to three years' imprisonment). Under the amended penal code, investigations into sex crimes involving children aged 14 and 15, including children exploited in prostitution, no longer require a complaint from a child's legal guardian.

The government did not provide comprehensive law enforcement data during the reporting period. It arrested and initiated an investigation of one alleged Nigerian sex trafficker involving two adult female victims from Nigeria; the investigation was ongoing at the end of the reporting period. The government did not report initiating any prosecutions, compared with one investigation and three prosecutions reported the previous reporting period, and did not convict a trafficker for the second consecutive year. Despite law enforcement and judges' lack of understanding of trafficking crimes—which hampered their ability to identify, investigate, and prosecute trafficking cases—the government did not provide anti-trafficking training to such officials during the reporting period. Insufficient staffing and a lack of resources also hindered law enforcement efforts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government identified its first two adult trafficking victims but continued minimal efforts to protect victims. The government identified two adult female sex trafficking victims, compared with no victims identified in 2014 but a significant decrease from 17 child victims identified in 2013. It is unclear if the identified victims received any services, specialized care, or were repatriated during the reporting period. There were

no shelters or services specifically for trafficking victims, but government-funded agencies could provide emergency services, temporary shelter, and psycho-social care to at-risk populations and female and child victims of crime, which trafficking victims could access. It is unknown if any trafficking victims benefited from these services during the reporting period. The government operated two shelters that 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, including trafficking. It is unclear whether any child trafficking victims received care in such facilities during the reporting period.

Border police have written procedures to guide in the proactive identification of trafficking victims and people vulnerable to trafficking, but these procedures were not fully implemented during the reporting period. The government did not have a formal mechanism to refer trafficking victims to care, but 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. In practice, law enforcement officials would conduct sex trafficking victim interviews in collaboration with psychologists and the victims' parents, in cases of children, to provide a comfortable and safe environment for the victim. The government did not report collaborating with foreign governments on anti-trafficking law enforcement efforts. 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 prevention efforts. There was no government entity specifically mandated to coordinate anti-trafficking efforts and no national action plan to combat trafficking, which hampered the government's ability to address trafficking and coordinate prevention efforts. The national committees to prevent child sexual exploitation and to prevent and eliminate child labor continued awareness campaigns to address child labor and child sexual violence; it is unclear if these included information on human trafficking. The government approved a list of hazardous occupations and activities prohibited for children younger than 18 years to further protect children from harmful labor practices. Despite these measures, however, it did not identify any cases of forced child labor during the reporting period, and labor inspectors were not mandated to conduct inspections of workplaces in the informal sector, where Cabo Verdean children are vulnerable to forced labor. The government continued to operate six day centers through its *Nos Kaza* project, which aimed to reduce the vulnerability of street children to forced labor and sexual abuse, including child sex trafficking. It also continued to operate a hotline for reporting cases of child abuse, including sexual exploitation and child labor; the hotline did not receive any reports of trafficking during the reporting period. The government did not make efforts to reduce the demand for forced labor or commercial sex acts. The government continued projects to address child sexual abuse, which included child sex trafficking. The government did not provide anti-trafficking training for its diplomatic personnel.

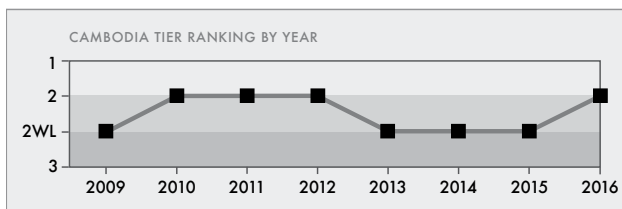
## CAMBODIA: Tier 2

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 to the Middle East for work; many are subjected to forced labor on fishing vessels, in agriculture, in construction, in factories, and in domestic servitude—often through debt bondage—or to sex trafficking. Migrants using irregular migration channels, often with the assistance of unlicensed brokers, were at an increased risk of trafficking, but those using licensed recruiting agents also became victims of forced labor or sex trafficking. Children from impoverished families are vulnerable to forced labor, often with the complicity of their families, including in domestic servitude and forced begging or street vending in Thailand and Vietnam. Significant numbers of male Cambodians continued to be recruited in Thailand for work on fishing boats and 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, South Africa, and Papua New Guinea. Cambodian men reported severe abuses by Thai captains, deceptive recruitment, underpaid wages, and being forced to remain aboard vessels for years. NGOs report significant numbers of women from rural areas are recruited under false pretenses to travel to China to enter into marriages with Chinese men; some are subjected to forced factory labor or forced prostitution.

All of Cambodia's provinces are sources 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 and, more frequently, "indirect" sex establishments such as 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 commercial sex establishments in three Cambodian cities and found that children comprised 8.2 percent of this population. The study concluded that the 2013 finding represented a significant decline in this form of child sex trafficking compared to earlier reports by different entities published in 1997 and 2000. The same NGO reported that a March 2015 assessment found that the prevalence of children among this population declined further to 2.2 percent; the NGO had not yet formally published these results at the close of the reporting period. Cambodian men form the largest source of demand for children exploited in 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. NGOs report criminal gangs transport some Vietnamese victims through Cambodia before they are exploited in Thailand and Malaysia. Traffickers in Cambodia are most commonly family or community members or small networks of independent brokers. Trafficking-related corruption remained a significant concern. Corrupt officials in Cambodia, Thailand, and Malaysia cooperate with labor brokers to facilitate the transport of victims between countries. 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 meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government finalized

national guidelines for the identification and referral of victims, and local authorities identified 589 victims, an increase from 326 in the previous year. The government lacked comprehensive data on law enforcement efforts, but information collected from various sources indicates progress on prosecutions and convictions, particularly for labor trafficking offenses. The government began implementing the national action plan launched during the previous reporting period and allocated \$500,000 to the interagency committee that leads Cambodia's anti-trafficking efforts. However, the government failed to investigate, prosecute, or convict any complicit officials. The government did not issue formal guidance allowing the use of undercover investigation techniques in trafficking investigations, and the lack of explicit authority continued to impede officials' ability to fully hold sex traffickers accountable.



### RECOMMENDATIONS FOR CAMBODIA:

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; fully implement the new nationwide protocol for proactive victim identification among vulnerable groups, and train officials on its provisions; increase the availability of services for male victims, especially men exploited in commercial fishing; 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 prosecution and victim protection efforts; modify the law to allow restitution upon conviction of the trafficker; facilitate greater NGO access to the policy for formally transferring custody of child victims; 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; include anti-trafficking content in police training academies; and increase public awareness campaigns aimed at reducing the local demand for commercial sex and child sex tourism.

### PROSECUTION

The government lacked comprehensive data on law enforcement efforts, but information collected from various sources indicates progress in prosecutions and convictions, particularly for labor trafficking offenses. The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation explicitly addresses trafficking offenses in 12 of its 30 articles, prohibits all forms of trafficking, and prescribes penalties that are sufficiently stringent and commensurate with other serious crimes, such as rape. Some authorities lacked familiarity with the anti-trafficking law and used provisions of the penal code to prosecute trafficking offenses. The government did not provide comprehensive data on anti-trafficking law enforcement efforts. However, the information the government did provide,

augmented by NGOs, indicates the government prosecuted at least 69 suspects under its anti-trafficking law or comparable provisions in the penal code, including 38 for sex trafficking offenses and 31 for labor trafficking offenses. Reports from the government, media, and NGOs indicate the government convicted at least 19 sex traffickers and 24 labor traffickers, an increase from at least 22 sex traffickers and seven labor traffickers convicted during the previous year. Convicted traffickers received sentences ranging from two to 15 years' imprisonment. Five Taiwanese nationals convicted in absentia during the previous reporting period for the forced labor of hundreds of Cambodian men in the commercial fishing sector remained at large. The government continued to design and deliver donor-funded training on the implementation of the anti-trafficking law to police, prosecutors, judges, and other government officials. Local organizations and some officials noted 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. Police continued to investigate cases of sex trafficking that occurred in brothels or cases where victims brought complaints directly, but did not typically pursue more complicated cases. The government did not issue guidance granting explicit approval of undercover evidence collection in human trafficking cases; in its absence, many police self-limited such investigations, and prosecutors denied investigators' requests for such authority, which effectively forced them to close some investigations. An NGO reported officials faced particular challenges building cases for cross-border trafficking offenses.

Endemic corruption at all levels of the government severely limited the ability of individual officials to make progress in holding traffickers accountable. However, the government did not investigate, 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 in 2013.

## PROTECTION

The government made progress on victim protection. During the year, the government finalized and adopted guidelines for a standardized, nationwide system for the proactive identification and referral of victims among vulnerable groups that had been in development for more than five years. 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 60,000 migrants deported from Thailand in 2015. It identified 100 victims among this group and provided them temporary shelter; however, given the extent of trafficking among this population, it likely failed to identify many more victims. The government operated a temporary shelter in Phnom Penh for female trafficking victims and other crimes, and it referred trafficking victims to NGO shelters—most of which cared for victims of several forms of abuse—to receive further assistance. 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. However, local police identified and referred 589 trafficking victims to provincial agencies for NGO referrals, an increase from 326 referred in the previous year. Authorities reported the majority of these were victims of labor trafficking. The government continued to rely heavily on civil society to protect trafficking victims; however, it failed to facilitate NGO access to procedures intended to allow for the formal transfer

of custody of child victims, leaving organizations that accepted child victims vulnerable to court action. Government officials at times returned children to high-risk environments if family members would not consent to temporary guardianship in a shelter, leaving them extremely vulnerable to re-victimization. Despite a prevalence of male labor trafficking victims, assistance for this population remained limited.

Although the prime minister appealed to Cambodian diplomats to better serve overseas migrant workers, diplomatic missions overseas continued to lack 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. The Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) received 857 repatriated Cambodian victims from Indonesia, China, Thailand, Malaysia, Vietnam, Papua New Guinea, Saudi Arabia, and South Africa. The majority were repatriated with the assistance of an international organization. Hundreds of these victims were subjected to forced labor on commercial fishing vessels, but experts estimate this represents only a small number of total Cambodians subjected to this form of trafficking.

The government required the repatriation of foreign victims and did not provide legal alternatives to their removal should they face hardship or retribution upon return to their countries of origin; five victims were repatriated to Vietnam during the reporting period. There were no reports the government punished individuals identified as victims for crimes committed as a result of being subjected to trafficking; however, insufficient victim identification efforts left many victims unidentified and at risk of being punished. Officials often lacked sufficient office space to keep victims and perpetrators separated during interviews. In cooperation with an NGO, the government launched a pilot project in three provinces designating trained social workers to provide case management services to victims with cases moving through the legal process. However, the 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 many 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, although this was limited by a legal requirement that compensation be paid only following the completion of a trafficker's jail term.

## PREVENTION

The government increased prevention efforts. The interagency committee and its secretariat coordinated anti-trafficking activities and began implementing the national action plan launched during the previous reporting period. The government dedicated 72 staff members to the committee and, for the first time, allocated an independent budget of \$500,000. Local committees coordinated efforts at the provincial level; NGOs report the central government provided modest funds to four of these in 2015, compared to two committees in 2014. An NGO reported receiving 96 complaints from victims seeking legal redress from brokers or recruiting agents complicit in their being subjected to trafficking in Malaysia. The government convicted one labor recruiter 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 on the dangers of human trafficking. The anti-trafficking police independently developed and delivered training for members of the entertainment sector



on policies and procedures to prevent and report sex trafficking crimes. The government reported reaching an agreement with the Chinese embassy in Phnom Penh to scrutinize more closely visa applications from unmarried Cambodian women to identify potential vulnerabilities to and indicators of trafficking; it is unknown, however, whether this was implemented in such a way to reduce an undue burden for potential migrants. 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, although 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 prosecuted six and convicted three child sex tourists, extradited one suspect to the United States, and prosecuted one and convicted five Cambodian citizens for the purchase of commercial sex acts with children. Local experts reported concern over the government's ongoing failure to impose appropriate punishments on foreign nationals who purchase commercial sex acts with children; during the year, one convicted offender's prison sentence was reduced from eight to five years. 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 Watch List

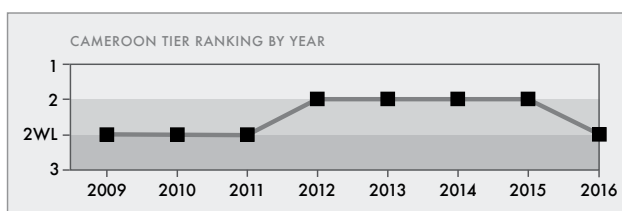
Cameroon is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking and a source country for men in forced labor. Child traffickers often use the promise of education or a better life in the city to convince rural parents to give their children over to an intermediary, who then exploits the children in sex trafficking or forced labor. Child traffickers increasingly resort to kidnapping victims, as heightened public awareness of trafficking has led parents to be less willing to give their children to these intermediaries. Homeless children and orphans are especially vulnerable to trafficking. Teenagers and adolescents from economically disadvantaged families are often lured to cities by the prospect of employment but are subjected to labor or sex trafficking. Cameroonian children are exploited in domestic service, restaurants, begging or vending on streets and highways, artisanal gold mining, gravel quarries, fishing, animal breeding, and agriculture (on onion, cotton, tea and cocoa plantations), as well as in urban transportation assisting bus drivers and construction as errand boys, laborers, or night watchmen. 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, and transit the country en route to Gabon and Equatorial Guinea.

Cameroonian women and men are lured to Europe and other regions by fraudulent Internet marriage proposals or offers of well-paying jobs, and subsequently become victims of forced prostitution or forced labor, especially in domestic servitude. Cameroonians are exploited in forced labor and sex trafficking in several Middle Eastern countries, Haiti, the United States, and multiple African countries. Increasing numbers of Cameroonian women are exploited in domestic servitude in Kuwait. Cameroonians are increasingly acting as intermediaries in subjecting other Cameroonians to trafficking in foreign countries. These perpetrators are often locals working for foreign

recruitment agencies in Cameroon or former trafficking victims residing in destination countries. Anecdotal evidence indicates increasing numbers of Cameroonians are operating trafficking networks in Morocco that force women into prostitution. Cameroonian women also transit Morocco en route to Europe, where they are often forced into prostitution by European trafficking networks.

Adults and children from Central African Republic (CAR) and Nigeria are lured to Cameroon by the prospect of better employment opportunities and enhanced livelihoods but are subsequently subjected to labor trafficking. Refugees from CAR and Nigeria, as well as displaced Cameroonians fleeing insecurity in border areas, are more vulnerable to human trafficking in Cameroon, especially in urban areas. Nigerian traffickers increasingly bring Nigerian children to major Cameroonian cities for forced labor in spare parts shops. Media and international observers reported Cameroon was a destination for Nigerian women and girls used as forced suicide bombers and boys used as child soldiers by the terrorist organization Boko Haram during the reporting period. There are reports Cameroonian officials were complicit in human trafficking offenses.

The Government of Cameroon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, two regional anti-trafficking taskforces investigated some trafficking offenses and conducted awareness-raising activities. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Cameroon is placed on Tier 2 Watch List. The government recorded fewer trafficking investigations and convictions than the previous year and did not provide sufficient funding or resources to the anti-trafficking taskforces or inter-ministerial anti-trafficking committee, which severely hampered their ability to fulfill their mandates. The government did not adhere to its own sentencing requirements, issuing suspended sentences for trafficking crimes or allowing settlements out of court. It did not train or provide support for anti-trafficking training for its law enforcement officials. The government did not provide any repatriation assistance or victim services to dozens of Cameroonian trafficking victims identified abroad.



### RECOMMENDATIONS FOR CAMEROON:

Finalize and enact legislation to conform the definitions of human trafficking with international law and to address the lack of victim protection measures provided under current law; increase efforts to prosecute and convict traffickers for the full spectrum of trafficking crimes, including government officials complicit in trafficking-related offenses; expand training for police, labor inspectors, judges, lawyers, and social workers on the anti-trafficking law and victim-centered investigations; issue travel documents, including *laissez-passer* cards, to Cameroonian trafficking victims abroad to enable them to return home; provide repatriation assistance and victim services to Cameroonian trafficking victims identified abroad, and

increase services for adult trafficking victims; train government officials and NGOs on the standardized procedures for referring trafficking victims to government and NGO services; investigate allegations of fraudulent labor recruiters and agencies suspected of participating in human trafficking of Cameroonians abroad and prosecute if complicit in trafficking; provide funding, material resources, and training on trafficking investigations to the inter-ministerial anti-trafficking committee and regional anti-trafficking taskforces, and establish taskforces in the remaining seven regions; provide pre-departure information to citizens on their rights as foreign workers and sources of assistance while abroad; take action to regulate unlicensed recruiters and intermediaries, and monitor recruitment signs posted in rural areas; expand funding to Cameroonian embassies to better assist trafficking victims abroad; dedicate resources to improve data collection on victim identification and law enforcement efforts; and investigate cases of hereditary slavery in the northern regions.

## PROSECUTION

The government decreased law enforcement efforts. In its 2011 anti-trafficking law, the definition of “trafficking in persons” requires movement and does not define “exploitation.” The definition of “slavery in persons” does not require movement and criminalizes most forms of human trafficking. However, crimes of “slavery in persons” against a child younger than 18 years require the use of threat, fraud, deception, force, or other forms of coercion to be considered sex trafficking, which is contrary to international law where such means are not required. Section 4 of the law prescribes penalties of 10 to 20 years’ imprisonment and a fine of 50,000 to one million CFA francs (FCFA) (\$83-\$1,660) for trafficking and “slavery in persons,” which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Section 5 prescribes penalties ranging from 15 to 20 years’ imprisonment and a fine of 100,000 to one million FCFA (\$166 - \$1,660) if the trafficking victim is 15 years old or younger, if a weapon is used, or if the victim sustains serious injuries as a result of being subjected to trafficking. Section 3 prescribes penalties for debt bondage ranging from five to 10 years’ imprisonment and a fine of 10,000 to 1,000,000 FCFA (\$17-\$1,660). These penalties are also sufficiently stringent. Draft legislation to improve the 2011 law to address victim and witness protection and to address definitional inconsistencies with international law, which was drafted in 2012 in collaboration with the government, an NGO, and national and international experts, remained pending for the fourth consecutive year.

The government did not collect anti-trafficking law enforcement data from eight of its 10 regions, resulting in unreliable and incomplete statistics on victim identification and law enforcement efforts. Information available from the Northwest and Southwest regions indicated the government initiated 17 trafficking investigations, prosecuted 20 defendants, and convicted two traffickers, all for labor trafficking. This is a decrease from 25 investigations and eight convictions, but an increase from 11 prosecutions the previous reporting period. The two convicted traffickers received suspended sentences and paid fines of 60,000 FCFA (\$100) each; while all traffickers convicted during the previous reporting period faced jail time, penalties applied in 2015 were far below the minimum mandated by the 2011 law, reportedly because the victims’ families were paid by the defendants and refused to cooperate with the judiciary. These punishments were not commensurate with the seriousness of the crime, allowed the traffickers to avoid imprisonment, and served as an ineffective deterrent to the commission of

trafficking offenses. For the second year, prosecutions against at least three alleged traffickers and investigations of 10 additional cases remained ongoing, and the 2013 conviction of a child trafficker remained under appeal. Officials indicated that due to the lack of training for law enforcement and judicial staff, some trafficking offenses may have been tried as child abuse or kidnapping, which carry lesser penalties.

Although law enforcement, judicial personnel, and other relevant officials lacked training in distinguishing human trafficking from other crimes, the government did not directly provide anti-trafficking training or grant in-kind support for trainings by other organizations. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, there were indications that official complicity occurred. For example, authorities did not investigate a judicial official after a missing girl was discovered in domestic servitude in his home, reportedly because he agreed to pay for several years of the girl’s education as compensation. Despite the identification of several dozen Cameroonian trafficking victims abroad, including many in Kuwait, the government did not initiate investigations of labor recruitment agencies within Cameroon or cooperate with foreign governments on transnational trafficking investigations.

## PROTECTION

The government maintained its modest internal victim identification and protection efforts, but made inadequate efforts to identify or assist Cameroonians exploited abroad. Limited information available from two of the country’s 10 regions indicated the government identified 13 labor trafficking victims, including four children—a decrease from 17 victims identified the previous reporting period. The government provided all 13 victims with services, including transportation, temporary accommodation, and medical care. NGOs identified several dozen cases of Cameroonians subjected to labor trafficking abroad during the reporting period, yet there is no evidence the government provided victim assistance, including funds for repatriation. There were reports Cameroonian trafficking victims abroad approached a Cameroonian embassy for assistance, but the embassy did not help initiate investigations for trafficking offenses, provide or refer victims to protective services, or support repatriation. However, the government did not produce comprehensive statistics on the number of trafficking victims identified or the services these victims received, resulting in unreliable and incomplete statistics on victim identification and law enforcement efforts. The government continued to offer direct assistance to vulnerable children and child victims of crimes such as trafficking, including temporary shelter, medical and psychological services, and reintegration support through care facilities in several cities. Government shelters were available for women victims; however, there was no evidence any victims used the shelters during the reporting period. NGOs reported identifying at least 20 Cameroonian labor trafficking victims; NGOs provided the majority of in-country services to these victims, as well as victims identified by the government.

There is no evidence the government made efforts to encourage victims to participate in investigations or legal proceedings against their traffickers. 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. At least 20 victims filed restitution suits against traffickers during the reporting period; the cases were ongoing at the end of

the reporting period. The government could grant temporary residency status to foreign victims who, if deported, may face hardship or retribution; however, it did not report use of this accommodation during the 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 during the reporting period, some victims may have remained unidentified in the law enforcement system. During the reporting period, the government deported several thousand undocumented Nigerian refugees without screening for indicators of trafficking.

## PREVENTION

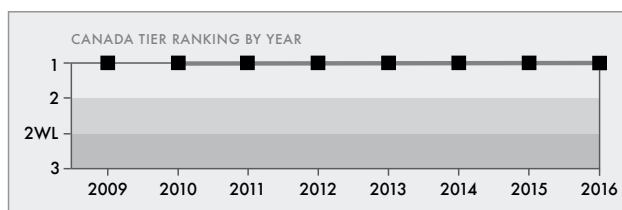
The government maintained prevention efforts, but its inadequate provision of resources to national and regional coordinating bodies stymied coordination on anti-trafficking initiatives. The inter-ministerial committee met on an ad hoc basis and made modest efforts to implement its 2014-2019 anti-trafficking national action plan by offering education and psycho-social care to street children vulnerable to trafficking and conducting awareness campaigns through its regional taskforces. The Ministry of Social Affairs continued to assist street children vulnerable to trafficking by placing 20 children in government-sponsored shelters that offered healthcare, education, and psycho-social services. Anecdotal reports suggest border police, especially those at the Nigerian and CAR borders, were more aware of trafficking and required parental authorizations for children traveling without their parents. The anti-trafficking regional taskforces' effectiveness decreased due to a severe lack of resources and clear mandates, and the government did not establish new taskforces in the remaining regions; it had established two new taskforces in the previous reporting period. The Northwest and Southwest taskforces, comprised of representatives from social welfare agencies, police, *gendarmerie*, magistrates, and NGOs, coordinated the response to trafficking cases and conducted awareness campaigns on the radio and through community watch groups; however, they lacked the resources and training necessary to adequately fulfill their mandates.

Although officials and NGOs identified several dozen Cameroonian trafficking victims in Europe and the Middle East, some of whom had been recruited and defrauded by unlicensed Cameroonian middlemen, the government did not attempt to proactively regulate such recruiters or initiate investigations of suspicious recruitment practices as cases arose during the year. To reduce the demand for commercial sex acts with children, the government continued its public awareness campaign against child sexual exploitation; however, it did not make efforts to reduce the demand for forced labor or for commercial sex acts with adults. The government provided briefings on international humanitarian law and the requirements governing international peacekeeping missions to members of the Cameroonian armed forces prior to their deployment abroad on such missions; it is unclear whether these trainings included anti-trafficking modules. There were allegations Cameroonian peacekeepers deployed to the UN mission in CAR sexually exploited civilians during the reporting period; the investigations were ongoing at the end of the reporting period. The government reported providing anti-trafficking training for its diplomatic personnel.

## CANADA: Tier 1

Canada is a source, transit, and destination country for men, women, and children subjected to sex trafficking; and a destination country for men and women subjected to forced labor. Women and girls from Aboriginal communities; migrants, including those newly arrived, at-risk youth; runaway youth; 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 meets the minimum standards for the elimination of trafficking. The Government of Canada continued to operate a national anti-trafficking taskforce to coordinate, monitor, and report on efforts to combat trafficking. Canadian authorities maintained law enforcement and prosecution efforts against sex traffickers and courts delivered longer sentences than in previous years. Awareness of and resources against sex trafficking were considerably greater than those against labor trafficking. Police identified fewer trafficking victims than the previous year; NGOs reported government funding for specialized services was inadequate; the quality, timeliness, and range of such services varied among the provinces. Interagency coordination was also uneven across the provinces and territories, as was national data collection on anti-trafficking efforts.



## RECOMMENDATIONS FOR CANADA:

Significantly increase specialized services and shelter available to all trafficking victims, in partnership with civil society and through dedicated funding from federal and provincial governments; increase use of proactive law enforcement techniques to investigate human trafficking, particularly forced labor; intensify efforts to prosecute and convict traffickers; increase training efforts for government officials, particularly for prosecutors and judges; improve coordination and communication among federal, provincial, and territorial actors and strengthen provincial interagency efforts; investigate and prosecute Canadian child sex tourists; and improve trafficking data collection, including to document numbers of identified victims and assistance provided.

## PROSECUTION

The government maintained efforts to hold traffickers criminally accountable, though most efforts focused on sex trafficking. Criminal code sections 279.01 and 279.011 prohibit all forms



of human trafficking, prescribing penalties of four to 14 years' imprisonment for trafficking of adults and five to 14 years' imprisonment for trafficking children. Aggravating factors, such as kidnapping, sexual assault, or death, increase the mandatory minimum penalty to five years' and the maximum penalty to life imprisonment for trafficking of adults, and six years' to life imprisonment for trafficking children. Such penalties are sufficiently stringent and commensurate with those for other serious crimes. Section 279.02 prohibits receiving financial or any other material benefit obtained from trafficking and prescribes a maximum penalty of 10 years' imprisonment where the victim is an adult, and a mandatory minimum of two years to a maximum of 14 years' imprisonment where the victim is a child. Section 279.03 prohibits withholding or destroying documents to facilitate trafficking and prescribes a maximum penalty of five years' imprisonment where the victim is an adult, and a mandatory minimum of one year to a maximum of 10 years' imprisonment where the victim is a child.

In 2015, police charged 112 individuals in 63 trafficking cases (two for labor trafficking) compared to 121 individuals in 77 cases in 2014. Prosecutions continued against 202 individuals, including 22 suspected labor traffickers. The government convicted six sex traffickers and no labor traffickers in 2015 compared to eight sex traffickers in 2014. Sentences ranged from six months' to 9.5 years' imprisonment, compared with fines or community service and probation to 6.5 years' imprisonment in 2014. NGOs noted a continued imbalance in the government's anti-trafficking efforts, with greater attention and understanding of sex trafficking versus forced labor. Contacts and NGOs indicated police and prosecutors' understanding of human trafficking varied, leading some to categorize trafficking cases as other crimes or to bring civil instead of criminal charges. Police and prosecutors used prostitution-related statutes for sex trafficking cases, sometimes due to a perception of difficulty proving exploitation to judges. 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 62 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. Because he resigned from the police force prior to sentencing, a prosecution under the Police Services Act was halted. The provincial special investigations unit conducted a separate investigation, found no criminal conduct, and closed the case in July 2015. Authorities did not report any other investigations, prosecutions, or convictions of government officials complicit in human trafficking.

## PROTECTION

The government identified fewer trafficking victims than in previous years; did not provide adequate funding for specialized victim services; and the range, quality, and timely delivery of services varied across the provinces. Police identified 99 new victims in cases where trafficking-specific charges were laid in 2015, compared with 261 victims in 2014. Of these, 90 were female, three were male, and the gender of six victims was unknown; nine were victims of labor trafficking; 90 were victims of sex trafficking; and 29 were children. Authorities reported a total of 300 trafficking victims related to current and ongoing cases before the courts where trafficking-specific charges were laid. 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, which has resulted in the identification of 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 2015. The government assisted trafficking victims through its general crime victim assistance regime, which relied on Justice Canada's funding to provincial and territorial governments. NGOs, with provincial and federal support, also provided specific services, as did provincial crime victims assistance centers, where available. Services generally included shelter, legal and immigration services, medical care, psychological and crisis counseling, income support, and interpretation. According to a shelter survey published in July 2015, two percent (67 of 4,476) of women residing in shelters in April 2014 sought shelter due to trafficking.

While some provincial governments dedicated funding to victim assistance, Quebec's Victim Assistance Fund did not compensate or provide funding or services to women in prostitution even if the woman was identified as a sex trafficking victim. Manitoba funded initiatives to identify and assist victims of sexual exploitation, including sex trafficking victims, with a focus on Aboriginal communities. In 2015, the city of Toronto provided a \$1 lease of a house to an NGO, which raised private funds to operate a shelter for female sex trafficking victims. In Ontario, children 16 and older were not eligible for child protective care and were often diverted to co-ed youth shelters, leaving them vulnerable to recruitment into sex trafficking. 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 some services—particularly longer-term services such as housing and drug addiction treatment—exceeded available resources, and NGOs reported inadequate funding from the federal and provincial governments and, in some cases, cutbacks in existing funding. Experts reported some shelters for victims of domestic violence would not accept trafficking victims due to the complexity of their needs and out of fear of their traffickers. NGOs noted victims without proper documentation may not be able to access general services, including health care. NGOs gave differing assessments of the effectiveness of the informal victim referral mechanism in use, 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 TRPs to 44 foreign victims in 2015, compared with five TRPs in 2014; 19 permits were issued to first-term recipients; 25 were issued to persons who had previously received TRPs. In comparison, authorities granted 14 TRPs to 14 foreign victims in 2013. 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, but it was unclear how many foreign victims received these permits in 2015. 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, but could receive assistance from NGOs. There were no reports the government

penalized identified victims 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 2015.

## PREVENTION

The government maintained diverse trafficking prevention efforts. The Department of Public Safety led a federal interagency taskforce, published regular anti-trafficking newsletters, and released annual progress reports in 2014 and 2015. The RCMP continued to conduct awareness-raising activities aimed at youth, law enforcement, and the public. The RCMP human trafficking awareness coordinators in British Columbia, Quebec, and Nova Scotia served as anti-trafficking points of contact for law enforcement across the country and participated in meetings to share local strategies, best practices, and successful cases. British Columbia had the only provincial anti-trafficking office in the country, which conducted training, prevention, and awareness activities. NGOs cited the need for better coordination between and among the federal, provincial, and territorial governments on anti-trafficking law enforcement efforts. Authorities provided information to temporary foreign workers to let them know where to seek assistance in cases of exploitation or abuse. In 2015, the government announced an overhaul of the temporary foreign worker program to increase detection of abuse and prioritize Canadian employees over lower paid migrants. The government did not report if these measures led to the identification of any potential trafficking victims. The government continued to limit which foreign diplomats were eligible to bring domestic workers to Canada. Authorities continued to distribute a publication warning Canadians traveling abroad about penalties under Canada's child sex tourism law. The Department of Justice reported sentencing one child sex tourist to two years and one day's imprisonment and designating this individual a long-term sex offender for 10 years in 2015. The government provided more than 370,000 Canadian dollars (\$292,300) to support anti-trafficking initiatives in 16 countries globally. 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 and forced labor through awareness-raising, training, and research. The government provided anti-trafficking training 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. Observers report most victims appear to be CAR citizens exploited within the country, and a smaller number are transported back and forth between CAR and Cameroon, Chad, Nigeria, Republic of the Congo, Democratic Republic of the Congo (DRC), Sudan, and South Sudan. Traffickers—likely including people 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 commercial sex in urban centers. Girls forced into marriages are often subjected to domestic servitude, sexual slavery, and possibly sex trafficking. Reports indicate the incidence of forced marriages, often perpetrated by members of armed groups, increased during the year.

Surges in violent conflict in recent years resulted in chronic instability and the displacement of nearly one million people, increasing the vulnerability of men, women, and children to forced labor and sex trafficking. In March 2016, more than 420,000 people remained internally displaced and approximately 470,000 sought refuge in neighboring countries. There is limited information about the forms of exploitation believed to have increased as a result of years of conflict. The recruitment and use of children by 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, has been widely documented. The UN reported between 6,000 and 10,000 children remained under the control of these armed groups during the reporting period. On May 5, 2015, as part of the Bangui Forum for National Reconciliation, 10 armed groups operating in the country agreed to release all children under their control and cease recruitment of child soldiers. Since the beginning of 2015, 1,990 children have been separated from armed groups. The government remained without an effective disarmament, demobilization, and reintegration program. However, all children received reintegration support from an international organization and most were reunited with their families, while others received care from substitute families pending family tracing and reunification. There were 1,015 verified child soldiers amongst the ex-Seleka, anti-Balaka, and the Lord's Resistance Army (LRA), including 12 girls, at the end of the reporting period, a significant decrease following the demobilization agreement and subsequent demobilization programs. Children formerly associated with armed groups remained at risk of re-recruitment. For example, one armed group re-recruited approximately 150 children in January 2016.

Allegations of sexual abuse by peacekeepers within the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) persisted during the reporting period. MINUSCA peacekeepers raped or sexually abused at least eight women and girls between October and December 2015, some of whom may have been trafficking victims. More than 100 cases have been reported since MINUSCA's inception in September, 2014, and 38 of these cases were reported during the reporting period. Peacekeepers from DRC and Republic of the Congo allegedly perpetrated the majority of these 38 reported cases; however, soldiers from Bangladesh, Morocco, Niger, Senegal, Cameroon, and Egypt were also reportedly involved.

The LRA, a Ugandan rebel group that operates in CAR's eastern regions, continued to enslave Central African, South Sudanese, Congolese, and Ugandan boys and girls for use as cooks, porters, concubines, and combatants. Some of these children may have been taken back and forth across borders into South Sudan or DRC. Between January and March 2016, the LRA abducted 217 people, nearly double the number abducted in 2015. One quarter of the abductions were children, 41 of whom are still missing or in captivity. 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 at least 12 children, who were used as porters and combatants.

The Government of the Central African Republic does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The transitional government, which assumed power in January 2014, continued to govern during the reporting period and was not aligned with any armed groups currently operating in CAR. In May 2015, as part of the Bangui Forum for National Reconciliation, 10 armed groups operating in the country agreed to release all children under their control and cease recruitment of child soldiers. An international organization, in partnership with the government, provided medical care and psychological services for demobilized child soldiers. Although criminal cases were heard during the reporting period for the first time since 2011, the government did not investigate or prosecute any trafficking cases or convict any traffickers. The government did not independently identify, provide protection to, or refer to service providers any trafficking victims.



## RECOMMENDATIONS FOR CENTRAL AFRICAN REPUBLIC:

Continue 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 these crimes; train law enforcement officials and magistrates to use the penal code's anti-trafficking provisions to investigate and prosecute trafficking offenses; in collaboration with NGOs and the international community, provide care to demobilized child soldiers and children in commercial sexual exploitation and forced labor; 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 minorities.

## PROSECUTION

The government decreased anti-trafficking law enforcement efforts during the reporting period. Article 151 of the 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. Although Central African courts heard criminal cases during the reporting period for the first time since 2011, the government did not investigate or prosecute any trafficking cases or convict any traffickers and has not done so since 2008. Traditional dispute resolution methods are widely practiced throughout the country to punish criminal acts, often to the exclusion of formal legal proceedings. In previous reporting periods, NGOs reported low political will to prosecute traffickers. The government did not provide technical training to law enforcement, prosecutors, or judges.

## PROTECTION

The government made minimal efforts to identify and protect victims. It did not report identifying any trafficking victims during the year. The government 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. In previous years, reports indicated the government arrested and jailed individuals involved in commercial sex, 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 commercial sex 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. However, an international organization, in partnership with the government, provided medical care and psychological services for demobilized child soldiers. No other specialized care was available for child or adult trafficking victims in the country. Diplomatic personnel in CAR's embassy in Kuwait provided assistance to some Cameroonian trafficking victims pending repatriation from Kuwait.

## PREVENTION

The government maintained minimal anti-trafficking prevention efforts during the reporting period. In May 2015, as part of the Bangui Forum for National Reconciliation, 10 armed groups operating in the country agreed to release all children under their control and cease recruitment of child soldiers. The UN reported the release of 520 children between May and August 2015. The government's working group carried out limited activities due to continued instability throughout the country. 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 or forced labor or provide anti-trafficking training for its diplomatic personnel.

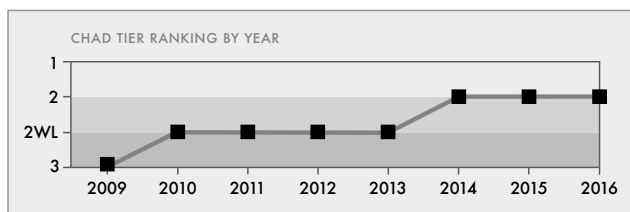
## CHAD: Tier 2

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. NGOs report that the Nigerian terrorist group Boko Haram, (which refers to itself as the Islamic State—West Africa Province), is involved in child trafficking.

The Government of Chad does not fully meet 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 from the previous reporting period. It regularly convened the inter-ministerial committee on trafficking and identified at least 13 trafficking victims. The government also completed during the reporting period, though has not yet published, a guide for security forces, NGOs, social workers, and civil society that outlines steps to assist suspected trafficking victims. The government continued efforts to prevent the recruitment and use of child soldiers by training members of the military and verifying the age of entrants at military centers. The government reported fewer prosecutions, more investigations, and the same number of convictions. The government did not provide services specific for trafficking victims and did not systematically refer victims to NGOs or international organizations for care.



## RECOMMENDATIONS FOR CHAD:

Enact legislation prohibiting all forms of trafficking in persons and prescribing sufficiently stringent punishments; strengthen enforcement of existing penalties to combat trafficking in persons; increase efforts to enhance magistrates' understanding of managing trafficking in persons cases and punishing trafficking offenses under existing laws; continue anti-trafficking law enforcement efforts, including the investigation and prosecution of suspected trafficking offenders; provide specialized anti-trafficking training to law enforcement officers and prosecutors; 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; and raise public awareness of trafficking issues, particularly at the local level among tribal leaders and other members of the traditional justice system.

## 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 and a child protection code, both of which contain provisions criminalizing trafficking in persons, have not been enacted. During the last reporting period, the government drafted anti-trafficking legislation with the support of an international donor; the draft was pending final review by the Council of Ministers at the close of the reporting period. On May 21, 2015, the government, in collaboration with an international organization, inaugurated in N'Djamena the new facility for the Chadian National Police's Child Protective Services (Brigade des Mineurs), charged with the protection of children against all forms of abuse and exploitation, including trafficking. Although the government did not collect comprehensive law enforcement data, the government reported at least six investigations, four current prosecutions, and three convictions during the reporting period, compared with five investigations, five prosecutions, and three convictions during the previous reporting period. NGOs reported local officials were sometimes complicit in trafficking. Authorities arrested the police commissioner of the city of Kelo in February 2016 on suspicion of involvement in child trafficking and held him in custody while awaiting trial at the close of the reporting period.

## PROTECTION

The government sustained minimal efforts to identify and protect trafficking victims. It did not officially report the number of victims identified or referred to protection services, although it identified at least 13 victims in the course of its investigations. Regional committees, located in eight regions in Chad, identified and referred an unknown number of victims to protective services, but these service agencies lacked adequate resources to fully investigate every case. The lack of formal victim identification procedures continued to be a problem. However, during the reporting period the government drafted a guide for security forces, NGOs, social workers, and civil society that outlines steps to assist suspected trafficking victims, such as informing the police and referring victims to social services or local NGOs. The guide also details what role different institutions have during an investigation and provides guidance on social services, health centers, and shelters, as well as information about how to reunite victims with their families when possible. Inadequate human and financial resources severely limited the government's ability to provide adequate services to victims of all crimes, including trafficking victims. The government continued to provide limited in-kind contributions and social services to victims of crime through a joint agreement with UNICEF, though these services were not

specific to the needs of trafficking victims. Through this joint agreement, the government also provided facilities to UNICEF, which used the buildings as shelters for victims of crime, including trafficking victims. During the reporting period, these multipurpose shelters were used to provide shelter and services to an unknown number of children; the government ultimately reunited the children with their families. The government did not have a formal policy to offer temporary or permanent residency for foreign victims of trafficking. There were no reports the government punished any trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

## PREVENTION

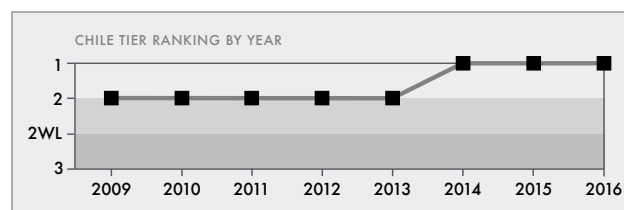
The government sustained modest efforts to prevent trafficking. The inter-ministerial committee responsible for coordinating government efforts to combat trafficking met regularly throughout the reporting period. In October 2015, the Ministry of Women, Childhood Protection, and National Solidarity conducted a two-week anti-trafficking training for magistrates, in cooperation with two international organizations. 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 human rights training, which included 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 1

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 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, restaurant, and garment sectors; and in domestic service. Authorities report Chinese immigrants may be vulnerable to sex trafficking and forced labor and Korean women are subjected to sex trafficking. Chilean authorities identified 260 children involved in illicit activities in 2015, including drug trafficking and theft; some of these children may have been trafficking victims. Chilean men were reported to be transported to Peru for the purposes of labor exploitation and Chilean women to Argentina for commercial sexual exploitation. 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 exploitation. The government noted that traffickers, aware of law enforcement crackdowns on human trafficking, are changing their operations, including avoiding direct involvement in illegal activities, setting up work contracts for victims through third parties, and establishing shell companies to justify illicit gains.

The Government of Chile fully meets the minimum standards for the elimination of trafficking. Authorities convicted sex traffickers under child prostitution statutes, increased victim protection services to child sex trafficking victims, and created a separate fund to assist immigrants in vulnerable situations, including victims of trafficking. In April 2015, the government

enacted a law to strengthen protections for domestic workers. Authorities increased training for front-line responders, including health workers and phone operators. Authorities did not prosecute internal child sex trafficking cases as human trafficking, which hindered efforts to penalize traffickers appropriately and accurately assess anti-trafficking efforts.



## RECOMMENDATIONS FOR CHILE:

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

## PROSECUTION

The government maintained its anti-trafficking law enforcement efforts. Law 20507 prohibits all forms of human trafficking, prescribing penalties ranging from five years and one day to 15 years' imprisonment, plus fines, for trafficking offenses. Such penalties are sufficiently stringent and 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, which are not commensurate with those for other serious crimes. In practice, judges often suspended or commuted sentences.

Anti-trafficking police units opened investigations of seven new sex trafficking and eight new labor trafficking cases in 2015. Authorities prosecuted 91 individuals for facilitating the prostitution of children; the government used the anti-trafficking law to prosecute only three cases of trafficking of adults. In 2014, the government initiated 115 prosecutions for facilitating prostitution of children and three prosecutions under the anti-trafficking law. The government did not report any convictions in 2015 under the trafficking law, and convicted three traffickers in 2015 under article 367. Two of those convicted were given sentences of three years' imprisonment and one a sentence of daily overnight imprisonment. Convicted traffickers under article 367 were at times released on parole or given suspended

sentences. In comparison, in 2014 authorities convicted five sex traffickers using the anti-trafficking law and 22 under article 367. During the previous reporting period, authorities investigated a former deputy police chief for involvement in the commercial sexual exploitation of children while in office. As of the end of the reporting period, the case was still under investigation. The government did not report any prosecutions or convictions of government officials allegedly complicit in human trafficking offenses during 2015. The government provided specialized training on trafficking to more than 520 government officials in 2015, including law enforcement, prosecutors, justice officials, social workers, health workers and labor inspectors, often in partnership with NGOs and international organizations. The public prosecutor's office maintained an active anti-trafficking working group made up of specialized units at the national office. In June 2015, the public prosecutor's office strengthened trafficking case management by providing additional guidelines for investigating human trafficking cases and designating a human trafficking coordinator in each regional office. The human trafficking coordinator will notify and coordinate new cases with specialized units at the national office to ensure its assignment to prosecutors with trafficking experience or experience prosecuting other complex or transnational crimes. In addition, the new guidelines also emphasized the importance of seeking international cooperation in transnational cases, and the prohibition of conditional pardons as a procedural means to an abbreviated criminal process. Authorities staffed a trafficking and smuggling investigative police unit in Santiago with 24 detectives; a similar unit in Iquique, with 11 detectives, had jurisdiction from Chile's northern border to Copiapo. The interagency taskforce acknowledged that the lack of legal representation for victims, particularly for those seeking restitution via civil lawsuits, was a challenge. Law enforcement reported that lack of qualified translators and interpretation services hampered some trafficking investigations with foreign victims.

## PROTECTION

Authorities increased victim protection efforts. Authorities identified 65 trafficking victims during the year, compared with 16 in 2014; 53 were labor trafficking victims, and 12 were exploited in sex trafficking. Most child sex trafficking victims were identified as victims under article 367, and the National Service for Minors (SENAME) assisted 1,285 children involved in commercial sexual exploitation in 2015. The National Service for Women (SERNAM) shelter, which provides specialized services for trafficking victims, assisted 10 women, including nine foreigners from Bolivia, Venezuela, Paraguay, Brazil, China, South Africa, and Syria. The Social Action Department of the Ministry of Interior created a separate fund to assist trafficking victims and other immigrants in vulnerable situations. Authorities continued to use 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.

Provision of victim services remained uneven across the country. The government funded several NGOs to assist adult labor and sex trafficking victims, although NGOs reported funding was inadequate to provide all necessary services, especially shelter. There were no shelters for male victims or victims outside the capital. SERNAM maintained its 2014 budget allocation of 85 million Chilean pesos (\$140,000) to fund the NGO-operated shelter for women victims of trafficking, smuggled women, and

their children. The shelter facilitated health, migration, and employment services. SENAME provided services to child sex trafficking victims through its national network of 17 NGO-operated programs for children, including boys, subjected to commercial sexual exploitation. SENAME increased this funding to 2.276 billion Chilean pesos (\$3.47 million) in 2015 from 1.539 billion Chilean pesos (\$2.54 million) in 2014. Specialized assistance for male victims was limited. Reintegration services such as education and job placement assistance remained lacking, and officials reported access to quality mental health services was expensive and limited. The Department of Migration created a specific no-fee visa for trafficking victims and issued 35 in 2015. The visa is valid for six months, renewable for up to two years. Renewal requires the victim denounce the crime to the prosecutor's office. Also, the government streamlined access to temporary visa services in the Santiago Metropolitan Region. The government did not report granting restitution to any victims through civil or criminal cases in 2015. 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 increased prevention efforts during the reporting period. The Ministry of Interior continued to lead the anti-trafficking interagency taskforce—which included government agencies, as well as international organizations and local NGOs—and its three sub-commissions. The taskforce developed and adopted a 2015-2018 national action plan. For the second year, the taskforce published a statistical report, with trafficking in persons data from 2014 and the first half of 2015. While there has been an improvement in interagency cross-referencing and sharing of data, better coordination was still needed. A new law strengthened protections for domestic workers, including by requiring registration of domestic worker contracts, setting limits on weekly hours, and authorizing labor inspectors to enter employers' homes, with their permission, or to require their appearance at a labor inspection office. The government launched the "Blue Campaign," a website to combat human trafficking, and a video campaign to commemorate the UN World Day against Trafficking in Persons. The government continued to conduct awareness efforts, including prevention campaigns focused on reducing demand for commercial sexual exploitation of children. Authorities provided anti-trafficking training to Chilean troops prior to their deployment abroad for international peacekeeping missions. The Ministry of Interior signed a memorandum of understanding with its counterpart in Ecuador, on prevention and criminal investigation of trafficking and assistance and protection of victims. The government took action to reduce child sex tourism by training 823 hotel employees and tour operators in all the regions, with an inaugural activity timed to coincide with Chile's hosting of the Copa America soccer tournament. The government took actions to reduce demand for commercial sex involving children by opening 26 prosecutions and handing down 23 convictions against individuals who purchased sex from children during the reporting period. The government did not report efforts to reduce the demand for forced labor. The government piloted an online anti-trafficking course 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. China's internal migrant population, estimated to exceed 294 million people, is vulnerable to trafficking with Chinese men, women, and children subjected to forced labor in coal mines and factories, some of which operate illegally and take advantage of lax government enforcement. Forced begging by adults and children occurs throughout China. There are reports of traffickers targeting children whose parents have migrated to the cities and left them with relatives and persons with developmental disabilities for forced labor and forced begging. International media and the ILO report children in some work-study programs supported by local governments and schools are forced to work in factories. African and Asian men are exploited on Chinese vessels, working under conditions indicative of forced labor.

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 in China for decades. The PRC government reportedly profited from the forced labor of individuals subjected to administrative (extra-judicial) detention, often with no remuneration, for up to four years. In 2013, the PRC's National People's Congress ratified a decision to abolish RTL. The government closed most RTL facilities by October 2015; however, the government converted some RTL facilities into state-sponsored drug rehabilitation facilities or detention centers. Reports of the government's ongoing use of forced labor in government rehabilitation facilities and detention centers continued. Religious and political activists held in legal education facilities reported that at times forced labor occurred in pretrial detention and outside of penal sentences. In Aksu prefecture, the government forced ethnic Uighurs to perform farm labor as a way of keeping them from getting involved in "illegal activities." The government previously detained some women arrested for prostitution for up to two years without due process in "custody and education" centers where they were subjected to forced labor, but reported that it had changed its official policy in 2015 to limit the time women arrested for prostitution could be held in detention facilities to 15 days. However, government officials acknowledged that isolated instances of forced labor may still occur in detention facilities or prisons, even if not officially condoned by the PRC.

Chinese women and girls are subjected to sex trafficking within China; traffickers typically recruit them from rural areas and take them to urban centers. Well-organized criminal syndicates and local gangs play key roles in the trafficking of Chinese women and girls in China, recruiting victims with fraudulent employment opportunities and subsequently forcing them into prostitution.

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 by imposing large travel fees, confiscating passports, confining, or physically and financially threatening victims to compel their engagement in prostitution. Chinese men and women are forced to labor in restaurants, shops, agriculture, and factories in overseas Chinese communities. They are promised jobs abroad and confined to private homes upon arrival overseas, held in conditions indicative of forced labor, and compelled to conduct telephone scams. Chinese men in Africa and South America experience abuse at construction sites, in coal and copper mines, and in other extractive industries where they face conditions indicative of forced labor such as withholding of passports, restrictions on movement, non-payment of wages, and physical abuse. 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.

Women and children from neighboring Asian countries, Africa, and the Americas are subjected to forced labor and sex trafficking in China. North Korean women are subjected to forced prostitution, forced marriage, and forced labor in agriculture, domestic service, and factories. African and South American women are promised legitimate jobs in China and forced into prostitution upon arrival. 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 observers assert increases 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 kidnapped or recruited through marriage brokers and transported to China, where some are subjected to prostitution or forced labor.

The Government of the People's Republic of China (PRC) does not fully meet 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, China is placed on Tier 2 Watch List for a third consecutive year. Per the Trafficking Victims Protection Act, China was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards. Reports continued of the government's complicity in forced labor, including through state-sponsored forced labor policies. Despite the 2013 policy announcement abolishing the RTL program, unverifiable reports continued of forced labor in government detention centers outside the penal process. Overseas human rights organizations and media report local officials in Xinjiang coerced Uighur men and women to participate in forced labor in and outside of the province. The government's criminal law does not fully criminalize all forms of trafficking such as the facilitation of prostitution involving children younger than the age of 18 and defines several things as human trafficking that are not consistent with international law. The government handled most cases with indicators of forced labor as administrative issues and initiated prosecutions of the traffickers in relatively few cases. The government reported cooperating with other countries to repatriate foreign trafficking victims and improve anti-trafficking coordination efforts. Although authorities asserted all women arrested for prostitution are now screened for indicators of trafficking, it remained unclear if this occurred in practice during the reporting period, and some may have been punished for crimes committed as a direct result of being subjected to trafficking. Providing law enforcement data, the government reported substantial law enforcement efforts, convicting at least 714 traffickers, although it is unclear how many of these victims meet the international definition of human trafficking. The government amended its criminal code to address some of the gaps in the definition of trafficking-related crimes and approved a national victim identification system. The government took steps to implement its national action plan against trafficking in persons, which addressed efforts to amend the anti-trafficking law, improve interagency and international cooperation, boost anti-trafficking investigations, develop anti-trafficking awareness campaigns, and enhance victim protection services. The written plan directed all levels of government to allocate funding to implement the activities in the plan. In addition to local

government funding of local anti-trafficking operations, the Ministry of Public Security (MPS) supplemented 50 million RMB (\$7.7 million) for a special anti-trafficking fund for local law enforcement and 5 million RMB (\$774,593) to central government anti-trafficking campaigns, some of which focuses on activities inconsistent with international legal definitions of human trafficking.



## RECOMMENDATIONS FOR CHINA:

End forced labor in government facilities and by government officials outside of the penal process; vigorously investigate, prosecute, and impose prison sentences on perpetrators of trafficking crimes, including government officials who facilitate or are complicit in trafficking; update the legal framework to criminalize fully all forms of trafficking, including the facilitation of prostitution involving children younger than the age of 18; expand efforts to institute proactive, formal procedures to identify systematically trafficking victims—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 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 reported substantial law enforcement efforts to address suspected trafficking crimes during the reporting period, as demonstrated through improved reporting on such efforts; however, lack of comparable data from 2014 and the inclusion of crimes outside international law's definitions of human trafficking inhibit an assessment of appreciable progress from the previous reporting period. The criminal code prohibits many forms of trafficking and prescribes harsh penalties, although it differs significantly from international law on human trafficking. Article 240 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; and the acts that comprise the crime are not tied to a purpose of exploitation, such as forced labor or forced prostitution, as international law defines trafficking in persons. Crimes under article 240 are punishable by no less than 10 years' imprisonment, with

life imprisonment or the death penalty possible in particularly serious circumstances. Article 241 was amended during the reporting period to criminalize the purchase of women or children, although without the purpose of exploitation as international law defines human trafficking. 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 359 makes it a crime to harbor prostitution or seduce or introduce others into prostitution and is subject to a maximum of five years' sentence and payment of a fine; for the seduction of girls younger than the age of 14 into prostitution, the sentence is five years or more and a fine. It remains unclear whether Chinese law defines all children younger than age 18 who are induced to engage in prostitution as trafficking victims regardless of whether force, fraud, or coercion is involved. Article 244 makes it a crime to force a person "to work by violence, threat or restriction of personal freedom" and to recruit, transport or otherwise assist in forcing others to labor, punishable by three to 10 years' imprisonment and a fine. Prescribed penalties under all these statutes are sufficiently stringent and commensurate with those prescribed for other serious crimes, including rape.

Unlike in the previous year, the government provided some law enforcement data for this reporting period. Due to government's tendency to conflate human smuggling, child abduction, prostitution, forced marriage, and fraudulent adoptions with trafficking offenses, the exact number of human trafficking cases—as defined by international law—the government investigated, prosecuted, and convicted was unclear. MPS reported its investigation of 21 suspected cases of forced labor in 2015, but did not report the number of sex trafficking investigations. The government arrested 1,932 alleged traffickers under Chinese law in 2015, compared with 194 publicly reported in 2014. Government prosecutors reported they commenced 284 prosecutions for sex trafficking and forced labor involving 486 suspected traffickers and two prosecutions for forced begging involving three suspected traffickers. The government reported convicting 642 sex traffickers and 72 labor traffickers, compared with 35 total trafficking convictions publicly reported in 2014. The statistics the government provided include data on other crimes, including the abduction and sale of women and children, for which the nexus to human trafficking was unclear, as it remained unknown if the purpose of such acts included exploitation through sex trafficking or forced labor as defined in international law. It reported investigating 637 cases involving women and 756 cases involving children abducted and sold, 670 prosecutions involving 1,195 suspects, and the conviction of 1,362 perpetrators for the abduction and sale of women and children. The government handled most cases with indicators of forced labor as administrative issues through the Ministry of Human Resources and Social Services and seldom initiated prosecutions of such cases under anti-trafficking statutes. The government made efforts to cooperate with foreign governments to investigate allegations of trafficking and continued to cooperate with neighboring governments in sharing intelligence and collecting evidence on people involved in arranging marriages between Chinese citizens and foreign brides; foreign brides were reportedly sold by their families or abducted, and some became trafficking victims. The government did not provide detailed information on its efforts to train law enforcement officials, prosecutors, or judges on trafficking. However, when PRC authorities participated in trainings with other countries and international organizations, the PRC provided lodging, transportation and meals for some participants. The government arrested and convicted a former member of the national legislature for organizing prostitution,

a crime that may have had links to trafficking. The prosecution of several policemen connected to the same case remained pending.

## 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 potential foreign trafficking victims. The government arrested significant numbers of women in prostitution during police raids; some of these women were detained in detention centers. While the government reported it mandated that all women arrested for prostitution be screened for indicators of trafficking, it was unclear if these women were screened or, if screened, whether victims were referred to shelters or other care facilities. The office to combat trafficking in persons developed and approved trafficking victim identification procedures and disseminated them to law enforcement officials throughout the country. The government acknowledged that victim identification procedures varied according to local officials' training and understanding of trafficking; this variation increased the risk that unidentified trafficking victims were detained and deported following arrest for unlawful acts committed as a direct result of being subjected to human trafficking.

The government reported at least 10 shelters specifically dedicated to care for trafficking victims, as well as more than 2,300 multi-purpose shelters nationwide that could accommodate trafficking victims. However, the government did not provide victim protection data to ascertain the extent to which trafficking victims in fact accessed these shelters. Rehabilitation services for trafficking victims, especially mental health services, were inadequate. 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. Some women in forced marriages who may also have been victims of trafficking received residence permits. Chinese law provides victims the right to request criminal prosecution and claim financial compensation by filing civil lawsuits against their traffickers; it remained unclear if any victim benefited from this provision. 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.

The government maintained it does not forcibly repatriate any trafficking victims. Prior to this reporting period, credible reports stated that Chinese authorities forcibly repatriated some North Korean refugees by treating them as illegal economic migrants, despite reports some North Korean refugees were trafficking victims. The government detained and deported such refugees to North Korea, where they may have faced severe punishment, even death, including in North Korean forced labor camps. However, there have been no reports of the forced repatriation of North Koreans during this reporting period.

## PREVENTION

The government sustained efforts to prevent trafficking. The government funded a movie, contributed to a television show, and utilized traditional and social media to increase general understanding of the issue. The MPS used its official microblog to raise awareness of trafficking and receive information from the public regarding suspected trafficking cases. During peak travel 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 implement the National Action Plan on Combatting Human Trafficking. In 2015, MPS invested more than 5 million RMB (\$770,179) on handling major cases, conferences, trainings, information system construction, international law enforcement cooperation, and publicity, as well as 50 million RMB (\$7.7 million) for a special anti-trafficking fund for local law enforcement. Academics and experts noted the gender imbalance due to the previous one child policy could contribute to crimes of human trafficking in China. The government's easing of the birth limitation policy may affect future demands for prostitution and foreign women as brides for Chinese men. In response to the large number of cases of forced marriage, the government made efforts to further scrutinize visa applications of foreign women with indicators of vulnerability to trafficking. The government also highly publicized the amendment to the criminal code that criminalized the purchase of women and children and its penalties in an attempt to deter potential buyers.

Several government policies continued to facilitate human trafficking. While the law prohibits employers from withholding property from an employee as a security deposit, there were reports that such practices continued, thus making certain workers vulnerable to forced labor. The government *hukou* (household registration) system continued to contribute to the vulnerability of internal migrants to trafficking. During the reporting period, the government required local governments to provide and pay for limited social services to newly registered residents, which may decrease the vulnerability of some migrant workers previously unable to access these services. However, *hukou* requirements did not change, and the benefits of the new policy remained limited given the size of the unregistered population, estimated at 294 million. The government reported making efforts to reduce the demand for forced labor by highly publicizing convictions for labor trafficking. The government did attempt to reduce the demand for commercial sex through its crackdown on corruption and high profile arrests of men soliciting or procuring prostitution. Despite reports Chinese nationals engaged in child sex tourism, the government made no efforts to prevent its citizens from engaging in child sex tourism while abroad. The government provided anti-trafficking training to its troops prior to their deployment abroad as part of international peacekeeping missions and to its diplomatic personnel.

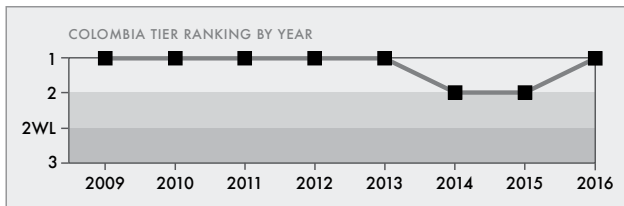
## COLOMBIA: Tier 1

Colombia is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor in Colombia and in Asia, the Caribbean, Europe, Mexico, and Central and South America. 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 children exploited in prostitution in areas with tourism and large extractive industries. 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 exploit them in sex trafficking. 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. Such groups use false job opportunities, and feigned friendship or romance to recruit victims and threats to maintain control over them. Colombia is a destination for foreign child sex tourists, primarily from North America and Europe.

The Government of Colombia fully meets the minimum standards for the elimination of trafficking. Authorities continued to investigate and prosecute trafficking cases and reported increased efforts to pursue sex trafficking cases. The government appointed 14 new prosecutors to handle the caseload associated with trafficking and related crimes, conducted awareness campaigns, and provided identified victims some services. The government strengthened internal coordination to combat trafficking. However, the government did not demonstrate progress in identifying victims from vulnerable populations, or prosecute and convict labor traffickers. 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 access to shelter and specialized services for more trafficking victims by increasing funding for NGOs and government entities; increase efforts to investigate, prosecute and convict traffickers, including complicit officials, for forced labor and sex trafficking; approve and fund the national anti-trafficking strategy; revise law 1069 to explicitly state victims do not need to file an official complaint against their traffickers to receive ongoing assistance; establish and implement formal mechanisms to identify trafficking victims among vulnerable populations within the country, including displaced Colombians; provide funding to the specialized trafficking in persons criminal investigation unit; increase training for labor officials and inspections of employers in sectors where trafficking indicators have been found; and improve data collection and disaggregation through implementing the national trafficking information system.

## PROSECUTION

The government increased efforts against transnational and internal sex trafficking, but took minimal steps to prosecute labor traffickers or complicit officials. 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. Article 188 B provides aggravating factors, which if present, increase the article 188 A punishment by one-third to one-half, including if the victim is younger than 18 years of age. Article 141 prohibits forced prostitution in situations of armed conflict and prescribes a penalty of 160 to 324 months' imprisonment and a fine.

Data on law enforcement efforts was incomplete, as authorities sometimes categorized internal trafficking cases as other crimes, such as induction into prostitution or pimping. Police reported arresting 41 suspects for trafficking or related crimes, compared with 37 arrests in 2014. Law enforcement also reported investigating 56 possible trafficking cases referred from the anti-trafficking hotline, compared with 176 in 2014. Federal prosecutors reported investigating 135 new trafficking cases in 2015, compared with 122 in 2014, but it was unclear in how many cases prosecutors filed charges against alleged traffickers. Regional prosecutors reported the prosecution of 12 criminal organizations involved in trafficking and related crimes. The government convicted 31 individuals of trafficking and related crimes—including 11 internal traffickers and 20 transnational traffickers, compared with five transnational sex traffickers and two internal sex traffickers in 2014—and nine traffickers pled guilty. Judges sentenced 11 individuals for trafficking and related crimes, but the government did not report the terms of imprisonment. The government did not report any convictions for forced labor, despite a 2013 constitutional court directive ordering authorities to increase law enforcement efforts against domestic servitude. Government officials did not consider forced child recruitment or forced criminal activity by illegal armed groups or organized criminal groups to be trafficking in persons, and therefore investigated or prosecuted these cases as other crimes. In 2015, the government reportedly presented 104 cases of potential forcible recruitment or forcible use of children in the commission of criminal activities, but only 14 investigations were initiated. The government treated different forms of trafficking as distinct crimes subject to different government entities' jurisdiction, which resulted in uneven interagency coordination of anti-trafficking efforts. Authorities collaborated with U.S. and Latin American officials on anti-trafficking law enforcement operations and investigations.

In 2015, the government appointed 14 new prosecutors to handle the caseload associated with trafficking and related crimes, significantly increasing capacity compared to 2014, when 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. In addition, the government established a specialized trafficking in persons criminal investigation unit with two prosecutors. Outside 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. Social workers and other officials interacting with potential trafficking victims, such as children exploited in prostitution 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 investigate trafficking cases without an official complaint. 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 again 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 arrested six immigration officials for alleged involvement with a criminal network engaged in human trafficking and drug smuggling, but did not report any prosecutions or convictions of government employees complicit in trafficking.

## PROTECTION

The government provided more services to victims than the previous year, but long-term protection was inadequate and victim identification, particularly of forced labor victims, was uneven. The Ministry of Interior (MOI) reported that authorities identified 67 trafficking victims compared with 59 in 2014. Of the identified victims, 45 were sex trafficking victims, 19 were forced labor victims, one was a forced begging victim, and two were unidentified. An international organization identified 51 trafficking victims—including 42 sex trafficking victims and nine forced labor victims. The government and an international organization identified 10 forced marriage victims, which Colombian authorities considered to be trafficking under their law. The Colombian Child Welfare Institute identified 39 girls and 6 boys exploited in prostitution and no children in forced labor—compared with 108 children exploited in prostitution in 2014—but did not identify these children as trafficking victims. 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 229 children who separated from illegal armed groups in 2015, compared with 243 in 2014. Of these children, 72 were girls; 157 boys; 49 indigenous; and 27 Afro-Colombian. In June the government, through its ongoing negotiations to end a five-decade conflict with the Revolutionary Armed Forces of Colombia (FARC), secured a commitment from the FARC to release minors from its ranks, though that measure was not implemented at year's end.

The national anti-trafficking law—law 1069—mandated the government to provide emergency trafficking victim protection and assistance, which includes medical and psychological assessments and assistance, clothing and hygiene kits, housing, transportation, legal advice, issuance of travel and identity documents, and repatriation; and medium-term assistance, which includes educational services, job training and job search assistance, and economic support. Of the 67 identified victims, the government provided 62 with emergency assistance and services and 56 with medium-term assistance; six received protective measures, 35 received repatriation assistance, 56 received employment assistance, and 67 accessed medical services, an improvement over the previous year when 50 victims received emergency assistance and 12 victims received medium-term assistance.

The government designated points of contact in various agencies and met roughly every two months to improve communication within and between the Interagency Committee for the Fight against Trafficking in Persons (ICFTP) and the MOI to design policies, analyze results, and recommend actions. NGOs acknowledged improved coordination, but criticized the delays in service delivery, the absence of formal procedures for engagement with NGOs resulting in uncoordinated and limited engagement by the government, the lack of emergency housing, the lack of long-term victim assistance, and a lack

of attention to vulnerable populations. NGOs asserted Afro-Colombian, indigenous, LGBTI, and disabled persons received insufficient attention, but the government reported maintaining a shelter for LGBTI victims of violence, an indigenous training center, and policies to provide assistance to disabled victims. Shelter and services for male victims were very limited. NGOs reported victims found it difficult to access services, especially given the legal requirement to file an official complaint in order to receive long-term assistance, which served as a disincentive for them to self-identify. The government provided 596,097,411 pesos (\$180,070) to assist trafficking victims internally and 200,000,000 pesos (\$60,416) to assist Colombian trafficking victims abroad. The government also provided 730,921,325,661 pesos (\$220,796,714) to provide services to children and adolescents, including child trafficking victims. Law 1069 makes local governments responsible for providing services beyond emergency care, but most had no funding dedicated to providing specialized services. Working with an international organization receiving foreign donor funds, the government assisted 311 children recruited by illegal armed groups and provided them with health, psycho-social, and education services. Authorities lacked sufficient funding and personnel to provide specialized services, reintegration work with families, and vocational training for these children.

The government offered victims the option to participate in the victim 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. The media reported victims being jailed or otherwise penalized for unlawful acts committed as a direct result of being subjected to trafficking, including in a case involving Brazilians in forced labor in the mining sector who were charged with immigration violations and illegal mining. The government again provided no updates on reports indicating a trafficking victim remains incarcerated as of February 2014 due to the testimony of another victim's father, who alleged her to be a recruiter in a trafficking ring. 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. A media report indicated a civil court upheld a settlement for back wages and benefits for a forced labor victim, but there were no reports trafficking victims received restitution to which they are entitled under articles 102 and 103 of the criminal procedure code of Colombia.

## PREVENTION

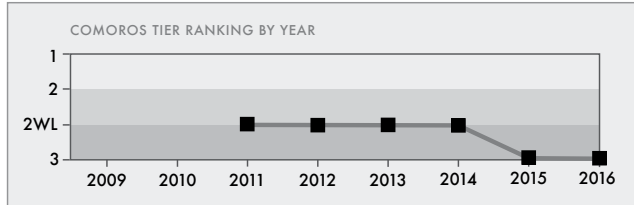
The government continued diverse prevention efforts. ICFTP conducted five formal meetings and increased engagement with NGOs, but for the second year did not approve or fund the pending 2014-2018 anti-trafficking strategy. NGOs and international organizations noted that the absence of a national trafficking information system hindered monitoring, research, and evaluation of the impact of trafficking in persons in Colombia; however authorities reported having designed and compiled data to begin testing a system. Members of civil society continued to file petitions to obtain information from ICFTP and the MOI. Authorities maintained an interagency commission for the prevention of child recruitment by armed groups and a separate committee on child sexual exploitation. MOI consulted periodically with anti-trafficking committees in the 32 departments, but NGOs indicated the committees lacked expertise and funding. Colombia's anti-trafficking operations center's toll-free 24-hour hotline received 3,625 calls, including 56 suspected trafficking cases, during 2015. Authorities continued several interrelated trafficking

awareness campaigns, commemorated World Day Against Human Trafficking in July in various parts of the country, and conducted other prevention efforts, often in partnership with international organizations and NGOs. The government, working with an international organization, designed a strategy and campaign to prevent fraudulent recruiting, which can lead to forced labor, and distributed materials at a public event; however, it did not report efforts to reduce the demand for 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

Comoros is a source country for children subjected to forced labor and sex trafficking within the country; Comoran women and children are subjected to forced labor in Mayotte. Comoran women and Malagasy women who transit Comoros may be subjected to forced labor in the Middle East. Children on Anjouan, some of whom were abandoned by parents who left to seek economic opportunities in other countries, are subjected to forced labor, mostly in domestic service, roadside and market vending, baking, fishing, and agriculture. On Anjouan and Moheli, poor rural families frequently place children with wealthier relatives or acquaintances in urban areas or on Grande Comore for access to schooling and other benefits; some of these children are subjected to domestic servitude and physical and sexual abuse. Most Comoran children aged 3 to 7 (and some up to age 14) study at informal neighborhood Koranic schools headed by private instructors, where some are exploited as field hands or domestic servants as payment for instruction and subjected to physical and sexual abuse. Girls are reportedly subjected to sex trafficking in Comoros. Comorians 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. Some of the estimated 3,000 unaccompanied Comoran children on Mayotte are subjected to domestic servitude and sex trafficking, at times after the deportation of their parents.

The Government of Comoros does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not investigate or prosecute sex trafficking or forced labor crimes, or identify and protect victims. The government did not investigate, prosecute, or convict traffickers, including complicit officials, and it provided inadequate resources to law enforcement officials, including the Morals and Minors Brigade, the office charged with the investigation of child abuse and exploitation. The government did not identify or assist any victims during the year, although it continued to support 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. Officials lacked formal procedures for the systematic identification and subsequent referral of victims to care. Official complicity in trafficking crimes, the extensive use of out-of-court financial settlements in lieu of investigation and prosecution of crimes, and the use of mediation, resulting in the return of children to their alleged exploiters, continued to be serious concerns.



### RECOMMENDATIONS FOR COMOROS:

Redraft the amendments to the penal code related to trafficking to conform with the child labor law and existing penal code provisions, and enact the amendments; in cooperation with NGOs and international organizations, increase the availability of protection services, including counseling and psychological care, for adult and child trafficking victims; develop procedures to identify and refer trafficking victims to care; investigate, prosecute, and convict trafficking offenders, including allegedly complicit officials; end the practice of returning children to their exploiters through arbitration; work with international partners to implement recommendations from the forthcoming study on the forms and extent of the trafficking problem in Comoros; conduct anti-trafficking public awareness campaigns; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government made negligible anti-trafficking law enforcement efforts. 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 prescribes increased penalties, ranging from two to 10 years' imprisonment, for aggravating factors related to article 310. Article 323 prohibits the facilitation of child prostitution and prescribes sufficiently stringent punishments of two to five years' imprisonment and fines; however, these penalties are not commensurate with those for other serious crimes, such as rape. Although prostitution is illegal in Comoros, existing laws do not criminalize the forced prostitution of adults. Article 333 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. The Law Countering Child Labor and Trafficking in Children (child labor law), which went into effect in January 2015, prohibits the worst forms of child labor in article 6 and child trafficking in article 13. 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 of the labor code also partially overlaps with articles 310, 311, and 323 of the penal code 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 unclear as to which laws to use to hold traffickers accountable. Despite parliamentary approval in 2014, the president has not yet assented to amendments to the penal code that would specifically add provisions to prohibit trafficking in persons.



The government did not report investigating, prosecuting, or convicting traffickers during the reporting period. It did not provide further information on the investigation, reported in a previous year, of a magistrate allegedly responsible for the domestic servitude of a 14-year-old girl. The government did not systematically collect data or information on law enforcement efforts, including human trafficking. During the year, the Morals and Minors Brigade continued to oversee the investigation of cases of child abuse and exploitation, potentially including child trafficking, nationwide, but its investigative efforts were hampered by a lack of government funds. The police generally lacked basic resources, including vehicles, fuel, and equipment, and often relied on victims to provide funds for transport or communication. The government did not provide trafficking-specific training for law enforcement officials on how to recognize, investigate, and prosecute trafficking and related crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Corruption at all levels of government, law enforcement, and the judiciary remained a significant concern in Comoros and hindered law enforcement efforts, including efforts to address trafficking. Many complaints were resolved through out-of-court financial settlements with victims' families. 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. Some police reportedly returned sexually abused children to their exploiters.

## PROTECTION

The government continued to provide limited support for victim protection services and did not identify or assist any victims or increase its capacity to do so during the year. The government did not provide direct assistance or services for victims and provided minimal support to NGOs doing so. There were no shelters for adults or child victims of abuse or human trafficking, and the quality of care provided remained poor. NGO staff sometimes provided temporary shelter in their private homes; however, children were often returned to their parents or guardians. In 2015, the government provided the salaries of two employees and donated office space for the NGO-run listening centers, which were supported by an international organization to provide assistance to abused and neglected children. The Morals and Minors Brigade lacked facilities to shelter child victims, even temporarily, and few of its staff had training in interviewing child victims of crime. The government did not develop or employ systematic procedures to identify trafficking victims or refer them to the limited care available. There were no reports of the government penalizing victims for crimes committed as a direct result of being subjected to trafficking; however, victims may have remained unidentified in the law enforcement and immigration systems.

## PREVENTION

The government made minimal efforts to prevent trafficking. The government's interagency monitoring group, established in 2013 to ensure implementation of the anti-trafficking national action plan and comprised of representatives of relevant government agencies, NGOs, and international organizations, continued to meet. The group reportedly developed a new national action plan in 2015, but it was not officially approved by the end of the reporting period. The government worked with an international partner to conduct a study on the forms and extent of the trafficking problem in Comoros, which was not released during the reporting period. The government did not conduct

anti-trafficking public awareness activities. The labor ministry signed an agreement with some labor recruitment agencies to facilitate review of transnational recruitment processes and also monitored advertisements in an effort to identify recruitment activities that might endanger Comorians seeking overseas employment. The government did not provide resources to the labor ministry for implementation of the new child labor law prohibiting child trafficking. The ministry's four labor inspectors did not receive training on the law, did not receive operational resources, such as vehicles and fuel, and did not conduct labor inspections of informal work sites where children are especially vulnerable to forced labor; inspectors did not remove or assist any children as a result of labor inspections. The government adopted a new sustainable development strategy (2015-2019), which includes a plan to update the national action plan to eliminate the worst forms of child labor and enhance the services provided by three reception centers for child victims of abuse and exploitation. 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 demand for commercial sex acts or forced labor. 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 transit country for men, women, and children subjected to forced labor and sex trafficking. Due to ongoing conflict, more than 1.8 million people have been displaced within DRC, and internally 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. In 2015, several armed groups continued to abduct and forcibly recruit Congolese men, women, and children as combatants and in support roles, such as guards, porters, cleaners, cooks, messengers, spies, and tax collectors at mining sites; women and girls were forced to marry or serve as sex slaves for members of some armed groups. As reported in 2015, some children were also forced to commit crimes for their captors, such as looting and extortion. In 2015, an international organization reported 491 confirmed cases of children who were forcibly recruited and used by armed groups, while 2,102 children were separated or escaped from armed groups. In late 2015, six Burundian child soldiers, who were forcibly recruited and trained in Rwanda, transited DRC to fight in armed groups in Burundi. Child soldiers that have been separated from armed groups and reintegrated into society remain vulnerable to re-recruitment, as adequate rehabilitation services did not exist for children suffering severe psychological trauma, stigmatization may interfere with community reintegration, and armed groups continued to recruit children.

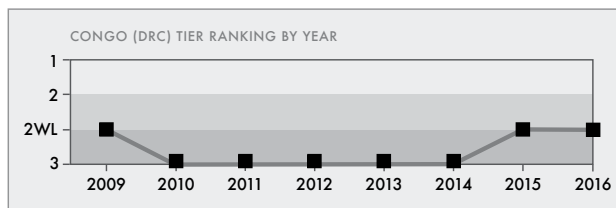
For a second consecutive year, international observers reported there were no cases of child recruitment by the Congolese national army (FARDC) in 2015. In furtherance of implementing the DRC government's plan to eliminate child soldiers within the FARDC, during the reporting period, an international organization reported that 12 children, some of whom were forcibly recruited in previous years, were screened and separated from the FARDC in coordination with child protection partners.

However, in 2015, some individual elements of the FARDC deviated from government policy and reportedly forced local populations to carry equipment. In addition, the FARDC worked and collaborated with an illegal armed group—which recruited and used 15 children during the reporting period—to coordinate battlefield maneuvers and capture of territory from a foreign illegal armed group.

Some men, women, and children working in artisanal mines in eastern DRC are subjected to forced labor, including debt bondage, by mining bosses, other miners, family members, government officials, and armed groups. Some children are subjected to forced labor in the illegal mining of diamonds, copper, gold, cobalt, ore, and tin, as well as the smuggling of minerals. In January 2016, an international organization reported widespread abuse, including forced labor, of some children in artisanal cobalt mines in southern DRC; some children reported extremely long working hours and physical abuse perpetrated by security guards employed by the state. Children are also vulnerable to forced labor in small-scale agriculture, domestic work, street begging, vending, and portering. Some street children are suspected to be forced to participate in illicit drug transactions and exploited in sex trafficking. Local observers suspect homeless children known as *chegues*, who beg and steal on the streets of Kinshasa, are sometimes forced labor victims. Some Congolese women and girls are subjected to forced marriage and thereby highly vulnerable to domestic servitude or sex trafficking. Some Angolans who enter the DRC illegally to work in Bas Congo province are vulnerable to forced labor. Children from the Republic of the Congo may transit through DRC en route to Angola or South Africa, where they may be subjected to domestic servitude. Congolese women and children migrate to other 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 women may be fraudulently recruited and forced into domestic servitude abroad through false promises of education or employment opportunities.

The Government of the Democratic Republic of the Congo does not fully meet 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 Democratic Republic of the Congo is placed on Tier 2 Watch List for the second consecutive year. The government continued measures to end the recruitment and use of child soldiers by holding accountable officials complicit in child soldiering and cooperating with international organizations and NGOs to identify and demobilize child soldiers. The government also continued efforts to combat sexual exploitation and continued to support efforts to certify mines to prevent the use of forced and child labor. However, the government made negligible efforts to combat other forms of trafficking. It did not investigate, prosecute, or convict offenders of sex trafficking, as distinct from other sexual crimes, or labor trafficking; however, the government made efforts to improve its data collection of sexual crimes, including potential sexual slavery offenses. The government did not provide any protection services to trafficking victims; victims, including child soldiers, continued to be vulnerable to arrest and detention. Nevertheless, some officials in eastern Congo collaborated, on an ad hoc basis, with NGOs and international organizations to refer potential trafficking victims to protection services. Lack of an anti-trafficking framework, capacity, funding, and political will to address the crime, as

well as widespread corruption, continued to hinder efforts to combat all forms of human trafficking throughout the country.



## RECOMMENDATIONS FOR THE DEMOCRATIC REPUBLIC OF THE CONGO:

Develop legislation to comprehensively address all forms of trafficking, consistent with international law; create an inter-ministerial anti-trafficking committee to support development of anti-trafficking legislation and adopt an action plan to combat all forms of trafficking; develop procedures for collecting and reporting data on cases of sex trafficking as distinct from other sexual violence crimes; use existing legislation to investigate, prosecute, convict, and adequately sentence traffickers, and continue to investigate and prosecute government officials complicit in the unlawful recruitment and use of child soldiers; in partnership with civil society, take concrete steps to provide comprehensive protection services to victims of all forms of trafficking, and ensure trafficking victims, including child soldiers and other vulnerable persons, are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; develop procedures for officials to proactively identify trafficking victims among vulnerable groups, including women and children in prostitution, street children, and men, women, and children in artisanal mining, and to refer victims to NGO-run protection services; continue measures to end the unlawful recruitment and use of child soldiers by the FARDC and other armed groups, and continue to cooperate with international organizations and NGOs to identify, remove, demobilize, and refer all children associated with armed groups to appropriate care; improve training for law enforcement and judicial officials on combating all forms of human trafficking; and raise awareness about human trafficking among the general public.

## PROSECUTION

The government continued to investigate and prosecute officials complicit in child soldiering and sexual exploitation, but made negligible efforts to combat all other forms of trafficking throughout the country. The DRC does not have an anti-trafficking law, nor do existing laws address all forms of human trafficking; the lack of a legal framework continued to contribute to officials' lack of understanding of trafficking and their conflation of it with other crimes, such as international adoption. Adult forced labor is not criminalized under Congolese law, although the Constitution prohibits indentured servitude. The 2006 sexual violence statute (Law 6/018) prohibits sexual slavery, sex trafficking, and child and forced prostitution and prescribes penalties ranging from five to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Child Protection Law 09/001 prohibits forced child labor, child prostitution, and the use of children in illicit activities, and prescribes penalties of 10 to 20 years' imprisonment for sexual slavery; these penalties are sufficiently stringent and commensurate with other serious crimes. Forced child labor, debt bondage, and child commercial sexual exploitation carry

penalties of one to three years' imprisonment, which are not sufficiently stringent. The enlistment of persons younger than 18 years old into the armed forces and the police has penalties of 10 to 20 years' imprisonment. Corruption remained a hindrance to adequately punishing trafficking offenders.

The government did not investigate, prosecute, or convict offenders for sex or labor trafficking other than officials complicit in child soldiering. In 2015, the government investigated six FARDC members for child recruitment; these cases were ongoing at the end of the reporting period. The government reportedly charged 55 FARDC and 13 Congolese National Police (PNC) officials in military courts for crimes of sexual violence, but it was unclear if these cases involved sex trafficking crimes. The government convicted and sentenced a FARDC colonel in July 2015 to seven years' imprisonment for rape of a minor. In comparison to the previous reporting period, these law enforcement efforts demonstrate an increase in investigations of complicit officials involved in possible trafficking crimes but a decrease in investigations of child soldiering among other armed groups; they also demonstrated a decrease from the one prosecution of a PNC officer and two convictions of FARDC officers for sexual slavery in 2014. The government continued the ongoing investigation of cases initiated in 2013 involving sex trafficking of Congolese women in Lebanon and Kuwait. The government provided limited training to some police and military personnel on preventing child soldiering, but it did not provide training to officials on all forms of human trafficking.

## PROTECTION

The government continued to identify and refer child soldiers to international organizations for assistance, but it otherwise made negligible efforts to identify and protect victims of other forms of trafficking. Other than identifying child soldiers during the reporting period, the government did not identify victims of sex and labor trafficking among vulnerable groups, such as street children, women and children in prostitution, and men, women, and children in artisanal mining, even though the scope of the problem was significant. The government did not have formal written procedures for officials to appropriately identify trafficking victims; however NGOs in eastern DRC reported police and security officials identified and referred an unknown number of potential victims to NGOs on an ad hoc basis in 2015. Authorities in Goma identified four potential child trafficking victims who were fraudulently recruited for domestic work in Tanzania and referred the children to a local NGO-run trafficking shelter. The government did not provide specialized services or care to trafficking victims as distinct from other vulnerable groups. Trafficking victims were allowed to file cases against their traffickers in civil courts, and an NGO reported it assisted some victims in the prosecution of their traffickers. The Ministry of Social Affairs worked with local NGOs to reintegrate street children—some of whom may have been unidentified trafficking victims—and child soldiers into their communities and to reunify them with their families.

As part of the national Disarmament, Demobilization, and Reintegration plan, the government continued to collaborate with an international organization and NGO child protection partners to identify and remove child soldiers from the FARDC and other armed groups operating in eastern DRC. The FARDC reportedly increased efforts to screen for and prevent children attempting to join the military. Additionally, in late 2015, authorities identified and referred to NGO-run protection services six Burundian child soldiers who were transiting eastern DRC to fight for armed groups in Burundi. The government has

consistently allowed for the safe repatriation of foreign child soldiers in cooperation with an international organization. Despite these efforts, some trafficking victims, including child soldiers, continued to be subjected to detention for unlawful acts committed as a direct result of being subjected to human trafficking. An international organization identified 149 children in detention centers, who were detained for their alleged association with armed groups.

## PREVENTION

The government continued efforts to prevent the recruitment and use of children into armed groups, sexual exploitation, and forced labor in mining, but it did not make tangible efforts to prevent other forms of trafficking. During the reporting period, the government continued to implement a national action plan—supported by an international organization—to end the recruitment and use of child soldiers through the Joint Technical Working Group, comprising government ministries, NGOs, and international organizations. The working group met regularly throughout the reporting period, and it created three additional working groups in Bunia, Beni, and Lubumbashi provinces to prevent child recruitment and remove children from armed groups. In 2015, FARDC commanders signed a declaration to combat rape, including sexual slavery; the pledge required military leaders to take action against sexual violence committed by soldiers, and to ensure the prosecution of perpetrators and the protection of victims, witnesses, and judicial actors involved in addressing sexual violence.

Due in part to lack of capacity and security and political priorities, the government did not have an inter-ministerial anti-trafficking committee to address all forms of trafficking. The government did not initiate anti-trafficking public awareness campaigns during the reporting period. In 2015, it initiated a public awareness campaign against sexual violence, but it did not specifically address trafficking crimes. The government also began collecting data on reports of sexual and gender-based violence; however, it was unclear if any sex trafficking cases were identified through these efforts. The government did not make efforts to reduce the demand for commercial sex acts. The government took limited efforts to reduce the demand for forced labor in artisanal mining, but did not do so in other sectors. In 2015, the government worked in cooperation with an international organization to validate and certify approximately 81 artisanal mining sites in eastern DRC as conflict-free and child labor-free, bringing the total number of certified sites to 215. The Ministry of Labor, responsible for inspecting worksites for child labor, remained understaffed and had limited resources to conduct inspections of child labor violations, including trafficking violations, throughout the country. Furthermore, the government's committee to address child labor lacked funding and did not meet in 2015, nor did the government adopt a draft national action plan to combat the worst forms of child labor. During the reporting period, the government closed or suspended the operation of 49 private employment agencies for not complying with labor regulations. The government did not provide anti-trafficking training for FARDC members deployed abroad in peacekeeping operations; in January 2016, an international organization reported allegations that peacekeepers from the DRC committed sexual abuse crimes in Central African Republic, but it was unclear if any of these crimes amounted to sex trafficking. The government did not provide anti-trafficking training 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 DRC, Central African Republic (CAR), Cameroon, Benin, and Mali. Both adults and children are victims of sex trafficking in the Congo, with most between the ages of 9 and 11 and originating from the Congo and DRC and exploited in Brazzaville. Women and girls are also subjected to sex trafficking by Chinese and Malaysian construction workers building a national highway near Nkayi and Pointe-Noire. Most 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 in 2013, nationals of the Congo comprise 43 percent of traffickers, 28 percent of adult victims, and 14 percent of child victims in the Congo. Internal trafficking involves recruitment from rural areas for exploitation in cities, and the indigenous population is especially vulnerable to forced labor in the agricultural sector. Traffickers reportedly targeted vulnerable children from Oueme, a small and impoverished village in Benin.

The Government of the Republic of the Congo does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated four suspected traffickers during the reporting period, identified five trafficking victims, and provided some protective services. 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 for the second consecutive year. 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 any prosecutions of alleged traffickers in 2015 or convict any traffickers from cases that remained pending from up to five years ago. The government has never used existing laws that protect children and make trafficking illegal to secure a conviction. Serious allegations of official complicity persisted during the reporting period, and the government has yet to take action to further investigate such allegations. Harassment of anti-trafficking activists re-emerged as a concern. The lack of an inter-ministerial coordinating body continued to hinder countrywide progress to address internal trafficking and sex trafficking from DRC and other countries. The Republic of the Congo is not a party to the UN Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol.



### RECOMMENDATIONS FOR THE REPUBLIC OF THE CONGO:

Enact comprehensive anti-trafficking legislation that prohibits adult trafficking; greatly increase efforts to investigate and prosecute trafficking offenses and to convict and punish traffickers, 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, and train social workers and law enforcement officials on these procedures; provide adequate security and supervision for victims placed in foster families and anti-trafficking activists and partners; establish a national body that includes all relevant ministries to increase coordination of countrywide anti-trafficking efforts; bolster anti-trafficking law enforcement cooperation with other governments in the region, especially Benin and DRC; and accede to the UN 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 forced labor and commercial sexual exploitation of children, for which article 122 prescribes penalties of three months' to one year's imprisonment or fines between the equivalent of approximately \$110 and \$1,080. Article 4 of the country's labor code prohibits forced or compulsory labor, imposing fines of the equivalent of approximately \$1,300 to \$1,900. None of these penalties is 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, advanced past Supreme Court review and awaits review by the new cabinet before going to Parliament.

The government investigated four suspected traffickers during the reporting period; however, it did not prosecute or convict any traffickers. All four alleged traffickers appeared before the Directorate of the Department of Social Affairs (DDAS) Trafficking in Persons Coordinating Committee in Pointe-Noire. Authorities charged one in December 2015 with "threat

toward an individual” under article 305 of the criminal code for allegedly forcing a Beninese child into domestic servitude and placed her in detention, where she was held for four weeks before being released without further comment from the judge overseeing her detention. The government charged another with “child abduction” and held her in detention for 27 days before releasing her pending further investigation. The government neither charged nor detained two of the alleged traffickers, but the Trafficking in Persons Coordinating Committee made them pay for the victims’ repatriation and reinsertion in Benin. The government failed to report progress in its prosecutions of at least 23 offenders, some charged nearly five years ago, and has never used existing law that addresses trafficking to make a conviction. As serious crimes, trafficking cases should be heard at the high court; however, cases continued to languish due to a significant backlog from recent years. The Ministry of Labor did not report investigating any cases of forced child labor in 2015. Law enforcement personnel did not undergo any anti-trafficking training during the reporting period due to a lack of funding. Limited understanding of the child anti-trafficking law among law enforcement officials, judges, and labor inspectors continued to hinder the prosecution of trafficking.

Serious credible allegations of official complicity, reported consistently since 2011, continued in 2015. Allegations resurfaced that judges in Pointe-Noire accepted bribes to drop charges against detained traffickers. However, the government did not investigate, prosecute, or convict these or other officials allegedly complicit in human trafficking offenses. Human trafficking activists faced harassment and threats from traffickers and complicit government officials, including police. There was no evidence during the reporting period to support previous concerns alleging the Consulate of Benin and the leadership of the Trafficking in Persons Coordinating Committee in Pointe-Noire were complicit in re-trafficking of rescued victims. Members of the Trafficking in Persons Coordinating Committee strongly denied these allegations.

## PROTECTION

The government decreased protection services to trafficking victims. The government, in partnership with an NGO, identified 15 trafficking victims during the reporting period, ranging from ages 12 to 19, a decrease from 23 identified during the previous reporting year. The government reported it repatriated two children, returned another to her biological family, and had two others remain with a host family awaiting repatriation. The government relied on partnerships with NGOs and foster families to enable victims in Pointe-Noire to receive access to care; protective services through government-civil society partnerships remained non-existent elsewhere in the country, including the capital, Brazzaville. 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, weakened during the reporting period due to inconsistent government funding and a decrease in the number of foster families able to receive children, down from five to three. The government allocated approximately 1,000,000 Central African Francs (CFA) (\$1,670) to the Trafficking in Persons Coordinating Committee, a decrease from approximately 8,000,000 CFA (\$14,000) during the previous reporting period; however, the money was never disbursed during the year. As a result, the committee operated largely on private donations to provide assistance for victims. 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 having been subjected to trafficking; however, inadequate identification efforts may have left victims unidentified in the law enforcement system. Although officials interviewed victims after their rescue—encouraging them to assist 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 fourth 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, despite the identification of a Beninese trafficking victim during the reporting period.

## PREVENTION

The government continued limited efforts to prevent trafficking in 2015. The national police in Pointe-Noire began a mapping project in the greater Pointe-Noire area to identify potential trafficking networks. The Trafficking in Persons Coordinating Committee based in Pointe-Noire organized a day-long conference and undertook a door-to-door campaign to raise awareness among students and adults about the trafficking in persons phenomenon and to equip them with knowledge on how to identify victims within their community and refer them to authorities for help. However, the government’s implementation of the 2014-2017 action plan was slow, and funding was not directly allocated to the plan or the efforts of the Trafficking in Persons Coordinating Committee in general. The government did not establish a national coordinating body to guide its efforts. The government did not take measures to reduce the domestic and transnational demand for commercial sex acts or forced labor. 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. The government did not provide anti-trafficking training 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 coastal 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. Costa Rican victims of sex and labor trafficking were identified in The Bahamas and Guatemala during the reporting period. 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. Traffickers use psychological coercion—often exploiting stigma associated with prostitution—to compel victims to remain in prostitution. 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

and Asian countries are subjected to 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 subjected to forced labor or sex trafficking. Indigenous Panamanians are also reportedly vulnerable to forced labor in agriculture in Costa Rica. One government official is currently under investigation for suspected involvement in sex trafficking. During the year, a government official was investigated for using an official vehicle for unauthorized personal use; this official was visiting an establishment where, according to media reports, sex trafficking occurred.

The Government of Costa Rica does not fully meet 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, Costa Rica is placed on Tier 2 Watch List for the second consecutive year. The government provided data on its anti-trafficking efforts, but it was difficult to reconcile statistics because Costa Rican law includes a definition of human trafficking that is inconsistent with international law. Authorities prosecuted three suspects and convicted one trafficker under the trafficking law and convicted eight offenders for child sex trafficking or related crimes using other laws. The government identified three sex trafficking victims during the reporting period. Separately, the government acted on evidence to raid commercial establishments where sex trafficking was suspected; 934 individuals were interviewed as a result of those raids but no trafficking victims were identified. The government did not disburse any of the \$3.6 million in its National Anti-Trafficking in Persons and Smuggling of Migrants Fund (FONATT), though it institutionalized the FONATT and identified projects to receive funding in 2016. Despite an identified child sex tourism problem, the government did not prosecute or convict any child sex tourists or other individuals who purchased commercial sex acts from children, although the government did collaborate with international partners to restrict entry to registered sex offenders.



## RECOMMENDATIONS FOR COSTA RICA:

Amend legislation to define human trafficking consistent with international law; intensify efforts to proactively investigate and prosecute trafficking offenses, including labor trafficking and cases not involving movement, and convict and punish traffickers; provide specialized shelter services for trafficking victims, including child sex trafficking victims, in partnership with civil society organizations and allocate government resources, such as from the FONATT, to fund them; reform victim identification procedures, with an emphasis on identifying forms of psychological coercion during interviews with potential trafficking victims, and ensure proper referral to services—even for victims whose cases do not meet the legal threshold to pursue a prosecution under Costa Rica's trafficking law; increase efforts to investigate, prosecute, and convict child sex tourists and others who purchase commercial sex acts from child trafficking victims; 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 punish complicit officials; increase anti-trafficking training for police, prosecutors, and judges; and improve data collection for law enforcement and victim protection efforts.

## PROSECUTION

The government demonstrated limited efforts to prosecute and convict traffickers, although it did provide more data on its law enforcement efforts than in previous years. The 2012 anti-trafficking law, Law 9095, prescribes penalties of four to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with other serious crimes. The definition of trafficking in the law is inconsistent with international law in that it requires displacement of the victim and also penalizes crimes such as illegal adoption, sale of organs, moving persons for the purpose of prostitution, and labor exploitation that does not amount to forced labor.

The government collected and shared data on its law enforcement efforts to combat trafficking and related criminal activity. Significant improvements to data collection were made compared to the previous reporting period. The attorney general's office reported investigating 31 new cases of movement-based trafficking, prosecuted three defendants under its anti-trafficking law, and convicted one trafficker. In addition, the government obtained eight convictions for child sex trafficking and related crimes using other laws. In 2014, the government prosecuted three defendants and convicted none under its anti-trafficking law. Prosecutors continued to appeal three acquittals from 2014 in a case of suspected labor trafficking involving Asian fishermen on boats in Costa Rican waters. Officials often prioritized investigating migrant smuggling over human trafficking cases with the belief that doing so reduces instances of smuggling and vulnerability to trafficking. The government provided anti-trafficking training to law enforcement officials, other public employees, and civil society members. The government reported completion of initial evidence collection in the investigation of a mayor suspected of sex trafficking that was opened in 2011; the case is now awaiting a possible court date. It did not prosecute or convict any government employees complicit in human trafficking or trafficking-related offenses.

## PROTECTION

The government made modest victim protection efforts. It identified three sex trafficking victims, though some NGO sources report the actual number of victims is higher. It did not make progress in ensuring identified victims received specialized services. The government did not collect comprehensive statistics on victims identified and assisted, and the data provided from different agencies could not be fully reconciled. Authorities had written procedures for identifying victims among vulnerable groups, such as migrants and individuals in prostitution, but these were not effective in identifying victims. The government's interagency anti-trafficking body, the National Coalition against Migrant Smuggling and Trafficking in Persons (CONATT), reported identifying one Costa Rican and two Nicaraguan victims of sex trafficking through unspecified means. In comparison, the government identified 23 victims—13 of sex trafficking and ten of labor trafficking—in 2014. The government conducted 25 targeted



raids of sites where sex trafficking was suspected and interviewed 934 potential victims (931 women and 3 men), but did not identify any trafficking victims among them, despite media reports that some were unpaid, deceived about the type of employment and working conditions, or compelled to remain in prostitution through threats of violence and other forms of psychological coercion. This suggests shortcomings in the methodology or implementation of the interviews. Some of these individuals may have been identified as victims of other crimes and referred to protective services.

The government updated its protocol for officials on the immediate response team responsible for certifying victims and coordinating among various agencies and NGOs to provide victim services, which could include food, lodging, and health, financial, and psychological support. The government did not report how many trafficking victims the team certified in 2015. Authorities had the discretion to refer victims to services on a case-by-case basis; not all victims received the same level of protection. Civil society organizations reported referral mechanisms were not always implemented in an effective or timely manner. The government did not allocate any of the approximately \$3.6 million in its FONATT to victim services. The government reported various agencies allocated approximately 4.4 million colones (\$8,300) to victim protection in 2015, including approximately 2.9 million colones (\$5,500) in financial support for seven victims, two of whom were identified in previous years. Remaining services were funded and provided by NGOs. In 2015, the government wrote and adopted guidelines for the medical treatment of trafficking victims. The office of care and protection for victims of a crime reported providing unspecified assistance to six sex trafficking victims and four labor trafficking victims—all adults from Nicaragua, Costa Rica, Venezuela, Panama, the Dominican Republic, and Nepal—in 2015. The National Women's Institute reported providing unspecified assistance to two Costa Rican victims—one exploited in sex trafficking and one in forced labor. The government repatriated one Costa Rican sex trafficking victim from The Bahamas, but did not report whether it provided any additional assistance; Costa Rican consular officials in Guatemala assisted one victim of labor trafficking, but the victim did not return to Costa Rica and the government did not report providing any services. The government did not report whether it assisted or referred to NGOs any child victims. The government neither provided nor funded specialized shelters for trafficking victims. There were no shelters available to male victims. However, government authorities referred trafficking victims to relevant agencies and NGOs for non-specialized shelter services, based on gender and age. Additionally, the victims' assistance agency had resources to pay for safe houses on a case-by-case basis. The government did not collect identification or protection statistics on victims subjected to sex or labor trafficking that did not involve movement. Police and NGOs noted victim services were virtually nonexistent outside of the capital.

The government reported granting temporary residency status, with permission to work or study, to foreign victims, but did not report how many received this benefit in 2015. The government did not penalize identified victims for unlawful acts committed as a direct result of being subjected to human trafficking; however, ineffective screening of vulnerable populations for indicators of trafficking may have led to some victims being penalized.

## PREVENTION

The government sustained prevention efforts. CONATT

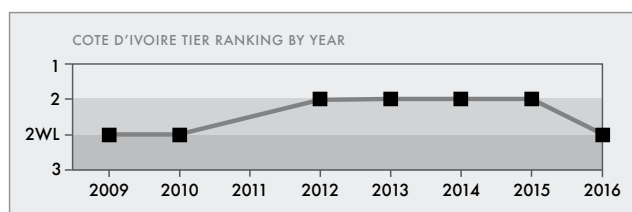
continued to meet quarterly and coordinate the government's anti-trafficking activities. In 2015, the government allocated \$1.7 million from the FONATT to 10 projects aimed at public awareness activities or supplementing the budget of existing enforcement authorities. Authorities distributed brochures and posters and held public events to warn about the dangers of trafficking. The government did not report punishment of any labor recruiters for illegal practices that contribute to trafficking. A quasi-governmental agency continued conducting trainings on combating child sex tourism for members of the tourism industry. The government did not extradite, prosecute, or convict any child sex tourists or other individuals for purchasing commercial sex acts from child trafficking victims in 2015. The government reported no updates on 32 such investigations from the previous year. The government and NGOs provided anti-trafficking training to 25 diplomatic personnel. The government made efforts to reduce the demand for commercial sex acts but did not report efforts to reduce the demand for forced labor. Working in collaboration with international partners, the government reported denying entry to 53 foreign registered sex offenders attempting to travel to Costa Rica as tourists.

## COTE D'IVOIRE: Tier 2 Watch List

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 identified victims are children. Due to a stronger emphasis on monitoring and combating child trafficking within the country, the prevalence of adult trafficking may be underreported. Ivoirian women and girls are primarily subjected to forced labor in domestic service and restaurants in Cote d'Ivoire but are also exploited in sex trafficking. Ivoirian boys subjected to forced labor within the country in the agricultural and service industries, especially cocoa production. Boys from other West African countries, including Benin, Burkina Faso, Ghana, Mali, and Togo, are found in Cote d'Ivoire in forced labor in agriculture (on cocoa, coffee, pineapple, and rubber plantations), and in the mining sector, carpentry, and construction. Some girls recruited from Benin, Ghana, and Togo for work as domestic servants and street vendors are subjected to forced labor. Some women and girls recruited from Ghana and Nigeria as waitresses are subjected to sex trafficking. During the reporting period local individuals, possibly working in concert with others abroad, recruited Ivoirian women and girls for work in Saudi Arabia but subjected them to domestic servitude upon arrival; other Ivoirian females were discovered in Burkina Faso, allegedly en route to such exploitation in Saudi Arabia. Authorities also identified Ivoirian trafficking victims in Cyprus. In previous years, Ivoirian women and girls have been subjected to domestic servitude in France and sex trafficking in Morocco. Officials note illegal Ivoirian migrants in Algeria are vulnerable to trafficking due to their irregular and illegal status. International organizations report primarily Ivoirian traffickers fraudulently recruit Ivoirian nationals for work abroad. A lack of comprehensive data on trafficking in Cote d'Ivoire renders the full scope of the problem unknown.

The Government of Cote d'Ivoire does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. With NGO support, the government conducted a raid of agricultural facilities and

market vendors resulting in the rescue of 48 children from child labor—some of whom were victims of forced child labor—and 22 arrests, including 11 individuals on human trafficking charges. It prosecuted, convicted, and sentenced one trafficker with a sufficiently stringent prison sentence and finalized but did not adopt an anti-trafficking national action plan. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Cote d'Ivoire is placed on Tier 2 Watch List. The government reported significantly fewer prosecutions and convictions for trafficking offenses than the previous reporting period and did not provide anti-trafficking training for law enforcement. It continued to rely almost entirely on NGOs to provide shelter and services for victims and did not have a formal mechanism to identify or refer victims to NGO care. Draft legislation to define and criminalize trafficking of adults and children remained pending ratification for the second year.



## RECOMMENDATIONS FOR COTE D'IVOIRE:

Reinvigorate efforts to investigate, prosecute, and convict traffickers, including of adult sex and labor trafficking, and apply sufficiently stringent penalties; enact legislation to prohibit all forms of adult trafficking, and use this and existing legislation to prosecute traffickers, including those who exploit adults in forced prostitution or forced labor; amend the established procedures to identify potential trafficking victims, to include adults and victims among vulnerable populations such as those working in cocoa, domestic servitude, and as street vendors; establish a formal victim referral mechanism for victim services, and train law enforcement and front-line responders on such protocols; increase the availability of trafficking-specific services, especially for adult victims and victims outside the capital, by allocating funding for NGOs or establishing government-run shelters; allocate more staff to the anti-trafficking police unit responsible for investigating trafficking offenses, and increase funding and resources so the unit may operate outside Abidjan; clearly delineate responsibilities among stakeholders for activities outlined in the 2016-2020 anti-trafficking action plan, and enhance interagency communication to effectively implement the plan; train child labor hotline operators on the procedures for referring reports of trafficking to regional authorities; actively monitor agencies and middlemen that recruit Ivoirians for work abroad, and investigate agencies if allegations of fraudulent recruitment arise; improve efforts to collect data on anti-trafficking actions, including cases of adult trafficking prosecuted under separate statutes in the penal code and victim protection efforts; and increase efforts to collect information on the scope of trafficking in Cote d'Ivoire and among Ivoirian nationals abroad.

## PROSECUTION

The government reported inadequate 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, prohibits compelling children into or offering

them for prostitution and prescribes penalties of five to 20 years' imprisonment and a fine ranging from 500,000 to 50,000,000 West African CFA francs (FCFA) (\$829 to \$82,900); these penalties are sufficiently stringent but not commensurate with penalties prescribed for other serious crimes, such as rape. Articles 335 and 336 prohibit pimping and exploitation of adults and children in prostitution by means of force, violence, or abuse. The penalties for subjecting a child to forced labor or situations akin to bondage or slavery are 10 to 20 years' imprisonment and a fine, punishments that are sufficiently stringent. Penal code article 378 prohibits the forced labor of adults and children, prescribing sufficiently stringent penalties of one to five years' imprisonment and a fine of 360,000 to 1,000,000 FCFA (\$597 to \$1,660). Article 376 criminalizes entering into contracts that deny freedom to a third person, prescribing punishments of five to 10 years' imprisonment and a fine of 500,000 to 5,000,000 FCFA (\$829 to \$8,290). In November 2014, the Ministry of Solidarity began drafting legislation that defines and prescribes penalties for both child and adult trafficking, but the law was not adopted or enacted during the reporting period.

The national police's 11-person anti-trafficking unit, located in Abidjan and a few regional precincts, bore primary responsibility for enforcing anti-trafficking laws throughout the country. The government allocated 3,600,000 FCFA (\$7,000) to the unit in 2014, but the government did not report how much funding the unit received in 2015. The Office of the First Lady dedicated material support, including computers and vehicles, but funding and resources remained inadequate, which hampered the unit's ability to investigate trafficking offenses, especially in areas outside Abidjan. The unit liaised with regional police on child trafficking investigations. The government did not report comprehensive data on anti-trafficking law enforcement efforts. In data collected from 13 of the country's 31 regions, the government reported investigating 27 alleged traffickers and prosecuting, convicting, and sentencing one trafficker to 10 years' imprisonment, a significant decrease from 25 prosecutions and 17 convictions reported in 2014. The government investigated 22 individuals for labor trafficking, three for kidnapping for the purpose of exploitation, one for sex trafficking, and one in which the type of exploitation was unknown; one investigation led to a conviction, five were dismissed for insufficient cause, 18 were ongoing at the end of the reporting period, and the status of three investigations was unknown. With NGO assistance, law enforcement units conducted raids of agricultural establishments and market vendors that led to the arrest of 22 individuals from Burkina Faso, Cote d'Ivoire, Mali, and Benin; 11 were arrested for trafficking, while the others were charged with exploitation of minors. Of the 22 arrested, authorities formally charged and imprisoned 12, who were awaiting trial; charged and freed six on provisional release pending further investigation; and released four for insufficient cause. Police reported four cases of child sex trafficking during the reporting period but launched only one investigation and did not refer the alleged trafficker for prosecution. Police reported two alleged cases of forced begging, but law enforcement did not investigate any suspects in connection with the cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, NGOs and media reports indicate corruption among police and *gendarmes* may have facilitated trafficking in 2015.

## PROTECTION

The government demonstrated inadequate efforts to identify and protect victims. It did not compile or report victim

identification data; therefore, the precise number of victims identified is unknown. The government did not have a formal mechanism to identify or refer victims to the care of local NGOs. The government did not operate any formal care centers exclusively for trafficking victims and relied almost entirely on NGOs and international partners to provide victim care. During the reporting period, Burkinabe officials identified 17 Ivoirian females in Burkina Faso allegedly destined for domestic servitude in Saudi Arabia. The Ivoirian government provided logistical coordination to the Burkinabe government to assist with repatriation efforts, and NGOs provided psycho-social services to the victims upon return. Four Ivoirian girl trafficking victims were identified in Saudi Arabia and returned to their families in Cote d'Ivoire. It is unclear who identified the victims, what type of trafficking they endured, and to what degree the Ivoirian government or NGOs assisted with repatriation or provided victim services upon return. In conjunction with international partners and an NGO, Ivoirian law enforcement conducted a raid of agricultural and market establishments and removed 48 children from situations of exploitation, 11 of whom were victims of forced child labor. Law enforcement and the NGO referred the victims to an NGO for shelter, medical attention, and psycho-social services, as well as repatriation assistance for the foreign trafficking victims among the group.

While the police anti-trafficking unit provided training to *gendarmes* on general child victim protection, neither the unit nor the government provided anti-trafficking training during the reporting period. International organizations reported government ministries responsible for administering victim services lacked coordination, which hindered the provision of such services. The government had no formal policy to encourage victims to participate in investigations against their traffickers and lacked a mechanism to assist victims in obtaining restitution from the government or their traffickers through civil suits. Although foreign victims reportedly had the same access to care, in practice the government generally referred foreign victims to their respective embassies for repatriation rather than providing shelter or services. There were no reports 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 may have resulted in some adult victims remaining unidentified in the law enforcement system, and some may have been deported.

## PREVENTION

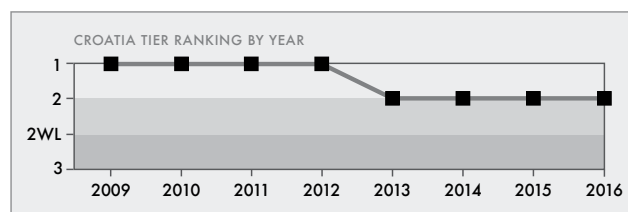
The government sustained modest efforts to prevent trafficking. The National Monitoring Committee (CNS) and the Inter-Ministerial Committee, established in 2011, continued to serve as the national coordinating bodies on child trafficking issues. The CNS continued a nationwide awareness campaign that included billboards to warn the public about potential situations of exploitation and trafficking, as well as the penalties for exploiting women and children in activities such as sex trafficking. The government, with guidance from an international organization and funding from international donors, drafted a 2016-2020 action plan to address adult and child trafficking; the plan was not yet adopted at the end of the reporting period. The government committed to devoting 1.94 billion FCFA (\$3,212,000) over the next five years to implement the plan. It had not yet determined which elements of the plan these funds will support. Technical partners will fund the remaining three-quarters of the plan's budget. The government continued to fund a child labor hotline that received reports of child trafficking; however, it was reported that hotline operators did

not consistently refer reports of trafficking to the proper regional law enforcement authorities. In July 2015, the government enacted a new labor code that raised the minimum working age from 14 to 16 years of age. Labor inspectors conducted 596 inspections of formal workplaces and did not report any child labor violations or remove any children from exploitative workplaces during the reporting period. The government did not demonstrate efforts to address the demand for commercial sex or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

## 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, are exploited in sex trafficking within the country and elsewhere in Europe. Traffickers target Croatian girls in state institutions and subject them to sex trafficking. Economically marginalized Romani children from Croatia are at particular risk of forced begging in Croatia and throughout Europe. In previous years, Croatian, Bosnian, and Romanian women and men have been subjected to forced labor in the Croatian agricultural sector. Women and girls from the Balkans and Central Europe are subjected to sex trafficking in Croatia. Unaccompanied foreign children, who arrived in Croatia as part of the large migration flow through the Balkan Peninsula, may be vulnerable to trafficking.

The Government of Croatia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased its funding for two NGO-run shelters and identified a similar number of trafficking victims compared with 2014; however, in contrast to previous reporting periods, no victims of forced labor were identified. While the government maintained its overall law enforcement efforts, these remained inadequate, with light sentencing and a large proportion of acquittals upon appeal. 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; further strengthen efforts to proactively identify victims, particularly girls induced into prostitution and those subjected to forced labor; 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, including through



larger grants to NGOs; 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 other serious crimes, such as rape. During 2015, the government investigated seven trafficking suspects, a continued decrease from 15 suspects investigated in 2014 and 39 in 2013, and initiated prosecutions of four defendants, compared with five in 2014. Eight traffickers were convicted in 2015, compared with five in 2014. Two labor traffickers received final convictions; one received a one-year suspended sentence of community service, and the other was sentenced to two years' imprisonment. Six sex traffickers received appealable verdicts. During the reporting period, convictions against an additional 12 defendants from a previous reporting period were appealed and the defendants were acquitted. Experts reported that some Croatian judges lacked an understanding of 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. Authorities continued to deliver trafficking-specific training to police, border, and traffic officers through both the Police Academy and local police headquarters. 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 overall sufficient victim protection efforts, although experts remained concerned that victim identification efforts were inadequate. During 2015, police and NGOs identified 38 victims of trafficking, compared with 37 victims identified in 2014. Similar to 2014, approximately 90 percent of the identified victims were Croatian; however, all victims identified in 2015 were female victims of sex trafficking, in contrast to 20 percent of victims being male and six cases of labor trafficking in 2014. In 2015, four of the 38 identified victims were minors. Croatian law enforcement and social service personnel 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. Observers reported the procedures functioned well in practice, but first responders needed to do a better job of identifying victims, particularly in brothels and for potential forced labor in the agriculture, construction, and tourism sectors. When the referral system was activated, a mobile team consisting of a social worker, a victim specialist from the Croatian Red Cross, and usually two NGO representatives, was sent to coordinate victim care and placement. In response to the large number of migrants and refugees who transited Croatia en route to other European countries as part of the migration flow through the Balkan Peninsula, the government interviewed and registered all migrants and refugees and, in partnership with international organizations and NGOs, provided required care and assistance to those who needed it. Police, in partnership with an international organization, worked to identify and

address vulnerable populations' risk to exploitation, especially unaccompanied minors; however, migrants frequently departed Croatia within hours of arriving, which limited the government's ability to identify vulnerable people.

Croatian law entitles trafficking victims to safe accommodation and medical, psychological, and legal aid. A specially designated social worker in each county was responsible for providing initial care and coordinating further assistance for trafficking victims. Assistance was offered to all 38 victims identified in 2015, of which one accepted. Two victims, one of whom was identified in a previous reporting period, were accommodated in shelters during 2015. In comparison, 11 out of the 37 victims identified in 2014 accepted government assistance, of which five were accommodated in shelters. The government provided 446,541 kuna (\$65,500) to two NGO-run trafficking shelters in 2015, slightly more than it provided for shelter care in 2014. One shelter was for adults, and the other was for minors. Adult victims were allowed to leave shelters without chaperones after completing a risk assessment. Victims are entitled to seek financial compensation from the state, in addition to traffickers, but the government had not disbursed any payments by the end of the reporting period. 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. Written instructions issued by the state attorney mandated victims to not be prosecuted for crimes committed as a result of being subjected to trafficking.

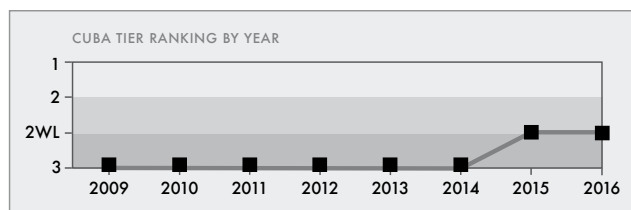
## PREVENTION

The government continued robust 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 plan. The labor inspectorate is not included in the national committee or the operational team, despite its potential role in detecting victims of human trafficking. The Office for Human Rights and Rights of the National Minorities, which serves as the national committee's secretariat, established a working group for drafting a new national action plan. The human rights office spent 195,750 kuna (\$28,700), a slight decrease from 2014, on awareness-raising projects implemented by NGOs, professional training, and an emergency hotline. The government systematically monitored its anti-trafficking efforts and posted information on ministries' websites. The interior ministry implemented a program in cooperation with NGOs, local communities, and the private sector to prevent trafficking of women and children; the program targeted outreach to students and those in the service sector who may come into contact with a victim. 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 around the country with high school and primary school students. The human rights office continued a campaign sensitizing the public, including potential customers, to the reality that persons engaged in prostitution may be trafficking victims. The government did not make efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic personnel.

## CUBA: Tier 2 Watch List

Cuba is a source and destination country for adults and children subjected to sex trafficking and forced labor. 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 the country. Traffickers also subject Cuban citizens to sex trafficking and forced labor in South America and the Caribbean. The government indirectly acknowledged the presence of foreign national trafficking victims in Cuba. The government is the primary employer in the Cuban economy, including in foreign medical missions that employ more than 84,000 workers and constitute a significant source of Cuban government revenue. Some participants in foreign medical missions and other sources allege Cuban officials force or coerce participation in the program; however, the Cuban government and some participants say the program is voluntary and well paid compared to jobs within Cuba. The government uses some high school students in rural areas to harvest crops and does not pay them for their work but claims this work is not coerced.

The Government of Cuba does not fully meet 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 Cuba is placed on Tier 2 Watch List for the second consecutive year. The government reported continued efforts to address sex trafficking, including the prosecution and conviction of 18 sex traffickers in 2014 (the most recent available data) and the provision of services to 13 victims in those cases. The government publicly released a written report on its anti-trafficking efforts in October 2015. Multiple ministries engaged in anti-trafficking efforts, including the Ministries of Justice, Information Science and Communication, Interior, Foreign Affairs, Education, Tourism, Labor and Social Security, Culture and Health, and the attorney general's office. The penal code does not criminalize all forms of human trafficking, although the government reported its submission of some trafficking-related penal code amendments to the National Assembly for review during the reporting period. The Cuban government was more transparent in providing details of anti-trafficking efforts and the government's overseas medical missions program. However, the government did not prohibit forced labor, report efforts to prevent forced labor, or recognize forced labor as a possible issue affecting its nationals in medical missions abroad. The government provided funding for child protection centers and guidance centers for women and families, which serve all crime victims, including trafficking victims. These centers had the ability to screen cases, make referrals to law enforcement, assist with arranging cooperation with law enforcement up to prosecution, and provide victim services.



### RECOMMENDATIONS FOR CUBA:

Draft and enact a comprehensive anti-trafficking law that prohibits and sufficiently punishes all forms of human

trafficking, including forced labor, sex trafficking of children ages 16 and 17, and the full range of trafficking "acts" (recruiting, transporting, transferring, harboring, or receiving persons); vigorously investigate and prosecute both sex trafficking and forced labor offenses; provide specialized training for managers in state-owned or controlled enterprises in identifying and protecting victims of forced labor; implement policies to prohibit force, fraud, or coercion in recruiting and retaining employees 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; draft and adopt a comprehensive written national anti-trafficking action plan and dedicate resources to implement it in partnership with international organizations; 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; 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; and schedule a visit and cooperate with the UN special rapporteur on trafficking in persons.

### 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, in particular forced labor and sex trafficking of children ages 16 and 17. The government did not report any labor trafficking investigations, prosecutions, or convictions. In January 2016, the government reported it was in the process of amending the code, including submitting amendments to the National Assembly to raise the age of consent; it is unclear whether the government will make additional amendments to improve the legal framework to address trafficking. Cuba prohibits some forms of trafficking through several penal code provisions, including: article 302 (procuring and trafficking in persons); article 310.1 (corruption of minors younger than 16 for sexual purposes); article 312.1 (corruption of minors younger than 16 for begging); and article 316.1 (sale and trafficking of a child younger than 16). The penal code's definition of sex trafficking conflates sex trafficking with prostitution and pimping. The law criminalizes inducement to or benefiting from prostitution, but treats force, coercion, and abuse of power or vulnerability as aggravating factors rather than an integral part of the crime. Legal provisions addressing "corruption of minors" criminalize many forms of child sex trafficking but define a child as an individual younger than 16 years of age; below the age set in international trafficking law, which is 18 years of age. Forced prostitution is illegal irrespective of the victim's age, and the government has reportedly prosecuted individuals benefiting from child sex trafficking. Provisions for adult and child sex trafficking do not explicitly criminalize the acts of recruitment, transport, and receipt of persons for these purposes. In December 2013, the government 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. Labor code article 116 prohibits entities from directly establishing labor relations with adolescents younger than age 17, even if adolescents may be authorized to join the work force.

In 2015, the government publicly presented official data on

prosecutions and convictions of sex traffickers during calendar year 2014, the most recent data available. Authorities reported 13 prosecutions and 18 convictions of sex traffickers, compared with 13 prosecutions and convictions in 2013. At least nine convictions in 2014 involved suspects accused of subjecting children to trafficking within Cuba, including the facilitation of child sex tourism in Cuba. The average sentence was seven years' imprisonment. The government also identified a group of Cubans abroad recruiting and transporting women with false promises of employment and fraudulent work contracts in order to subject the victims to debt bondage and forced prostitution. The government has not sought extradition in this case, and therefore no prosecutions or convictions of suspected traffickers in Cuba have resulted. 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 arranges for high school students in rural areas to harvest crops and allegedly forces or coerces participation in medical missions, but it denies such claims. 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, but did not make efforts to identify or protect victims of forced labor. Authorities identified 11 child sex trafficking victims and four adult sex trafficking victims in 2014; 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 15 identified victims was unavailable. Other government-organized NGOs, like the Federation of Cuban Women (FMC), the Prevention and Social Assistance Commission, and the Committees for the Defense of the Revolution contributed by identifying victims of trafficking to state authorities and providing victim services. Independent members of civil society expressed concern about the government's anti-trafficking efforts and limited information on the scope of sex trafficking and forced labor in Cuba given sparse independent monitoring by NGOs and international organizations. The government reportedly developed procedures to proactively identify sex trafficking victims, whereby first responders work with social workers to identify potential cases and refer them to law enforcement.

The government did not report having procedures to proactively identify victims of forced labor. Some participants in foreign medical missions and other sources allege Cuban officials force or coerce participation in the program; however, the government and other participants have stated the postings are voluntary. In support of their applications to receive immigration benefits from the United States, some Cubans working in missions abroad have stated Cuban authorities withheld their passports and restricted their movements. At the same time, some participants who left medical missions abroad have been able to obtain new passports from their embassies in neighboring countries. There have also been reports that Cuban authorities coerced participants to remain in the program by allegedly threatening to revoke their medical licenses or retaliate against their family members if participants leave the program. Reports of substandard working and living conditions and the presence of "minders" to monitor medical professionals outside of work also continued. Last year, Cuba reinstituted restrictions on travel for specialized doctors and some medical

personnel, requiring them to obtain an exit permit from their superiors before leaving the island. On September 9, 2015, the government agreed to reinstitute medical personnel that left their positions while abroad. As of April 1, 2016, the Cuban authorities claimed that 274 medical professionals returned to Cuba and were rehired at the same salary and level of responsibility.

The FMC 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. The government reportedly developed a referral process to transfer trafficking victims to law enforcement custody, secure evidence for prosecutions, and provide victim services and follow-on care. Neither the government nor the government-organized NGOs operated shelters or provided services specifically for male trafficking victims. Police encouraged child sex trafficking victims younger than age 16 to assist in prosecutions of traffickers by gathering children's testimony through psychologist-led videotaped interviewing, usually removing the need for children to appear in court. 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. The government indirectly acknowledged the existence of some foreign trafficking victims in Cuba.

## PREVENTION

The government sustained prevention efforts to combat sex trafficking; however, authorities did not make efforts to prevent or address the demand for forced labor. The attorney general's office continued to operate a 24-hour telephone line for individuals needing legal assistance, including sex trafficking victims, and received calls related to potential trafficking cases in 2015 that led to investigations. State media continued to produce 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. The Cuban government cooperated with foreign law enforcement in investigating foreign citizens suspected of sexual crimes against children, including child sex trafficking. Under Cuban law, authorities may deny entry to suspected sex tourists and expel known sex offenders, but reported no related convictions in 2014. The government did not report whether it provided anti-trafficking training for its diplomatic personnel. The government publicly released a written report on its anti-trafficking efforts in October 2015. In March 2015, authorities invited the UN special rapporteur on trafficking in persons to visit, but the visit had not been scheduled by the end of the reporting period. The government did not report specialized training for labor inspectors to screen for indicators of potential forced labor.

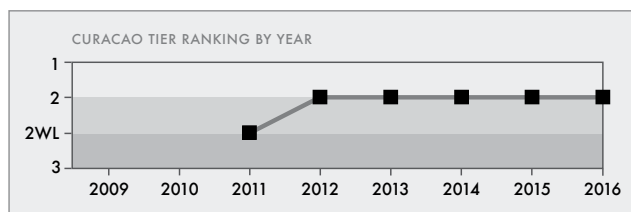
## CURAÇAO: Tier 2

Curacao is a source and destination country for women, children, and men subjected to sex trafficking and forced labor. Vulnerable populations include: women and girls in the unregulated commercial sex industry; foreign women from South America and other Caribbean countries in the regulated



commercial sex industry; and migrant workers, including from other Caribbean countries, South America, India, and China in the dry dock, construction, landscaping, minimarket, retail, and restaurant industries. Some media accounts indicate an increase in the number of Venezuelan women who work illegally at roadside bars (“snacks”) in Curacao. These women, who may also be engaged in prostitution, are vulnerable to human trafficking.

The Government of Curacao does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2015, the government conducted eight video conferences with anti-trafficking taskforce coordinators of autonomous countries within the Kingdom of the Netherlands. The interagency taskforce continued to coordinate national anti-trafficking efforts during the year, and the minister of justice issued a public statement about the dangers of human trafficking. The government did not prosecute or convict suspected traffickers or identify victims in 2015. Authorities did not designate a separate budget for the national taskforce, enact standard operating procedures on victim identification, or take steps to address sex trafficking within the unregulated commercial sex industry.



## RECOMMENDATIONS FOR CURAÇAO:

Increase efforts to identify and assist potential victims of sex trafficking and forced labor; finalize formal victim identification, referral, and protection measures to guide officials, including health workers, on assisting victims of forced labor and sex trafficking; vigorously prosecute trafficking offenses and convict and punish traffickers; complete and implement the new national anti-trafficking action plan; provide targeted training and resources to local officials to conduct outreach in migrant communities and identify potential labor trafficking victims; raise awareness among migrant workers about their rights, trafficking indicators, and available resources; and continue to implement multilingual public awareness campaigns directed at vulnerable groups, the general public, and potential buyers of commercial sex acts.

## PROSECUTION

The government did not report any new investigations, prosecutions, or convictions for trafficking offenses, a decrease from its prosecution and conviction of three traffickers during the previous reporting period. The government 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 any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The national coordinator conducted extensive trainings for first responders, including law enforcement officials, prosecutors, and immigration officers on recognizing the signs of human trafficking.

## PROTECTION

The government made limited efforts to identify and assist trafficking victims, but appointed new staff to assist in victim identification and support. It did not identify or assist any victims in 2015, a decrease compared with seven identified in 2014 and six in 2013. During the reporting period, the national taskforce drafted but did not finalize standard operating procedures on victim identification for all front-line responders. In addition, the role of each relevant agency in trafficking cases, currently defined by their specific missions, was under review by the taskforce, which was re-evaluating and redesigning specific guidelines related to how the taskforce operates. In the interim, it continued to have verbal agreements to coordinate ad hoc victim referral among community-based organizations and government departments. While the government did not operate any specialized shelters for trafficking victims, it could host victims in a domestic violence shelter, which restricted victims' movements if their safety was at risk. The government's victim assistance bureau partnered with an NGO to provide victims with wide-ranging and comprehensive care and assistance, which included legal assistance, shelter, food, clothing, medical care, and counseling among other services. Government health officials who provided medical services to women in a brothel also provided anti-trafficking awareness materials to educate this vulnerable population about their rights, indicators of human trafficking, and resources for assistance.

In 2015, the public prosecutor's office appointed a social worker trained to identify trafficking victims and assist all victims of crime, including trafficking victims, through the penal process. The government has a policy to protect victims from being punished for crimes committed as a direct result of being subjected to human trafficking. Trafficking victims could seek restitution from the government and file civil suits against traffickers; however none did so in 2015. 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 and could grant temporary residency status on a case-by-case basis; it did not report granting such relief in 2015.

## PREVENTION

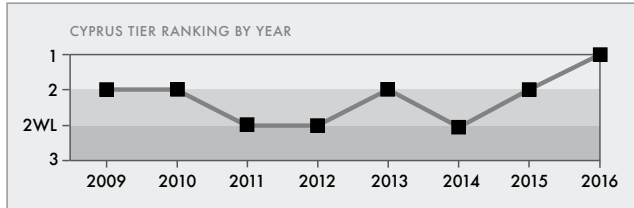
The government increased efforts to prevent trafficking. The interagency taskforce continued to coordinate national anti-trafficking efforts during the year and implement the Administrative Report on Trafficking in Persons, its existing anti-trafficking action plan; it also began to draft a revised version for 2016-2017. On International Human Trafficking Day, the minister of justice issued a public statement to raise awareness about the dangers of human trafficking. In addition, the government conducted eight video conferences with anti-trafficking taskforce coordinators of autonomous countries within the Kingdom of The Netherlands to share information and best practices. In June 2015, in coordination with INTERPOL, officials conducted a workshop on human trafficking for government personnel, with a focus on the vulnerabilities to trafficking faced by Colombians. The national coordinator participated in several radio and television programs to raise public awareness on human trafficking, and the government launched a public awareness video on national television during the carnival period, a period of increased tourism to Curacao. There were no known reports of child sex tourism occurring in Curacao. The government did not report efforts specifically targeting the demand for forced labor, nor did it have a campaign aimed at reducing the demand for commercial sex acts purchased from sex trafficking victims.

To prevent potential labor exploitation, officials ended an accelerated process for issuing work permits to ensure full review of each application. The Ministries of Justice and of Social Development, Labor, and Welfare began joint issuance of work and residence permits, and the Ministry of Labor began implementation of a policy allowing foreign migrant laborers to request residence permits independent of their employers to ensure employees had better knowledge of their work contracts. The Ministry of Social Development, Labor, and Welfare added 24 new labor inspectors in order to increase screening for human trafficking, tripling the number to 34. The government provided anti-trafficking training for its diplomatic personnel.

## CYPRUS: Tier 1

Cyprus is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Victims identified in Cyprus in 2015 were primarily from India, Bangladesh, Bulgaria, Romania, Philippines, Cameroon, Cote d'Ivoire, Slovakia, and Czech Republic. Sex trafficking victims from Paraguay were identified for the first time in 2015. 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 outlets in Cyprus including bars, pubs, coffee shops, and cabarets. Some female sex trafficking victims are recruited with false promises of marriage or work as barmaids or hostesses. Foreign migrant workers—primarily from South and Southeast Asia—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, Roma, and asylum-seekers are especially vulnerable to sex trafficking and forced labor. Romani children are vulnerable to forced begging.

The Government of Cyprus fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government convicted 31 traffickers, a significant increase from nine in 2014. The government approved a national referral mechanism outlining procedures for victim identification and referral to government services. It increased the number of police in the anti-trafficking unit from eight to 12 and expanded the unit's authority to make it the lead for all potential trafficking investigations throughout the country. Delays in delivering financial support to victims, a concern in the previous reporting period, were significantly reduced and trafficking victims were prioritized over less vulnerable beneficiaries. Authorities did not investigate potential trafficking cases among domestic workers or individuals in agriculture, as these cases were typically seen as labor disputes. Concerns were raised during the reporting period that some officers within the police anti-trafficking unit conducted insensitive interviews that may have re-traumatized victims. Observers also reported interpreters used in the interview process did not have sufficient knowledge of foreign languages, which may have affected victims' testimonies.



### RECOMMENDATIONS FOR CYPRUS:

Increase efforts to investigate potential labor trafficking cases among domestic workers and individuals in agriculture; fund specialized training for the police anti-trafficking unit, including best practices for interviewing trafficking victims; ensure professional translation services are available during victim interviews; increase efforts to raise awareness of trafficking and victim identification among police and migration authorities and provide training on victim identification, particularly for forced labor; launch a study of visa regimes for students, domestic and agricultural workers, and other categories to identify potential misuse by traffickers; further train judges and prosecutors to ensure robust application of the anti-trafficking law; seek timely restitution and adequate support services for victims; increase screening for trafficking among visa holders in vulnerable sectors such as agriculture and domestic work; and formalize the role of NGOs in the national referral mechanism.

### PROSECUTION

The government increased law enforcement efforts. Law 60(I) of 2014 prohibits all forms of trafficking and prescribes penalties of up to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. The government investigated 14 new cases involving 31 suspected traffickers in 2015, seven for sex trafficking and 24 for forced labor, compared with 24 cases involving 35 suspects in 2014. The government initiated prosecutions against 30 defendants under the trafficking law as well as chapter 154 of the penal code, chapter 105 of the Aliens and Immigration Law, and the Law for the Prevention of and Suppression of Money Laundering, an increase compared with 15 in 2014. Courts convicted 31 traffickers for sex trafficking under the anti-trafficking law and other laws, compared with nine in 2014 and two in 2013. All convicted traffickers received time in prison ranging from six months to eight years. The government continued to convict traffickers under non-trafficking statutes, leading to more lenient sentences in some instances. All identified victims cooperated with law enforcement in investigating their alleged traffickers. Authorities did not investigate potential trafficking cases among domestic workers or individuals in agriculture because officials perceived all such cases to be labor disputes.

The government increased the members of the police anti-trafficking unit from eight to 12 and expanded the unit's authority, designating it the lead in the investigation of all potential trafficking cases in all districts with support from other police units. The government funded 18 trainings and seminars to build the capacity of front-line responders throughout the government, including prosecutors, judges, law enforcement, social workers, and immigration officials. The police department produced a short film on trafficking, which it used during police training sessions. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

## PROTECTION

The government increased efforts to protect victims, but identified fewer victims. The government streamlined the process for providing financial support to victims, a concern during the previous reporting period, and took all necessary steps to ensure trafficking victims were prioritized amongst less vulnerable groups entitled to public benefits. NGOs reported previous delays in the disbursement of monthly allowances to victims were significantly reduced during the reporting period. The government identified 40 victims of trafficking in 2015, compared to 46 in 2014. Of the 40 victims identified, 22 were labor trafficking victims, of which 16 were men and six were women. The government identified 13 victims of sex trafficking, all women. Two children, a 13-year-old boy and an 11-year-old girl, were victims of forced begging. Three people were victims of trafficking for criminal acts, two children and one woman. The government referred all identified victims to the social welfare office for government assistance. Eighteen female victims of sex trafficking, including some identified in the previous reporting period, were accommodated at the government-operated shelter in Nicosia, compared to 20 in 2014.

Victims could 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. Female sex trafficking victims who chose not to stay in the state-run shelter were entitled to a rent subsidy and a monthly allowance. Female labor trafficking victims and all male victims of trafficking were eligible for a rent subsidy and a monthly allowance. As there were no specialized facilities for male trafficking victims, the government informally partnered with NGOs to place them in apartments. Observers reported shelter personnel were not adequately trained to provide the necessary psychological support to victims. Trafficking victims were referred to employment counselors trained to handle sensitive cases who sought suitable employment for each victim; however, finding employment for victims remained a challenge. Benefits to victims were not, as in previous years, automatically discontinued if a victim refused a job offer; rather, an employment counselor and social welfare officer examined each case. The government did not discontinue the provision of benefits to victims for any reason during this reporting period. The government provided financial support to the families of two child trafficking victims and referred the children to specialized therapy programs for substance abuse. Experts reported Social Welfare Service (SWS) staff in Nicosia exhibited greatly improved treatment of victims during the reporting period. The government provided 133,750 euros (\$147,125) in financial assistance to victims through a new public benefit scheme known as Guaranteed Minimum Income. The government provided an additional 116,988 euros (\$128,686) in the form of public assistance to victims who chose to stay in private apartments and were entitled to a rent subsidy and monthly allowance, compared with 118,066 euros (\$108,000) in 2014. The government spent 269,900 euros (\$302,700) to operate the trafficking shelter, an increase from 250,700 euros (\$281,000) in 2014. 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.

During the reporting period the government approved a national referral mechanism, which provides guidance on victim identification and outlines the referral procedure. Victims were interviewed by specialized personnel in the police anti-trafficking unit, which included a psychologist and a

forensic psychologist to conduct interviews with potential and identified victims before taking an official statement. During the reporting period, NGOs raised concerns that some of the police officers within the anti-trafficking unit conducted insensitive interviews that may have re-traumatized victims. Observers also reported interpreters used in the interview process did not have sufficient knowledge of local dialects, particularly for Francophone African countries, and made translation mistakes, which made victims' testimonies appear inconsistent. The law stipulates foreign victims be repatriated at the completion of legal proceedings, and police conducted a risk assessment for each victim prior to repatriation. The government granted temporary work permits to 28 victims during the reporting period; the remaining four victims chose not to participate in the police investigation against their traffickers and asked to be repatriated. The government granted asylum to two victims and extended the residence and work permit of three additional victims who asked to remain in the country after the completion of court proceedings. Twenty-two victims assisted law enforcement in the prosecution of suspected traffickers. Victims were permitted to leave Cyprus and return for trial and 10 victims did so during the reporting period; police remained in contact with victims while they were abroad to ensure their safety. Some victims assisted the police by providing written statements prior to being repatriated at their request. There were no reports of victims 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. During the reporting period, the Ministry of Labor carried out 111 inspections of employment agencies and investigated 13 complaints, referring four to the police for criminal investigation and revoking the licenses of 16 employment agencies for involvement in labor trafficking. The government continued to print and distribute booklets in seven languages aimed at potential victims on their rights and assistance available to them. The booklets were also distributed to Cypriot diplomatic and consular missions abroad to be given to visa applicants. 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. A ministerial decision in April 2015 simplified the procedures for domestic workers to change employers and removed the minimum time requirements that a domestic worker stay with the same employer. The government did not report efforts to reduce the demand for forced labor or commercial sex acts. An NGO, in collaboration with the Ministry of Defense, continued to deliver lectures to soldiers about trafficking. The government provided anti-trafficking training 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 nightclubs licensed and regulated by the Turkish Cypriot administration. Nightclubs provide a significant source of tax revenue for the Turkish Cypriot administration; media reports estimated nightclub owners pay between 20 and 30 million Turkish lira (\$7-10 million) in taxes annually. This presents a conflict of interest and a deterrent to increased political will to combat trafficking. 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. Migrants, especially those who cross into the Turkish Cypriot community after their work permits in the Republic of Cyprus have expired, are vulnerable to labor trafficking. Roma children and Turkish seasonal workers and their families are also vulnerable to labor exploitation. Women who are issued permits for domestic work are vulnerable to forced labor. As in previous years, NGOs reported a number of women entered the "TRNC" from Turkey on three-month tourist or student visas and engaged in prostitution in apartments in north Nicosia, Kyrenia, and Famagusta; some may be trafficking victims. Migrants, asylum-seekers, 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 meet 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. Local observers reported authorities were complicit in facilitating trafficking, and police continued to retain passports upon arrival of women working in nightclubs.

Turkish Cypriots do not have a "law" that specifically prohibits trafficking in persons. Were there any trafficking-related cases, they would be tried under the "TRNC" "criminal code," which prohibits living off the earnings of prostitution or encouraging prostitution. The "criminal code" also prohibits forced labor. The "Nightclubs and Similar Places of Entertainment Law of 2000" provides the most relevant legal framework vis-a-vis trafficking and stipulates that nightclubs may only provide entertainment such as dance performances. Turkish Cypriots did not enforce this law nor did the "TRNC" prosecute nightclub owners, bodyguards, or clients during the reporting period. The authorities made no efforts to punish labor recruiters or brokers involved in the recruitment of workers through knowingly fraudulent offers of employment or excessive fees for migration or job placement. 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. An NGO reported identifying a Ukrainian sex trafficking victim at the airport. The victim filed a complaint with the police implicating the nightclub owner and returned to her home country shortly thereafter; the police did not follow up on this case. In May

2015, a trafficking victim from Moldova broke her leg while trying to escape from the State Hospital, where she was locked in a room and threatened with deportation. Police confiscated passports of foreign women working in nightclubs and issued them identity cards, reportedly to protect them from abuse by nightclub owners who confiscated passports. NGOs reported women preferred to keep their passports but police convinced them to render passports to police to avoid deportation. Foreign victims who voiced discontent about the treatment they received were routinely deported. 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 nightclubs. The Turkish Cypriot authorities did not encourage victims to assist in prosecutions against traffickers, and all foreign victims were deported. If the police requested a victim to stay to serve as a witness, the police were required to provide temporary accommodation. The "Prime Minister" announced a "cabinet" decision to allocate land for construction of a women's shelter; however, NGOs criticized the "government" for announcing the location of the planned shelter. There was one privately funded shelter in operation during the reporting period, which provided protective services for six trafficking victims.

In 2015, "TRNC" authorities issued 1,481 six-month "hostess" and "barmaid" work permits for individuals working in 36 nightclubs and two pubs operating in the north. As of March 2016, 434 women worked under such permits. Nightclub owners hired female college students during the reporting period to bypass the cap on the number of employees legally permitted in each club and avoid taxes and monitoring. 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, Tajikistan, Tanzania, and Uzbekistan. Reportedly, some "parliament" members were clientele of the nightclubs. Women were not permitted to change location once under contract with a nightclub, and Turkish Cypriot authorities deported 508 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 recognition and tacit approval of the prostitution industry. Victims reported bodyguards at the nightclubs 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 prohibited 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 "Nightclub Commission," comprised of "police" and "government officials" who regulate nightclubs, prepared brochures on employee rights and distributed them to foreign women upon entry. The "Nightclub Commission" met monthly and made recommendations to the "Ministry of Interior" regarding operating licenses, changes to employee quotas, and the need for intervention at a particular establishment. During the reporting period, police conducted several unannounced inspections of the nightclubs; however, corruption and a lack of political will undermined any anti-trafficking efforts. The "Social Services Department" in the "Ministry of Labor" continued to run a hotline for trafficking victims; however, it was inadequately staffed by one operator who had not received

any training on trafficking. The hotline led to the identification of 11 female nightclub employees, who were later repatriated. A total of 32 women were repatriated during the reporting period. Experts reported trafficking victims were afraid to call the hotline because they believed it was linked to the authorities. Between April and December 2015, the "TRNC" issued 724 work permits to domestic workers.

## 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, including among domestic workers.

## CZECH REPUBLIC: Tier 1

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 Czech Republic, Slovakia, Ukraine, Romania, Bulgaria, Nigeria, the Philippines, and Vietnam are subjected to sex trafficking in Czech Republic and also transit through Czech Republic to other European countries where they are subjected to sex trafficking. Men and women from Czech Republic, Ukraine, Romania, Bulgaria, Moldova, Mongolia, the Philippines, Russia, and Vietnam are subjected to forced labor in Czech Republic, typically through debt bondage, in the construction, agricultural, forestry, manufacturing, and service sectors, including in domestic work, and may also transit through Czech Republic to other countries in Europe where they are exploited. The majority of identified victims in the country are Czech. Romani women from 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 meets the minimum standards for the elimination of trafficking. The government slightly increased funding for NGOs providing victim services, but identified fewer potential victims and enrolled significantly fewer victims into its program to protect individuals assisting law enforcement. Law enforcement efforts increased as authorities achieved significantly more convictions in 2015 than in 2014, although the government initiated fewer prosecutions; not all sentences were commensurate with the severity of the crime. 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; increase training for prosecutors and judges on applying the anti-trafficking statute; sensitize judges to the severity of this crime to ensure convictions result in proportionate and dissuasive sentences; improve victims' ability to access the government-funded witness-support program and 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 strengthened law enforcement efforts. The government prohibits all forms of trafficking under section 168 of its criminal code, which prescribes punishments of up to 16 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 2015, police initiated 18 investigations into suspected trafficking cases, nine of which proved to involve trafficking crimes. Authorities prosecuted 12 defendants for trafficking crimes in 2015, a decline from 16 in 2014 and 30 in 2013. During 2015, Czech courts convicted 19 traffickers, an increase from six in 2014. Five of the 19 convicted traffickers received one to five years' imprisonment and seven received five to 15 years' imprisonment; seven convicted traffickers received suspended prison sentences. The government froze assets equaling approximately 36,673,000 koruna (\$1,515,000) from suspected traffickers. Czech authorities collaborated with foreign governments on four transnational investigations.

The organized crime branch of the Czech police maintained a specialized anti-trafficking unit that trained 253 police officers, labor inspectors, and other officials in 2015. 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 a 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 sustained progress in victim protection efforts. Police reported identifying 92 victims in 2015, all of whom were referred to services, compared with 67 in 2014. Government-funded NGOs provided services to 171 newly identified potential victims in 2015, 79 of whom were directly identified by NGOs. 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 providing services for adult victims willing to cooperate with law enforcement. In 2015, four victims entered the program, a decrease from 43 in 2014. Consistent with the last two years, the MOI made available 2 million koruna (\$82,600) to support NGOs assisting victims enrolled in the witness support program, as well as NGOs' trafficking prevention projects. Authorities reported the MOI's program

did not provide adequate resources for victims with children. 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 also employed child psychologists to assist in cases involving children. The Ministry of Labor and Social Affairs provided 6,072,000 koruna (\$250,880) in 2015 to NGOs providing care for trafficking victims, a 14 percent increase from 2014.

Foreign victims who cooperated with investigators could receive temporary residence and work visas for the duration of the relevant legal proceedings; however, no foreign victims received temporary residency or other relief from deportation during the reporting period. Upon conclusion of court proceedings, victims could apply for permanent residency; no victims received permanent residency in 2015, compared with one in 2014. Victims were eligible to seek court-ordered compensation from their traffickers, although 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. In one 2015 case, a court ordered a convicted trafficker to pay 360,000 koruna (\$14,870) to a victim. 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

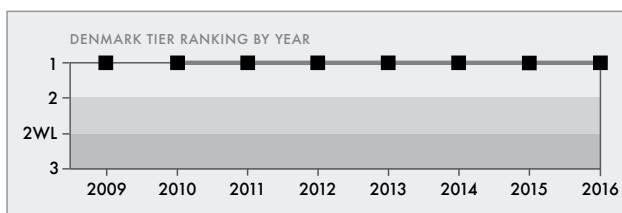
The government maintained modest prevention efforts. The interior minister chaired an inter-ministerial body that coordinated national efforts and worked to implement the 2012-2015 national action plan; the draft 2016-2019 strategy remained pending approval at the close of the reporting period. A unit 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, which received over 700 calls in 2015. The hotline offered translation for foreign victims, but was only operational during business hours. Czech law did not criminalize confiscation of workers' passports. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

## DENMARK: Tier 1

Denmark is primarily a destination and transit country for men, women, and children subjected to forced labor and sex trafficking from Eastern Europe, Africa, Southeast Asia, and Latin America. Migrants are subjected to labor trafficking in agriculture, domestic service, restaurants, hotels, and factories 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. Since 2009, 25 children have been identified as victims of trafficking in Denmark, nine forced into pickpocketing, three into cleaning restaurants, five into forced criminal activity, and eight into selling sex. 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 rise in migrants, asylum seekers, and refugees entering

and transiting Denmark increases the size of the population vulnerable to human trafficking.

The Government of Denmark fully meets the minimum standards for the elimination of trafficking. In May 2015, the government approved its 2015-2018 national action plan against human trafficking, which expanded the funding and scope of the government's efforts to combat trafficking, focusing on prevention, outreach, victim support, and partnerships with NGOs. The government identified an increased number of victims of trafficking and trafficking-related crimes and continued to fund victim service providers. The government used its human trafficking law to convict three individuals of crimes related to labor trafficking. However, the government's default approach to trafficking cases involving victims without EU residency was to repatriate victims to their countries of origin. The effective lack of alternatives to removal impeded the ability of law enforcement to pursue traffickers and left victims vulnerable. In the last four years, only four victims have been granted asylum, despite the government officially identifying almost 300 victims. The temporary residence permit that exists for trafficking victims, authorized through a 2013 amendment to the Aliens Act, gave authorities the ability to stay deportation in order for victims to assist in an investigation; this legal tool has never been used for trafficking victims.



## 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 permitting temporary residency for victims while they assist law enforcement; more vigorously prosecute trafficking offenses and convict sex and labor traffickers; sentence traffickers in accordance with the gravity of the offense; avoid penalizing victims for crimes committed as a direct result of being subjected to trafficking, including through assessing whether new guidelines concerning withdrawal of charges against victims of trafficking prevent their penalization and detention; expand law enforcement efforts to proactively identify and expeditiously transfer potential trafficking victims, especially those without legal status, from police or immigration custody to crisis centers or care providers to facilitate trust and increase identification among this vulnerable group.

## PROSECUTION

The government made progress in law enforcement efforts, although 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.

The national police investigated three cases of trafficking in 2015, a decrease from 12 in 2014. However, in 2015, the government initiated prosecutions of 58 trafficking suspects, an



increase from 15 in 2014. First-level courts had 12 trafficking case convictions in 2015, compared to nine cases in 2014. Sentences ranged from 24 months' to 36 months' imprisonment for the convicted traffickers. In addition, in a forced labor case begun in 2014, where 12 migrants were forced to live in a garage and work up to 20 hours a day, charges were changed on appeal from labor trafficking to usury and fraud, and two men were sentenced to 24 and 36 months' imprisonment. Experts reported that few trafficking cases were brought to trial in Denmark because of the lack of incentives for victims to participate in the investigation of their traffickers. 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, 2014, or 2015. There remain difficulties in securing the participation of victims in the prosecution of their traffickers; a government report issued during the year acknowledged authorities did not systematically offer advice and support to foreign citizens in prostitution or others potentially vulnerable to trafficking. Police received instruction on trafficking at the police academy and again after their first year on the job. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

## PROTECTION

Government efforts to protect victims were mixed. The government identified victims and funded care providers, but its emphasis on repatriating victims without legal status impeded victim protection efforts. 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. The government did not grant asylum to any of the 10 trafficking victims who applied.

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 2015, 43 of the 93 identified trafficking victims accepted a prepared return, compared with eight of 71 in 2014. Victims in Denmark without legal residency who did not accept a prepared return were deported unless they were assisting in the prosecution of a trafficker. Some victims chose not to participate in the program, reportedly based on the perception it was merely a preparation for deportation. Victims' lack of protection in their home countries and debt bondage to their traffickers served as significant deterrents from accepting the prepared return. The effective lack of alternatives to removal impeded the ability of law enforcement to pursue traffickers and left victims vulnerable to re-trafficking.

In 2015, the government identified 93 victims, compared with 71 in 2014. These victims included one victim of forced

labor, 49 victims of sex trafficking, and 43 victims forced to commit crimes (such as theft and the production and sale of illicit substances) or exploited in trafficking-related crimes (such as holding migrants against their will for the purpose of stealing social benefits); six victims were children (one victim of sex trafficking and five victims of forced criminal activity). Authorities did not identify any Danish victims of trafficking in 2015, 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 called government anti-trafficking experts to join the police questioning and explain the victim's rights. A trafficking subject matter expert has been appointed in each police district. NGOs noted the onus of victim identification remained on trafficking victims rather than officials' proactive identification. The government funded NGOs to provide victim care services, including medical, psychological, and legal assistance. Funding increased from approximately \$1.9 million during the previous 2011-2014 National Action Plan to approximately 18 million Danish Kroner (\$2.8 million) set aside in the 2015-2018 National Action Plan that NGOs and other civil society organizations can apply for to perform tasks covered under the scope of the national action plan. Victims could apply for compensation through a state fund and through a civil suit against their traffickers; however, no victims pursued these in 2015. To help prevent trafficking victims from being penalized for crimes committed as a result of being subjected to trafficking, in May 2015 the director of public prosecutions published guidelines on the identification of victims and the withdrawal of charges against them; these guidelines were distributed to the police and prosecution service. Some observers reported increased willingness by prosecutors to drop charges against victims of trafficking and the Ministry of Justice did not report any cases where victims of trafficking were prosecuted in 2015. The government did not implement efforts to provide alternatives to victims' removal, resulting in few protections for victims of trafficking.

## PREVENTION

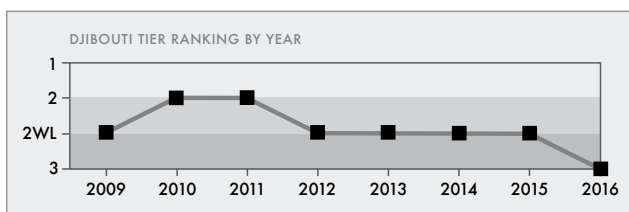
The government maintained efforts to prevent trafficking. As part of the 2015-2018 National Action Plan, the government continued to provide training to police, diplomats, and other government personnel. Denmark's Center Against Human Trafficking worked closely with police, and provides training for tax and labor inspectors. Authorities created a guidebook and checklist for helping businesses reduce the risk of using trafficked labor, by spotting irregularities in hiring and recruitment and reporting suspected labor trafficking. The government approved funding for an NGO-operated counseling and health service in Zealand that will work with potential victims of trafficking among foreign nationals working in brothels. Authorities conducted public information campaigns aimed at increasing awareness of sex and labor trafficking, provided public education about the signs of possible trafficking, and publicized through social media a hotline for reporting trafficking cases. Authorities continued to train tax and labor inspectors on labor trafficking indicators. The government did not take measures to reduce the demand for commercial sex.

## DJIBOUTI: Tier 3

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 transit Djibouti as voluntary and often undocumented economic migrants en route to Yemen and other locations in the Middle East, particularly Saudi Arabia. Some of these migrants are subjected to forced labor and sex trafficking in their intended destinations. In early 2015, the crisis in Yemen created a reverse influx of persons fleeing Yemen to Djibouti; the Government allowed over 30,000 people of diverse nationalities to enter freely and take refuge, some of whom endured various types of exploitation, possibly including trafficking, before their transit to Djibouti. Some Djiboutian and migrant women and girls are subjected to domestic servitude or sex trafficking in Djibouti City, the Ethiopia-Djibouti trucking corridor, and Obock, the main departure point for Yemen. Some migrants intending to be smuggled may be transported or detained against their will and subsequently subjected to trafficking, and other forms of abuse, in Djibouti. Smuggling networks, some of whose members are likely Djiboutian, sometimes charge exorbitantly high rents or kidnap and hold migrants, including children, for ransom; some migrant women reportedly were subjected to domestic servitude and forced prostitution in Djibouti to pay these ransoms. In addition, 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, sometimes pay these ransoms. Some of Djibouti's older street children reportedly act as pimps of younger children. Parents sometimes force their children to beg on the streets as a source of familial income; children may also travel from foreign countries—including Ethiopia and Somalia—for begging in Djibouti. Children are also vulnerable to forced labor as domestic servants and, at times, coerced to commit petty crimes, such as theft.

The Government of Djibouti does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. In March 2016, the government passed and officially promulgated a new anti-trafficking law to supersede the existing 2007 anti-trafficking law; however, it did not use the prior law to prosecute traffickers during the reporting period. Djiboutian officials did not investigate any potential sex or labor trafficking cases or initiate prosecutions of any suspected trafficking offenders; two cases from previous reporting periods remained pending, including one case allegedly involving five officials complicit in trafficking crimes. The government did not fully operationalize its national action plan to combat trafficking, which it finalized during the previous reporting year. The government did not identify or provide protection for any trafficking victims in 2015 due largely to capacity and resource constraints; in 2014, it identified three victims and provided them with basic health care. Djiboutian officials continued to work cooperatively with an international organization to publish and disseminate anti-trafficking training materials.



## RECOMMENDATIONS FOR DJIBOUTI:

Amend the new anti-trafficking law to more closely conform with international standards, specifically add language that no means such as force, fraud or coercion are required when

the victim is a child, and repeal contrary provisions of existing laws; enforce anti-trafficking legislation through investigations and prosecutions of trafficking offenders, in particular those involved in child sex trafficking, domestic servitude, and other forced labor offenses; compile and publicize data on convictions and sentences of trafficking offenders; establish policies and procedures for government personnel to proactively identify potential victims and transfer them to care; expand protective provisions for victims, through partnerships with NGOs or international organizations, as appropriate; train judges, prosecutors, and police on the distinctions between trafficking and alien smuggling; implement the extended national action plan; institute a module on human trafficking as a standard component of the mandatory training program for new police and border guards; and develop and launch a nationwide anti-trafficking awareness campaign.

## PROSECUTION

The government amended its national anti-trafficking law, but otherwise made minimal law enforcement efforts to combat trafficking. In 2015, the government worked with international trafficking experts to draft a new national anti-trafficking law more closely aligned with the international definition of trafficking. In March 2016, the government passed and promulgated Law No. 133 On the Fight Against Trafficking in Persons and Illicit Smuggling of Migrants, which prohibits all forms of trafficking and adequately distinguishes between trafficking and smuggling; it prescribes penalties of five to 10 years' imprisonment—these penalties are sufficiently stringent, but penalties less than 10 years' imprisonment are not commensurate with other serious crimes, such as rape. Where aggravated factors exist, including when the victim is less than 18 years old, a person is confined or subjugated to forced labor or prostitution, or when fraudulent activity is involved, penalties prescribed are increased to 10 to 20 years' imprisonment; life imprisonment is prescribed if a victim dies, or the subjection to trafficking resulted in permanent disability or organ removal. However, contrary to the international definition of trafficking, Law No. 133 requires force, fraud, or coercion for child sex trafficking. Law No. 133 repeals Djibouti's Law No. 210 of 2007, Regarding the Fight Against Human Trafficking. Law No. 111, Regarding the Fight Against Terrorism and Other Serious Crimes of 2011, remains in effect and also prohibits all forms of trafficking in persons and prescribes penalties of 10 years' imprisonment and a fine for the trafficking offense, or 15 years' imprisonment and a fine if aggravating circumstances are present. However, contrary to the international definition of trafficking, Law No. 111 requires force, fraud, or coercion for child sex trafficking. While Law No. 133 and Law No. 111 are similar, they are not identical either in the definition of exploitation or in the penalties prescribed, which may create confusion, raise legal issues, and make it difficult for law enforcement and prosecutors to implement the law effectively.

The government did not investigate or initiate prosecutions of any forced labor cases or sex trafficking offenses during the reporting year; it reported one conviction of a trafficker in 2014. Two prosecutions remained ongoing from previous reporting periods, one of which commenced in 2012. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses in 2015. During the previous year, the government arrested five military officials for alleged trafficking crimes. However, the government reported they subsequently returned to their jobs and that, upon being summoned to court in 2015, they never

appeared; this case remains pending trial. The government did not conduct or sponsor any anti-trafficking training for law enforcement personnel during the reporting period, although various government officials participated in anti-trafficking trainings facilitated and funded by international organizations.

## PROTECTION

The government sustained inadequate efforts to protect trafficking victims. During the reporting year, it did not identify or provide protective services to any victims, though it did award restitution for non-payment of wages to one woman; it identified three adult female trafficking victims the previous year. If implemented, the new anti-trafficking law would provide for asset seizure and establish some victim assistance for trafficking victims. The government continued to lack a formal system to proactively identify victims of trafficking among vulnerable populations, such as undocumented migrants, street children, and persons in prostitution. It did take measures to ensure refugees entered Djibouti with proper documentation and donated materials and personnel to staff a transit facility; however, official round-ups, detentions, and deportations of non-Djiboutian residents, including children, remained routine and lacked standardized screening mechanisms to assess for trafficking indicators, which left individuals vulnerable to exploitation and potential re-trafficking. The *gendarmerie* continued its coordination with an international organization to transfer voluntary economic migrants, including potential trafficking victims, on an ad hoc basis to either medical facilities or the Migrant Response Center—an office staffed and operated by an international organization along the route most heavily traversed by migrants from Somalia and Ethiopia en route to Yemen. The government maintained its allocation of funding to local Djiboutian NGOs, which operated counseling centers and other programs that may have assisted trafficking victims during the year. In November 2015, an international organization facilitated a training for an unknown number of government personnel on how to protect and adequately assist migrant children at high risk for abuse, including trafficking. The new anti-trafficking law establishes provisions granting victims the right of residence during judicial proceedings and permanent residence as necessary as legal alternatives to removal to countries where they may face hardship or retribution; however, these provisions were not employed during the reporting year. The government collaborated closely with the Government of Ethiopia to repatriate Ethiopian migrants who agreed to voluntary return from Djibouti or Yemen, some of whom may have been trafficking victims.

## PREVENTION

The government did not demonstrate tangible efforts to prevent trafficking. The government did not fully operationalize its national action plan to combat trafficking, which was finalized during the previous reporting period. In coordination with the government, an international organization distributed awareness-raising materials to sensitize migrants on the differences between trafficking and smuggling and on the dangers of irregular migration, and provided phone numbers for emergency services in Djibouti. The anti-trafficking working group met frequently during the year; however, the general lack of capacity and coordination among relevant government agencies continued to stymie progress in national anti-trafficking efforts. The government did not undertake efforts to reduce the demand for commercial sex acts or forced labor. International experts provided Djiboutian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping

missions. The government did not provide anti-trafficking training 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. Foreign national victims from the Caribbean, Asia, and South America are subjected to trafficking in the Dominican Republic. 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 streets, in parks, and on beaches. Government officials and NGOs report an increase in Colombian and Venezuelan women brought to the country to dance in strip clubs who are subjected to forced prostitution. Traffickers lure Dominican 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 documented cases of children forced into domestic service, street vending, begging, agricultural work, construction, and moving 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 in the abuse of people in prostitution, including in areas known for child sex trafficking.

The Government of the Dominican Republic does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2015, the government initiated investigations of 15 trafficking cases and prosecuted 49 alleged traffickers. The government identified 101 trafficking victims in 2015, but continued to lack specialized victim assistance. The government implemented a naturalization law by providing thousands of undocumented migrants with legal status, decreasing their vulnerability to trafficking. The government reported no new investigations, prosecutions, or convictions of officials complicit in trafficking, which remained a serious concern.



## RECOMMENDATIONS FOR THE DOMINICAN REPUBLIC:

Vigorously prosecute and convict traffickers involved in forced labor and sex trafficking, especially complicit government employees; implement protocols for the identification and assistance of adult and child trafficking victims, including to identify 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 conduct forced labor and sex trafficking awareness campaigns in Spanish and Creole.

## PROSECUTION

The government sustained law enforcement efforts by investigating, prosecuting, and convicting traffickers; however, official complicity remained a serious concern and was unaddressed. The 2003 Law on Human Smuggling and Trafficking (Law 137-03) prohibits most forms of trafficking in persons and prescribes penalties of 15 to 20 years' imprisonment and fines—penalties sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In contrast to the international definition of trafficking in persons, however, the law requires the means of force, fraud, or coercion for sex trafficking individuals younger than 18 years of age; and defines trafficking more broadly to include forced marriage and illegal adoption without the purpose of exploitation. Prostitution is legal, but promoting the prostitution of others is prohibited by article 334 of the penal code, which prescribes penalties of six months' to three years' imprisonment and fines. Article 25 of the Child Protection Code of 2003 prohibits the offering, delivering, or accepting by any means anyone younger than 18 years of age for the purpose of sexual exploitation, forced labor, or any other purpose that demeans the individual, for remuneration or any other consideration, and prescribes a penalty of 20 to 30 years' imprisonment and a fine. Officials may use these provisions to charge and prosecute sex traffickers in addition to or instead of Law 137-03. The revised penal code of 2014 would have improved definitions and increased the penalties for trafficking-related criminal offenses, which would have provided additional charges that law enforcement could use to investigate and prosecute sex traffickers, but was found unconstitutional in 2015. In 2015, the government initiated investigations of 15 trafficking cases and prosecuted 49 alleged traffickers, compared with 28 investigations and 32 prosecutions in 2014. The government convicted 20 defendants in seven cases; trafficking in persons sentences ranged from five to 30 years' imprisonment; and commercial sexual exploitation sentences ranged from one to 20 years' imprisonment.

The government's law enforcement efforts were impeded by limited resources, corruption, and failures to identify trafficking victims and provide assistance. An attorney general's office review of 2010-2014 trafficking cases, conducted during the reporting period, revealed a number of flaws in the legal system: insufficient investigation resulting in a lack of evidence; lack of efforts to secure the cooperation of victims and families; and cases prosecuted under inappropriate areas of the law. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. As of March 31, 2014, 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, but no new information has been provided. The government cooperated with governments in the Caribbean, Europe, and South America on investigations of transnational trafficking cases. The government offered anti-trafficking courses at the National Defense Institute, School of Justice, and Judiciary School, and provided two half-days of training for police recruits.

## PROTECTION

The government sustained victim protection efforts. Authorities identified 101 trafficking victims—96 female and five male; 82 children and 19 adults—compared with 99 victims in 2014. The Attorney General's Anti-Trafficking Unit (ATU) coordinated with other government agencies, international organizations and NGOs that provided temporary accommodation in shelters, psychological assistance, legal assistance, reintegration, medical services, and support for higher education specifically to trafficking victims. The Ministry of Women through the Center for Orientation and Comprehensive Investigation provided limited legal services and psychological assistance to victims. NGOs reported that although the government provided some direct assistance to victims, it did so in an ad hoc manner. The government prepared to open a shelter for adult trafficking victims, although it had not opened by the end of the reporting period. The national anti-trafficking commission worked with an international organization to develop protocols to identify and assist adult and child trafficking victims. The government encouraged victims to participate in investigation and prosecution efforts. The ATU created a team to legally support and provide protection to trafficking victims to encourage their assistance in the investigation and prosecution of trafficking crimes, offering lodging, immigration relief for foreign victims, and police accompaniment to the court room for all victims. The ATU renovated a building for use as a trafficking victim shelter and rehabilitation center and drafted shelter operating protocols, although the shelter had not opened by the end of the reporting period. The government did not report whether any of the 101 identified trafficking victims received any of these services.

The anti-trafficking law contains victim protection provisions, including restitution; at least one trafficking victim obtained restitution of wages and 45,000 pesos (\$1,000) in punitive damages during the reporting period. Authorities assisted one victim to renew her expired temporary Dominican residence permit. The government offered foreign victims identified in cases investigated during the reporting period the same services available to Dominican victims; however, these victims chose to return to their own countries and did not avail themselves of these provisions. 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 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 and began drafting an updated plan in 2015, but reported no specific progress on either. NGOs reported uncoordinated and underfunded implementation of the existing plan. In partnership with and with funding from an international organization, the government completed a baseline study of the judicial system's handling of child sex trafficking cases, although results have not been published yet. The government did not have a nationwide anti-trafficking awareness campaign, but did conduct trainings with NGOs. The government operated a national hotline, but did not report how many trafficking calls it received in 2015.

During the reporting period, the government implemented and concluded the National Regularization Plan and issued residency status documents for 240,000 undocumented migrants, 80 percent of whom picked up those documents. In addition, the

government approved 55,000 birth certificates for documented individuals born in the country to immigrant parents, and reissued 15,000 birth certificates for those individuals. The government planned to offer permanent residency to 8,755 of the individuals who had not obtained birth certificates. These actions reduced the recipients' risk of statelessness and deportation and their vulnerability to trafficking. The government made efforts to reduce the demand for forced commercial sex by improved monitoring of brothels and tourist areas. Authorities reported arresting two European tourists for trafficking in persons and commercial sexual exploitation for sex acts with minors. Some NGOs, however, expressed concern about the government response to child sex tourism, including the lack of convictions, resources, and aftercare for victims. The government did not report efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic personnel.

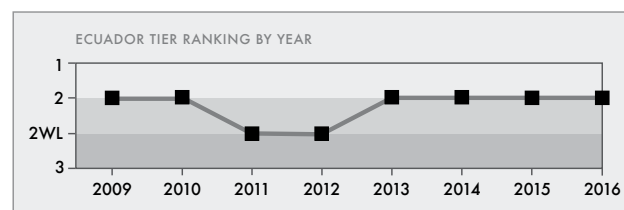
## ECUADOR: Tier 2

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 and forced labor within the country, including in domestic servitude, forced begging, on banana and palm plantations, in floriculture, shrimp farming, sweatshops, street vending, mining, and in other areas of the informal economy. Indigenous and Afro-Ecuadorians, as well as Colombian refugees and migrants, are particularly vulnerable to human trafficking. Women, children, refugees, and migrants continued to be the most vulnerable to sex trafficking, but NGOs reported an increase in LGBTI individuals vulnerable to or victims of sex trafficking. Nationals of Cuba, Ghana, Cameroon, Nigeria, Chad, China, Pakistan, the Dominican Republic, and Haiti, initially lured by smugglers promising a better life, have documents confiscated, debts imposed, and are threatened or forced into prostitution. Ecuador is also a destination for Colombian, Peruvian, Dominican, Venezuelan, Mexican, Haitian, Paraguayan, and Cuban women and girls exploited in sex trafficking, domestic servitude, and forced begging. Local officials reported Haitians migrated through Brazil into Ecuador to seek jobs on banana plantations, where they are vulnerable to forced labor. Traffickers used Ecuador as a transit route for trafficking victims from Colombia, Cuba, Haiti, and the Dominican Republic. Sex traffickers use emotional relationships and job offers to recruit victims and prey on vulnerabilities such as prior domestic and sexual violence.

Traffickers recruit children from impoverished indigenous families under false promises of employment and subject them to forced labor in begging, domestic servitude, in sweatshops, or as street and commercial vendors in Ecuador or in other South American countries. Authorities report an increase in 2015 of Ecuadorian children being subjected to forced labor in criminal activity, such as drug trafficking and robbery. Traffickers threaten these children's families; a clergyman working to protect such children was murdered during the reporting period. Ecuadorian women and children are exploited in forced labor and sex trafficking abroad, including in other South American countries, the United States, and Europe. Some Ecuadorian trafficking victims were initially smuggled and later exploited in prostitution or forced labor in third countries, including forced criminality in the drug trade. An illegal armed group reportedly attempted to recruit Ecuadorian children along the northern border with Colombia. Allegedly corrupt Ecuadorian

officials have alerted traffickers prior to some law enforcement operations, and some local authorities assisted traffickers to get falsified identity documents, which resulted in victims' lack of confidence in the police and a reluctance to report potential cases.

The Government of Ecuador does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities maintained law enforcement efforts with a steady number of investigations initiated, decreased prosecutions, and increased convictions during the reporting period. The government continued to provide funding for food and emergency services for trafficking victims and shelters for girl victims. Specialized services for victims were unavailable in most of the country. The government identified more potential victims than in 2014, but significantly fewer than in 2013. Official complicity in trafficking remained a challenge. Authorities did not finalize a new anti-trafficking plan, and government agencies lacked adequate resources to implement anti-trafficking efforts.



### RECOMMENDATIONS FOR ECUADOR:

Finalize, resource, and implement a national anti-trafficking action plan that appropriately defines roles and responsibilities across government agencies and facilitates effective interagency coordination; strengthen the provision of specialized services for trafficking victims, including for adults, in partnership with civil society organizations, and increase funding for services; increase efforts to investigate, prosecute, and convict traffickers, particularly for cases involving adult trafficking victims; hold criminally accountable public officials complicit in trafficking; amend anti-trafficking statutes for consistency with the international definition of trafficking; fully implement the national protocol for protection and assistance to trafficking victims, including identifying trafficking victims among vulnerable populations, such as individuals in prostitution or child and migrant workers; 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 sustained law enforcement efforts. Article 91 of Ecuador's 2014 criminal code prohibits all forms of trafficking in persons and prescribes penalties ranging from 13 to 16 years' imprisonment or 16 years' to 26 years' imprisonment with certain aggravating circumstances. These penalties are sufficiently stringent, but not commensurate with those for other serious crimes, such as rape. However, article 91 is overly broad in that it does not require the means of force, fraud, or coercion for sex trafficking of adults or for forced labor; and includes all labor exploitation, child labor, illegal adoption, servile marriage, and the sale of tissues, fluids, and

genetic materials of living persons. The criminal code allows for additional law enforcement investigation techniques for human trafficking, such as undercover investigations and wire-tapping; and penalizes those who contract with workers using knowingly fraudulent or deceptive offers with a penalty of 10 to 13 years' imprisonment.

The criminal code also separately penalizes sexual exploitation (article 100), forced prostitution (article 101), sexual tourism (article 102), and forced labor and other forms of exploitative labor (article 105), including all labor of children younger than 15 years of age. Penalties under articles 101 and 102 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 definitions used in these laws to prohibit trafficking may cause confusion for officials charging and prosecuting such offenses and may hinder efforts to hold perpetrators accountable. The Children and Adolescents Code contains definitions of child sexual exploitation (article 69), child labor exploitation (article 81), and child smuggling (article 70); however, the latter conflates smuggling and trafficking, which may cause confusion for officials implementing this code. In particular, the definition of child sexual exploitation is not consistent with the definition of sexual exploitation in article 91.

Data collection on anti-trafficking law enforcement efforts was uneven. The anti-trafficking and human smuggling police unit investigated 52 trafficking cases in 2015 and reported conducting 10 anti-trafficking operations in 2015 compared with 19 in 2014, while police dealing with crimes against children investigated 49 cases of child sexual exploitation in 2015 compared with 84 in 2014. Prosecutors reportedly initiated prosecutions of 64 alleged traffickers in 2015 compared with 95 in 2014, and convicted 31 traffickers compared with 20 in 2014. 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. Efforts by police and prosecutors were hampered by limited resources, limited presence in parts of the country, inadequate victim services, bureaucratic delays, and the frequent rotation of specialized police. Authorities previously initiated the prosecution of a police officer for sex trafficking, but reported no convictions of complicit officials in 2015. 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 arrested three civil registry officials for falsifying and altering documents used by international traffickers; their cases are pending. Authorities provided some anti-trafficking training to police, prosecutors, and other officials, but 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

The government sustained efforts to protect trafficking victims. The government used the "National Unified Protocol for Integral Protection and Assistance to Victims of Trafficking" to refer victims. In 2015, victims were regularly referred to one of five

government ministries responsible for victim assistance and referral, as well as NGOs who worked with the government to provide shelter, protection, and assistance. The government identified and assisted 117 potential child trafficking victims—sexual exploitation (19), labor exploitation (87), and trafficking (11). NGOs identified and assisted an additional 63 potential trafficking victims, with approximately half of these victims being Ecuadorian and half foreign nationals; it is unclear how many were trafficking cases as defined in international law given the overlapping trafficking-related criminal offenses. Police reported challenges in finding shelter for trafficking victims, particularly in the provinces; as a result, police sometimes detained adult victims in local police stations and child victims in juvenile detention centers, or placed them in non-specialized shelters in contrast to Ecuadorian law, which provides that victims may not be punished for offenses directly resulting from being subjected to human trafficking.

The government partnered with NGOs to provide emergency services to trafficking victims, shelter, and legal, psychological, and educational support. NGOs reported a lack of specialized doctors and denial of medical services to undocumented individuals. The Specialized Victim Witness Protection Program (SPAVT) assisted 72 trafficking victims in 2015, compared with 66 victims and six dependents in 2014. NGOs reported victims often sought NGO or private legal assistance due to the public defender providing limited and poor quality legal assistance to victims. The government provided an unspecified amount of funding for shelters and services for trafficking victims; NGOs reported government funding decreased in 2015 compared to the year before. Male victims had limited options for services through care centers providing ambulatory services. Foreign victims were entitled by law to the same services as domestic victims, but in practice NGOs reported the government treated foreign victims as irregular migrants violating immigration law rather than as crime victims. The Ministry of Interior (MOI) reported it had mechanisms to repatriate trafficking and human smuggling victims and that Ecuadorian diplomatic and consular missions had funding to provide food, lodging, and airplane tickets to Ecuadorian victims seeking repatriation; however, the government did not use these mechanisms during the reporting period. During the reporting period, the government granted 42 victims up to 30 days of reflection to allow them to receive SPAVT protection while deciding whether to participate in the penal process against their traffickers. Trafficking victims did not have a means to seek restitution. 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. 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 2015. 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 MOI anti-trafficking sub-directorate coordinated anti-trafficking efforts, although civil society organizations continued to note a lack of coordination among government actors. The government did not finalize a new anti-trafficking action plan or provide adequate funding to conduct anti-trafficking efforts. National authorities conducted awareness campaigns reaching over



4,000 individuals and 1,450 officials. Two provincial and two municipal governments conducted awareness campaigns. The criminal code prohibits sex tourism, but there were no reports of investigations, prosecutions, or convictions of child sex tourists in 2015. In February 2015, a U.S. citizen received a U.S. prison sentence of almost five years, followed by 20 years of supervised release for attempting to facilitate child sex tourism in Ecuador. The government promulgated regulations for tourist accommodations granting authority to inspect such accommodations for potential trafficking cases, but did not report efforts targeting the demand for forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

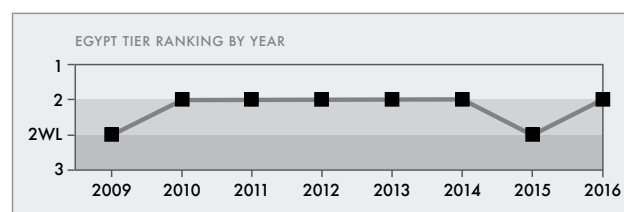
## EGYPT: Tier 2

Egypt is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Egyptian children are vulnerable to sex trafficking and forced labor in domestic service, street begging, and agricultural work. Individuals from the Persian Gulf, including Saudi Arabia, United Arab Emirates, and Kuwait, purchase Egyptian women and girls for “temporary” or “summer” marriages for the purpose of commercial sex, including cases of sex trafficking, as well as 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. Egyptian men are subjected to forced labor in construction, agriculture, and low-paying service jobs in neighboring countries. In 2015, media reported migrant Egyptian children, including unaccompanied minors in Italy observed selling goods in marketplaces and streets, are vulnerable to sexual exploitation and forced labor.

Men and women from South and Southeast Asia and East Africa are subjected to forced labor in domestic service, construction, cleaning, and begging. Foreign domestic workers—who are not covered under Egyptian labor laws—from Indonesia, the Philippines, Sri Lanka, Bangladesh, and Ethiopia are highly vulnerable to forced labor, experiencing excessive working hours, confiscation of passports, withheld wages, denial of food and medical care, and physical and psychological abuse. Women and girls, including refugees and migrants, from Asia, sub-Saharan Africa, and the Middle East suffer sex trafficking in Egypt. Syrian refugees who have settled in Egypt remain increasingly vulnerable to exploitation, including forced child labor, sex trafficking, and transactional marriages of girls—which can lead to sexual exploitation, including sex trafficking, and forced labor. Irregular migrants and asylum-seekers from the Horn of Africa, who transit Egypt en route to Europe, are increasingly vulnerable to exploitation along this migration route. From 2011 to 2013, instances of forced labor and sexual servitude, smuggling, abduction, and extortion of African migrants in the Sinai Peninsula occurred at the hands of criminal groups; however, international organizations observed the flow of these migrants into the Sinai nearly ceased in 2015, due in part to continued Egyptian military operations. Anecdotal reports, however, suggest these criminal groups have relocated from the Sinai to Egypt’s border with Libya, where migrants remain vulnerable to the same abuses, including trafficking.

The Government of Egypt does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the government identified a substantially higher number of trafficking victims

compared to the previous reporting period, protection services declined. The government’s only trafficking-specific shelter permanently closed in May 2015, and it was unclear if identified trafficking victims received adequate protection services at other government-run facilities. Nonetheless, more than 300 identified victims were referred by government officials to and received services at government operated reception centers or NGO-run shelters. Many officials failed to identify victims systematically among vulnerable groups, and the government had no written procedures to do so. As a result, authorities continued to treat unidentified trafficking victims as criminals and punished them for unlawful acts committed as a direct result of being subjected to human trafficking. The government continued to prosecute trafficking offenders and convicted three offenders in 2015; however, many trafficking cases continued to be settled out of court, failing to adequately punish offenders. Although the government made some efforts to prevent trafficking, budget shortfalls impeded the government’s efforts to effectively protect victims and combat trafficking, for which it relied on international donor assistance.



### RECOMMENDATIONS FOR EGYPT:

Increase investigations, prosecutions, and convictions of all forms of trafficking and adequately punish offenders; allocate adequate resources for the provision of victim services to fund government-run facilities and to support the efforts of NGOs on which the government relies for this purpose; provide a clear legal basis for NGOs to provide victim services; provide adequate legal protections for domestic workers; implement standard operating procedures for officials to use the national victim referral mechanism to identify and refer trafficking victims among vulnerable groups, including individuals arrested for prostitution, street children, and foreign migrants; continue to increase training for all government officials on the anti-trafficking law and victim identification and referral procedures; ensure trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; encourage trafficking victims to assist in investigations and prosecutions of their traffickers; and increase ongoing nationwide awareness campaigns.

### PROSECUTION

The government made some progress in anti-trafficking law enforcement efforts. The 2010 anti-trafficking law prohibits all forms of human trafficking and prescribes penalties from three to 15 years’ imprisonment and fines, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The child law prohibits sex trafficking and forced labor of children and prescribes sentences of at least five years’ imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. Articles 80 and 89 of the constitution prohibit sex trafficking, compulsory exploitation, and forced labor. The government continued to conduct a nationwide data call to gather information on trafficking cases in 2015. The government reported conducting 13 potential trafficking investigations in

2015, half the number reported in the previous reporting period. The government reported initiating 21 prosecutions under the anti-trafficking law involving sexual exploitation and forced begging crimes. Three of these cases resulted in a conviction with life imprisonment under the anti-trafficking law and one resulted in an acquittal; the rest of the cases remained pending at the end of the reporting period. These efforts represented an increase from the 15 prosecutions and zero convictions in the previous reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Law enforcement and judicial officials lacked understanding of trafficking and how to enforce the anti-trafficking law. Some trafficking cases were settled out of court, resulting in a lack of adequate punishment for trafficking offenders. To assist prosecutors in prosecuting traffickers and obtaining convictions, the Ministry of Justice's Center for Judiciary Studies provided compulsory training on human trafficking for newly appointed prosecutors as a part of its curricula. In 2015, the government provided 141 anti-trafficking trainings for 4,645 law enforcement and judicial officials, social workers, civil society, and the media.

## PROTECTION

The government demonstrated increased efforts to identify trafficking victims, but its efforts to provide adequate protection services to victims declined. Through the government's anti-trafficking hotline, it identified more than 300 potential trafficking cases in 2015, some of which included organized begging and sexual exploitation; all of these cases were referred to one of the nine government-run reception and aid centers from which victims were often referred to informal, community-based or NGO-run shelters. The government also identified and referred at least five potential trafficking victims through its child abuse hotline in 2015. Although Ministry of Manpower inspectors are trained to investigate employers suspected of child labor or trafficking crimes, it did not report identifying any potential trafficking cases during routine inspections in 2015. The more than 300 identified victims is a significant increase from the 68 victims the government identified in the previous reporting period. Nevertheless, the government did not adopt written procedures to guide officials in the proactive identification of trafficking victims among vulnerable populations, including domestic workers, 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, continued to lack clear standard operating procedures. The lack of trafficking awareness among police, security, and judicial officials outside urban areas, as well as ineffective victim identification procedures, contributed to punishment of some victims for unlawful acts committed as a direct result of being subjected to human trafficking. Authorities continued to treat and punish some unidentified trafficking victims like criminal offenders, while foreign trafficking victims remained vulnerable to detention and deportation for illegal immigration or employment violations.

The National Council for Childhood and Motherhood (NCCM), the government body leading anti-trafficking efforts, continued to have inadequate funding, which hindered its ability to provide adequate protection services to victims. The government continued to rely on international organizations and civil society to fund victim assistance, but it did not—in turn—provide financial assistance or support to these organizations, which affected their ability to offer continued provision of protective

services to trafficking victims. Moreover, the NGO law hindered legal approvals and registrations for NGOs operating in Egypt, thereby impeding their efforts to provide essential services to victims. The government's shelter for female and child trafficking victims—jointly operated with an international organization since 2011—closed in May 2015 due to lack of funding. Prior to its closing, the shelter hosted 38 trafficking victims in 2015; these victims were provided assistance through local communities once the shelter closed. During the reporting period, NCCM worked with local communities and families to host and rehabilitate trafficking victims, but it was unclear how many trafficking victims they assisted in 2015. The government continued to operate numerous facilities that could assist trafficking victims. For example, NCCM operated nine reception centers for abused women, including potential trafficking victims, which provided psychosocial support and referral to NGO-run shelters; however, it was unclear how many trafficking victims received assistance at these centers in 2015. The Ministry of Health—with international assistance—continued to operate a medical recovery unit for foreign and domestic, male and female trafficking victims at a Cairo hospital; however, the government did not report if any trafficking victims received assistance at this unit in 2015. The government-run rehabilitation center for victims of abuse provided at-risk children, including potential child trafficking victims, psycho-social counseling and rehabilitation; however, it was unclear how many trafficking victims the center assisted in 2015. In February 2016, the Ministry of Justice established a 24-hour clinic for female and child victims of sexual and physical abuse, including potential trafficking victims, staffed by female doctors trained in victim protection and evidence collection for potential criminal proceedings; the government did not report how many—if any—trafficking victims received assistance at this clinic since it was established. Despite the availability of services provided by the government and NGOs, some victims sought refuge at their respective embassies. Although the government rarely granted temporary residency to foreign trafficking victims, it reportedly provided this benefit to a Somali trafficking victim during the reporting period. Foreign trafficking victims were not offered legal alternatives to removal to countries in which they faced hardship or retribution. The anti-trafficking law guarantees protection of witnesses of trafficking crimes, but the government did not report if it provided protection to any witnesses during the reporting period.

## PREVENTION

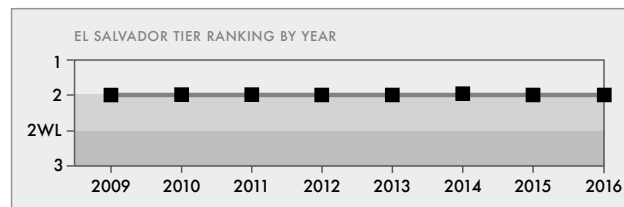
The government made some efforts to prevent human trafficking. The government continued to work on a draft national strategy to combat and prevent trafficking, which was developed to provide a comprehensive national framework to address trafficking issues for 2015-2020, but it was awaiting endorsement by the Cabinet at end of the reporting period. The government continued to operate and publicize a telephone hotline to report trafficking abuses and also created a child abuse hotline in 2015; both of these hotlines included live counseling and legal aid, as well as referrals to law enforcement and NGOs for victim assistance. NCCM conducted online anti-trafficking public awareness campaigns during the reporting period. In 2015, the government assumed an active role as a leader in multiple regional committees and initiatives that addressed migration, smuggling, and human trafficking issues affecting the Horn of Africa and Europe. In December 2015, President Al-Sisi ordered that 500 million Egyptian pounds (\$70 million) be directed to addressing street children and their vulnerabilities to abuse, including trafficking; however, it was unclear if the funding was allocated to the relevant ministries by the end of

the reporting period. The government did not make efforts to reduce the demand for commercial sex acts or forced labor, but it raised awareness of the problem of child sex tourism. In 2015, the government held more than 70 symposiums reaching approximately 3,000 people in Cairo, Giza, and Fayoum governorates on the dangers of child marriage and temporary “summer marriage.” The government offered anti-trafficking training for Egyptian troops before their deployment on international peacekeeping missions. The government provided anti-trafficking training 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 are exploited in sex trafficking within the country; LGBTI persons, especially transgender individuals, are at particular risk. Salvadoran adults and children are subjected to forced begging and forced labor in agriculture, domestic service, and the textile industry. 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. Traffickers use employment agencies and social media to lure victims with promises of lucrative employment; one organization noted traffickers are increasingly targeting regions of the country with high levels of violence and coercing victims and their families through threats of violence. 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 to or upon arrival in the country. Some Latin American migrants transit El Salvador to Guatemala and North America, where they are exploited in sex or labor trafficking. Corruption, particularly within 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 meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to investigate and prosecute child sex trafficking crimes and provide services to some girl victims; however, it identified fewer victims, and services for adults, boys, and LGBTI victims were severely lacking. The government drafted a new national action plan to guide its anti-trafficking efforts from 2016-2019 and allocated \$24,700 to its interagency anti-trafficking council. It developed an immediate response team to coordinate victim assistance and referral and formulated a protocol on the care of trafficking victims. The government did not investigate, and has never prosecuted, any labor trafficking cases. The government did not investigate public officials suspected of trafficking-related complicity or initiate prosecutions following investigations in previous years, undermining 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; implement procedures to proactively identify victims among vulnerable groups, including children apprehended for illicit gang-related activities, irregular migrants returning to El Salvador, and individuals in the sex trade; conduct thorough and transparent criminal investigations and prosecutions of alleged government complicity in trafficking offenses and convict and punish complicit officials; enforce laws punishing local labor brokers for illegal practices that facilitate trafficking, such as fraudulent recruitment or excessive fees for migration or job placement; increase training for public officials on victim identification and assistance, trafficking investigations, and provisions in the new law; amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law; and strengthen anti-trafficking coordination between government entities and with civil society organizations, particularly outside the capital.

### PROSECUTION

The government continued law enforcement efforts to combat child sex trafficking, but did not investigate any cases of forced labor or government complicity; 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 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. Although 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.

Similar to previous years, the government exclusively investigated and prosecuted sex trafficking crimes; several cases included women or male victims. In 2015, authorities investigated 43 sex trafficking cases and no cases of labor trafficking. Authorities prosecuted and convicted 19 sex traffickers in eight cases, an increase from seven sex traffickers prosecuted and convicted in 2014. Offenders convicted in 2015 received sentences ranging from four to eight years' imprisonment. The government prosecuted all cases using its previous anti-trafficking law because the crimes occurred before the new law came into effect. Despite evidence of force or coercion used by gangs to compel children to engage in illicit activities, authorities did not investigate or prosecute any such crimes as human trafficking. Some officials, particularly judges, demonstrated a limited understanding of human trafficking, which impeded efforts to hold traffickers accountable. During the year, the government provided anti-trafficking training to 2,473 government



employees, including police, prosecutors, judges, and labor inspectors. Authorities cooperated on trafficking investigations with officials from Guatemala, Honduras, Nicaragua, Costa Rica, Mexico, and the United States. In 2015, the government developed a specialized 30-person anti-trafficking police unit, in compliance with the new anti-trafficking law.

Despite several reports and investigations initiated as early as 2009, in 2015 the government did not investigate, prosecute or convict any government employees complicit in human trafficking offenses. The government did not provide any updates on two investigations from previous years, one involving several officials for the alleged purchase of sex acts from trafficking victims and a second involving a public official suspected of sex trafficking. 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.

## PROTECTION

The government maintained efforts to assist girls subjected to sex trafficking but identified fewer victims, and services remained inadequate overall. Immigration officials continued efforts to identify possible trafficking victims in border regions; however, the government lacked formal procedures to identify trafficking victims among vulnerable groups, including individuals in commercial sex. In 2015, the government reported identifying 49 sex trafficking victims, a decrease from 87 victims identified in 2014. Those identified included 21 women, 24 girls, two men, and two boys; 45 were Salvadoran and four were from other Latin American countries. Authorities did not identify any forced labor victims, compared with three in 2014. The government did not provide statistics on the number of LGBTI victims identified, if any. An international organization reported assisting 159 victims, including 40 women, 98 girls, seven men, and 14 boys.

During the year, the government developed an immediate response team to coordinate victim assistance and referral and formulated a protocol on the care of trafficking victims. However, referral of victims to services remained uneven, and it was unclear how many victims received specialized services. The government offered no specialized services or shelter to boys, adults, or LGBTI victims, although NGOs and officials reported these populations needed shelter, rehabilitation, and mental health services. The government shelter for girls subjected to sex trafficking offered psychological and medical care to an unknown number of victims in 2015; as of early 2015, it housed six victims. Throughout the investigation and intake process, 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. There were few long-term support or reintegration services available for victims, leaving them vulnerable to re-trafficking. Repatriated Salvadoran victims could be referred to services and the police to investigate their cases, but the government did not report doing so in 2015. Authorities made efforts to screen for trafficking indicators among Salvadorans returned from abroad; however, because returnees were often reluctant to communicate with officials about their experiences, many victims may have remained unidentified.

Although it reported using procedures to protect victims' identities in court and passed legislation allowing for victims to provide testimony via teleconference, the government did

not provide sufficient victim and witness protections to guard against reprisal from traffickers—a particular threat to those victimized by criminal groups. Judges in criminal courts could order civil compensation awards in trafficking cases; however, victims had to work through the civil courts to receive payment. In 2015, no convictions included such compensation, compared with three convictions that included compensation in 2014. 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. The 2014 trafficking law provides foreign trafficking victims the right to seek residency status, which would allow them to work legally, but no victims had received such benefits.

## PREVENTION

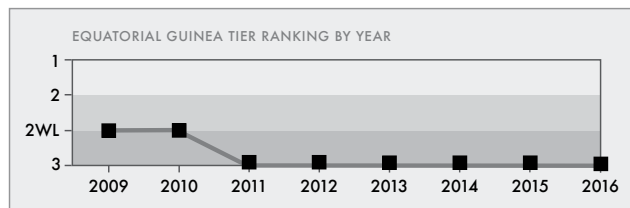
The government maintained modest prevention efforts. It expanded its anti-trafficking council to include more agencies, per provisions in the 2014 law. The council, which received a budget of \$24,700, coordinated anti-trafficking activities and developed a national action plan for 2016-2019. However, government entities continued to lack adequate funding to fulfill their responsibilities and interagency cooperation remained weak. Government agencies partnered with NGOs to conduct campaigns using television, radio, and print media to warn the public against the dangers of trafficking, but these public messages typically focused only on the trafficking of women and girls. An international organization reported that the government formed a sub-commission to address migration policies that could facilitate forced labor, but this body did not report any related outcomes during the year. The government did not punish labor recruiters for illegal practices that contribute to trafficking or enforce labor migration policies that could decrease migrants' vulnerability to exploitation abroad. 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, and Mongomo, 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, often by foreigners. Children from nearby countries—primarily Nigeria, Benin, Cameroon, Togo, and Gabon—may be subjected to forced labor as domestic workers, market laborers, vendors, and laundries. Women from Cameroon, Benin, and other neighboring countries are recruited for work in Equatorial Guinea and subsequently subjected to forced labor or forced prostitution. Significant numbers of Chinese women migrate to Equatorial Guinea for work or to engage in prostitution, and some are subject to passport confiscation, increasing their

vulnerability to forced labor. Sub-contractor staff in the oil services and construction sectors from other parts of Africa, Asia and the Americas are regularly subjected to passport confiscation and, in some instances, forced labor. 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 meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. However, during the reporting period, the government demonstrated a renewed interest in combating trafficking in persons and took a number of important steps to begin addressing the crime. The government adopted a national action plan focused on awareness-raising, conducted three multi-day trainings to increase victim identification and case investigation techniques for over 200 law enforcement officials, and dedicated funding to support the trainings. Despite these initial steps, 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.



## 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, especially among child laborers, undocumented immigrants, women in prostitution, and children exploited for commercial sex; train social workers, law enforcement, and immigration officials in the use of trafficking victim identification and referral procedures; dedicate funding to shelter and protect trafficking victims and develop a formal system to refer victims to such care; develop and implement standard operating procedures for screening foreigners before deportation to ensure trafficking victims are provided appropriate care and safe, voluntary repatriation; develop and implement procedures for law enforcement officials to systematically notify embassies when their nationals have been detained; revive the inter-ministerial anti-trafficking commission and dedicate resources to implement the national action plan to combat trafficking in persons; research the extent and nature of the crime within the country; and launch a nationwide anti-trafficking public awareness campaign.

## PROSECUTION

The government increased its training of officials, but did not make any other 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 that are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Between September 2015 and February 2016, the government conducted three multi-day trainings to

raise awareness about trafficking generally, as well as increase government officials' ability to identify victims and investigate cases; 215 attendees, most of whom were law enforcement officers and other government officials, participated in the trainings. The government did not maintain law enforcement statistics and did not report any investigations, prosecutions, or convictions of any suspected trafficking offenders, including government employees complicit in human trafficking offenses. General corruption and official complicity in trafficking-related offenses were common.

## PROTECTION

The government did not make efforts to protect trafficking victims and did not identify or refer any victims to protective services. 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 did not provide these services. Law enforcement authorities did not have procedures to identify trafficking victims nor did they make efforts to refer victims to organizations providing care. The government penalized victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government routinely detained foreign nationals, including 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 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 increased efforts to prevent trafficking. The government broadcasted its anti-trafficking trainings on television and radio programs, as well as on the government's official website, in an effort to raise awareness among the general public. The government also adopted and began implementing a national action plan for 2016, with a primary focus on awareness raising. The government dedicated the entire amount of funding allocated towards national action plan implementation to the three training events. 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 any child labor victims, despite having 13 labor inspectors dedicated to documenting labor infractions. The government implemented a new regulation requiring all commercial sex establishments to register and provide contracts to their workers in an attempt to reduce the demand for commercial sex acts and exploitation within the sex industry. It did not undertake any discernible measures to reduce the demand for forced labor during the year. The government did not provide anti-trafficking training 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

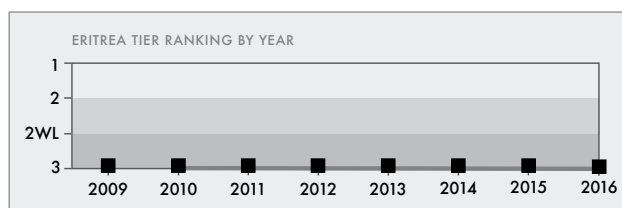
government continues to be complicit in trafficking through the implementation of national policies and mandatory programs amounting to forced labor within the country, which cause many citizens to flee the country and subsequently increases their vulnerability to trafficking abroad. Proclamation 82 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 active military and development tasks in military forces in a government-run work unit, including the Eritrean Defense Forces. However, the 18-month timeframe is arbitrary and unenforced; many individuals are not demobilized from government work units after their mandatory period of service but rather forced to serve indefinitely under threats of detention, torture, or familial reprisal. In 2012, the government instituted a compulsory citizen militia, requiring medically fit adults up to age 70 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 age 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. Government policy bans persons younger than 18 from military conscription; however, following some round-ups, the government detains children younger than age 18 and sends them to Sawa. Reports indicate male and female recruits at Sawa were beaten, and female recruits sexually abused and raped in previous years. The government continued *Maetot*, a national service program in which secondary-school children are assigned to work in public works projects, usually within the agricultural sector, during their summer holidays. Some Eritrean children are subjected to forced labor, including forced begging, and some women and girls are subjected to sex trafficking within the country.

Perennially, thousands of Eritreans flee the country overland to Sudan, Ethiopia, and—to a lesser extent—Djibouti, to escape forced labor or government persecution, as well as to seek better economic opportunities; for many, their ultimate goal is to attain asylum in Europe—predominantly Italy, Sweden, Norway, Switzerland, and Germany—or North America, or at minimum, achieve refugee status in Sudan, Ethiopia, Kenya, Egypt, Israel, or Uganda. Unaccompanied minors are increasingly at risk of being subjected to violence and exploitation. The government's strict exit control procedures and limited issuance of passports and departure visas prevent most Eritreans who wish to travel abroad from doing so legally, 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 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; reportedly, some Eritrean men are vulnerable to sex trafficking in Israel. International criminal groups kidnap vulnerable Eritreans living inside or in proximity to refugee camps, particularly in Sudan, and transport them primarily to Libya, where they are subjected to human trafficking and other abuses, including extortion for ransom. 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 their subjection to trafficking. Some Eritrean military and police officers are complicit in trafficking crimes along the border with Sudan.

The Government of Eritrea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. It continued to subject its nationals to forced labor in its citizen militia and compulsory national service, often for periods of indefinite duration. The government failed to investigate or prosecute any trafficking offenses or identify or protect any victims. Although the government continued to warn its citizens of the dangers of trafficking, authorities lacked understanding of the crime, conflating it with transnational migration or smuggling.



## 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; enforce existing limits on the length of active national service to 18 months and cease the use of threats and physical punishment for non-compliance; 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; ensure children younger than 18 at Sawa school do not participate in activities that amount to military service and are not exploited in forced labor; ensure victims and their families are not punished for crimes committed as a result of being subjected to 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; and in partnership with NGOs, ensure the provision of short-term protective services to trafficking victims.

## PROSECUTION

The government did not 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. Government-sponsored organizations incorporated anti-trafficking information into



regular programming, but they failed to strategically target law enforcement and military personnel. Officials continued to conflate transnational migration and human trafficking crimes. The government did not investigate, prosecute, or convict anyone, including complicit officials, for trafficking offenses.

## PROTECTION

The government demonstrated negligible efforts to identify and protect trafficking victims. During the year, officials reportedly provided limited assistance to female victims subjected to sex trafficking in Gulf States, but the specifics of these provisions were unknown; the government did not assist any other potential trafficking victims. It did not develop procedures to identify or refer trafficking victims among vulnerable groups, including Eritreans deported from countries abroad or persons forcibly removed by Eritrean security forces from neighboring countries. Eritreans fleeing the country and those deported from abroad—including some who may be trafficking victims—were vulnerable to being arrested, detained, harassed, or recalled into national service upon return. The government did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

## PREVENTION

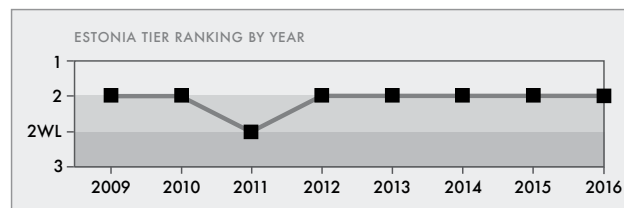
The government maintained minimal efforts to prevent trafficking. The government continued its engagement of citizens on the dangers of trafficking through awareness-raising events and poster campaigns through the Women's Association, Youth Association, and Workers' Federation; however, such efforts conflated transnational migration and human trafficking. 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 younger than age 18 continued to be sent to Sawa for completion of their final year of education. Officials remained without procedures to verify ages of new recruits into governmental armed forces and lacked transparency on efforts to ensure children did not participate in compulsory activities amounting to military service or other forms of forced labor. The government did not report information on its efforts to reduce the demand for commercial sex acts or forced labor. Officials did not provide anti-trafficking training for its diplomatic personnel.

## 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 forced to commit crimes, such as theft, to benefit their exploiters. 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 meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Estonian authorities increased the

available funding for victim services and identified a broader range of victims, including foreign citizen and child sex trafficking victims. The government, however, continued to require a police report be filed for presumed victims to receive government-funded assistance, and it ceased any such funding when criminal charges were not pursued in a given case. This requirement discouraged victims to come forward and limited the publicly funded services available to trafficking victims.



## RECOMMENDATIONS FOR ESTONIA:

Amend the Victim Support Act to remove barriers to victim identification and government-funded assistance; increase efforts to investigate, prosecute, and convict trafficking offenders under section 133 of the penal code; increase specialized training for investigators and prosecutors on applying section 133 and working with victims serving as witnesses; encourage police and the labor inspectorate to investigate labor trafficking, including labor recruiters engaging in fraudulent practices; increase training for judges to ensure the judiciary understands the severity of the crime when issuing sentences; encourage more victims to assist prosecutions by facilitating access to effective legal counsel; and inform victims of the option to pursue court-ordered compensation from their traffickers.

## PROSECUTION

The government maintained law enforcement efforts. Estonia prohibits all forms of both sex and labor trafficking through sections 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. In addition to criminalizing child sex trafficking, section 175 criminalizes influencing a child to appear as a model in the manufacture of pornographic work. Estonian police investigated four new section 133 cases in 2015, compared with five in 2014; two of these cases involved labor trafficking. Authorities also registered 63 crimes under section 175, the majority of which involved influencing children to send naked images of themselves. The government initiated one new prosecution in 2015, the same as in 2014 and 2013. Authorities also began prosecutions in 20 cases under section 175. Estonian courts convicted four traffickers under section 133 in 2015, compared to four in 2014. All four traffickers received prison sentences, which ranged from four to 10 years' imprisonment, and three were ordered to pay restitution to the victim. Estonian courts also convicted 11 individuals under section 175. The government provided a training session for 20 law enforcement officials to facilitate cooperation on forced labor cases. Authorities did not provide training to the judiciary. Estonian authorities cooperated in two transnational investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government maintained protection efforts. Per the Victim

Support Act, a police report must be filed for presumed victims of trafficking to be eligible for government-funded services. This requires victims to divulge personal, traumatizing information early in their recovery, which serves as a disincentive for victims to come forward. Once a police report is filed, the police 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. Fewer victims have received government-sponsored assistance in the two years since this requirement was imposed in 2013. From 2012 to 2013, 43 victims received government-sponsored assistance, compared with 20 in 2014-2015. In 2015, 16 victims, 13 of whom were newly identified during the year, received government assistance; this marked an increase from the four victims receiving government assistance in 2014. Authorities identified two foreign child victims in 2015 and provided them with temporary residence permits, accommodation, and education; authorities did not identify any foreign victims in 2014. Also in 2015, authorities identified nine victims of child sex trafficking, both boys and girls.

In 2015, the social security board made approximately 86,000 euros (\$93,600) available to fund assistance to officially identified trafficking victims, an increase from 50,000 euros (\$54,400) in 2014. In addition, the Ministry of Social Affairs provided approximately 100,100 euros (\$108,900) to an NGO providing counseling services to women in prostitution, some of whom may have been sex trafficking victims. The ministry also co-financed an NGO-run project to provide rehabilitation services to women exploited in or vulnerable to sex trafficking. There were no specialized shelters for children, although child victims could reportedly stay at women's domestic violence shelters or be placed in foster care. Adult male victims had access to legal counseling and other services. Estonia's witness protection law allows trafficking victims to provide their testimony anonymously, but it was unknown whether this has ever been applied in a trafficking case or whether victims had ever served as witnesses in criminal trials. An Estonian court ordered a restitution payment of 150,000 euros (\$163,200) to a trafficking victim.

## PREVENTION

The government maintained prevention efforts. Authorities ran multiple awareness campaigns targeting schoolchildren, prospective migrant workers, and social workers, and co-sponsored a trafficking-themed regional hackathon to develop innovative technology solutions to combat trafficking. In April 2015, the government approved a 2015-2020 plan for reducing violence, which included trafficking. One objective of the plan is to amend the Victim Support Act to provide trafficking victims with easier access to services. 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 63,888 euros (\$69,500) to operate an anti-trafficking hotline; the hotline received 399 calls from individuals vulnerable to trafficking during the reporting period. The government provided anti-trafficking training for its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex acts and forced labor.

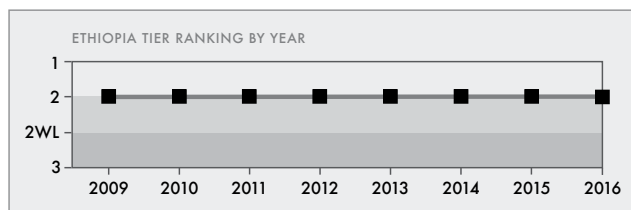
## ETHIOPIA: Tier 2

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 impoverished rural areas are exploited in domestic servitude and prostitution within the country, while boys are subjected to forced labor in traditional weaving, construction, agriculture, and street vending. Addis Ababa's central market is the site of numerous brothels, where girls as young as 8 years old are exploited in prostitution. Ethiopian girls are exploited in domestic servitude and prostitution in neighboring African countries—particularly Sudan—and 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; many are subsequently subjected to forced labor. Child sex tourism is a growing problem in major tourist hubs, including Addis Ababa, Bahir Dar, Hawassa, and Bishoftu; reports identify both foreign and domestic perpetrators, with links to local hotels, brokers, and taxi drivers.

Officials reported up to 1,500 Ethiopians departed daily as part of the legal migration process in search of better economic opportunities. Many young Ethiopians transit through Djibouti, Egypt, Somalia, Sudan, Kenya, and increasingly Yemen, seeking work in the Middle East; some are exploited in these transit countries. Reports continue to document the transportation of Ethiopians to South Africa, via Kenya and Tanzania, as well as large numbers of Ethiopians who have died in boat accidents crossing the Red Sea from Djibouti to Yemen, many of whom are attempting irregular migration and are vulnerable to trafficking in onward destinations. Many Ethiopian women working in domestic service in the Middle East endure severe abuse, including physical and sexual assault, denial of salary, sleep deprivation, passport confiscation, and confinement. Ethiopian women who migrate for work or after fleeing abusive employers in the Middle East are also vulnerable to sex trafficking. Ethiopian men and boys migrate to the Gulf States and other African nations, where some are subjected to forced labor. Previous reports suggest district-level officials accepted bribes to alter ages on identification cards, allowing children to acquire passports without parental consent and enabling minors to leave the country for work. The Ethiopian government's 2013 ban on domestic worker employment in Gulf countries remained in effect at the end of the reporting period; irregular labor migration to the Gulf has increased. Saudi Arabia remains the primary destination for irregular migrants; reportedly, over 400,000 Ethiopians reside there, including some trafficking victims.

The Government of Ethiopia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2015, the government enacted a comprehensive anti-trafficking law, which overhauls existing legislation to define and punish trafficking offenses and to enact measures to support victims of trafficking. It also passed a revised overseas employment proclamation, which, if fully implemented, would penalize illegal recruitment, improve oversight of overseas recruitment agencies, and extend greater protections to potential victims. During the reporting period, the government assisted in the identification of more than 3,000 trafficking victims and convicted 69 traffickers, an increase from 46 convicted during the previous year. The government sustained

its efforts to prevent and raise awareness on trafficking and trafficking-related crimes through its community conversations project. The government did not specifically address internal trafficking, including child sex trafficking, and focused largely on transnational cases. During the year, the development of income generation plans to support victim reintegration was stymied. The government continued to rely on NGOs and international organizations to provide assistance to both internal and transnational trafficking victims; however, it did provide in-kind support for such efforts.



### RECOMMENDATIONS FOR ETHIOPIA:

Continue to increase efforts to convict traffickers, including for internal cases, and compile and share trafficking statistics; improve the investigative capacity of police throughout the country to increase prosecutions of internal child trafficking offenses; implement, distribute to, and train law enforcement and judicial officials on the anti-trafficking proclamation; partner with local NGOs to improve services available to trafficking victims, including allocating funding to enable the continuous operation of either a government or NGO-run shelter; enact legislation to ensure penalization of illegal recruitment and improved oversight of overseas recruitment agencies; implement the overseas employment proclamation, assign and train labor attaches, and investigate and prosecute illicit recruiters; institute trafficking awareness training for labor officials who validate employment contracts or regulate employment agencies; improve screening procedures in the distribution of national identification cards and passports to prevent their fraudulent issuance to children; allocate appropriate funding for the deployment of labor attaches to overseas diplomatic missions 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 increased anti-trafficking law enforcement efforts and improved its legal structure to facilitate effective law enforcement. It continued to focus on transnational labor trafficking, with negligible evidence of investigation or prosecution of sex trafficking or internal forced labor cases. In August 2015, the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants, No. 909/2015, went into effect to overhaul its existing anti-trafficking prohibitions. The 2015 proclamation broadly defines trafficking crimes consistent with international law, to include exploitation for the purpose of forced labor and sex trafficking by means of force, fraud, or coercion; with regard to children, the use of coercive or fraudulent means is not relevant. Under the proclamation, traffickers are subject to 15-25 years' imprisonment and a fine of 150,000 to 300,000 birr (\$7,000 to \$14,000), penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Aggravated trafficking offenses carry a

prison term of 25 years' to life imprisonment, in addition to a fine of 200,000 to 500,000 birr (\$9,000 to \$24,000). The government passed amendments to the Employment Exchange Services Proclamation No. 632/2009, which governs the work of licensed labor recruitment agencies, but did not fully implement it during the year.

During the reporting period, federal and regional justice officials investigated 294 trafficking cases and convicted 69 traffickers under the new anti-trafficking law, an increase from 46 convictions in 2014; 58 cases from the previous reporting period remained ongoing. A March 2015 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, remained open. Financial and capacity constraints continued to impede regional police's ability to compile data. The government partnered with civil society stakeholders and international organizations to conduct four trainings for regional justice officials and relevant government personnel on the newly passed anti-trafficking proclamation. The government paid for 27 judges and prosecutors to attend training, facilitated by an international organization, covering how to conduct victim interviews and court proceedings for trafficking cases, and provided facility space for the training of more than 140 judicial personnel on victim-centered investigative techniques and the anti-trafficking proclamation. The government did not report any investigations, prosecutions, or convictions of public officials allegedly complicit in human trafficking offenses.

### PROTECTION

The government made modest efforts to protect trafficking victims. The proclamation established a national committee, chaired by the deputy prime minister, to coordinate anti-trafficking efforts and authorized the Council of Ministers to issue implementing regulations; none have been issued to date. It continued to partner with international organizations and NGOs to provide services to victims; although it did not allocate funding for these entities, it provided some in-kind support, including shelter and security when feasible. During the reporting period, the government identified 3,163 victims of trafficking in routine partnership with international organizations and NGOs; the vast majority of these victims were intercepted before departing for South Africa and Gulf States. It remained without standard procedures for front-line responders to identify trafficking victims and refer them to care. The government provided some assistance to migrants at border crossings, including food and water, medical assistance, temporary accommodation, and transportation; the government continued to jointly operate an emergency response center in the Afar Region with international organizations. One organization in Addis Ababa identified and provided familial reunification services to more than 300 child trafficking victims, while another organization reunified more than 1,500 potential victims; the government did not provide any financial or in-kind support for these services. Many NGO-run facilities depended on project-based funding to operate, which resulted in unpredictable availability of care. The 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, restricted some NGOs' ability to provide protective services to trafficking victims.

The government operated child protection units in the 10 sub-cities of Addis Ababa and six major cities; staff were trained in



assisting vulnerable children, including potential trafficking victims. While officials sometimes 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; if fully implemented, the 2015 proclamation would extend to trafficking victims protections outlined under the Witness and Whistleblowers Protection Proclamation (No. 699/2010). Ethiopian law does not prevent the deportation of foreign victims to countries where they may face hardship or retribution. There were no reports of trafficking victims being detained, jailed, or prosecuted in 2015, although some victims may have been criminalized based on lack of standardized victim identification procedures. The 2015 proclamation provides extensive protections and rights for trafficking victims, including protection from prosecution for acts committed as a result of being subjected to trafficking. The government reported the scope of its repatriation assistance to Ethiopian nationals subjected to trafficking abroad was insufficient.

The government continued to assist Ethiopians deported from Saudi Arabia since 2013; progress on income generation programming for returnees, produced via partnerships between international organizations and the anti-trafficking taskforce, was stymied during the reporting year. Most returnees cited local government as their main source of support, including job creation and psychological care; however, many also reported disappointment in their ability to obtain expected microcredit or arable land, due to the government's low capacity and budget in this area.

## PREVENTION

The government continued efforts to prevent trafficking. In August 2015, officials approved and endorsed a five-year national action plan to combat trafficking that incorporated feedback from civil society stakeholders; however, the government did not release information on funding for its implementation. The national committee, advised by international organizations, convened seminars to guide local officials and citizens in the establishment of anti-trafficking units and disseminated the 2015 anti-trafficking proclamation. Local governments, employing community conversations as an awareness-raising mechanism, hosted and facilitated hundreds of sessions throughout the country, including in four regions where outward labor migration was common. Government-owned media companies continued to support local NGOs in broadcasting awareness campaigns on child labor in the agricultural sector in film and on radio. In contrast to the previous year, the government did not distribute informational materials outlining the causes or consequences of child labor in 2015.

The government maintained its 2013 ban on the recruitment of low-skilled domestic workers to the Middle East, which it planned to keep until the establishment of bilateral work agreements with recipient countries and the enactment of a revised employment exchange proclamation, which would allow for greater oversight of private employment agencies, mandate the placement of labor attaches in Ethiopian embassies, and establish an independent agency to identify and train migrant workers. In 2015, the government conducted over 37,500 scheduled and random labor inspections; however, it failed to suspend any licenses of agencies for labor law violations, whereas it suspended 10 in 2014. Officials made some progress on negotiating new agreements with Saudi Arabia, Lebanon, South Sudan, or the United Arab Emirates; such agreements 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. Memoranda with neighboring African countries—particularly Djibouti, and on an ad hoc basis with Kenya and Sudan—aim to provide joint border management to include repatriation assistance for trafficking victims; however, workers' rights are not explicitly addressed.

Ethiopian officials continued efforts to implement a 2012 law requiring registration of all births nationwide; however, the lack of a uniform national identity card continued to impede implementation of the law and allowed for the continued issuance of district-level identity cards, whose dispersion is subject to fraud. The government made modest efforts to reduce the demand for commercial sex acts and forced labor during the reporting period. In conjunction with civil society organizations, officials identified and referred to care an unknown number of children vulnerable to sex tourism in major tourist hubs. The government provided anti-trafficking training to its diplomatic personnel as part of their basic diplomatic training. A foreign donor and facilitator provided Ethiopian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

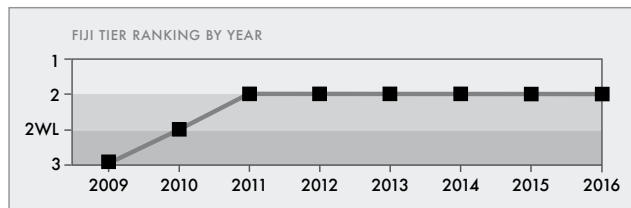
## FJI: Tier 2

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 sex trafficking and domestic servitude abroad or in Fijian cities. Women from China, Thailand, Malaysia, and other East Asian countries are deceptively recruited for legitimate jobs 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—and role as a regional transportation hub may contribute to its status as a transit country for human trafficking. Workers from other Asian countries are subjected to forced labor on fishing vessels and transit through Fiji or board fishing vessels from Fiji ports and waters. They live in poor conditions, accrue significant debts, and work for little or no compensation on foreign fishing vessels, mainly Chinese- and Taiwan-flagged, in Pacific waters. South Asian and East Asian men are fraudulently recruited to work in Fiji and find themselves in conditions of forced labor upon arrival.

Family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels have allegedly exploited Fijian children in prostitution. 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, where they may be subjected to domestic servitude or coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees.

The Government of Fiji does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the Fijian government assisted in the repatriation of two Fijian trafficking victims and acquired a new safe house. Authorities began investigation of five trafficking cases involving four

suspects, but did not bring any of those cases to prosecution. The government did not 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 exploited children; enhance efforts to provide access to interpretation services and legal, medical, and psychological assistance to victims; make efforts to allow identified trafficking victims to work and earn income while assisting with investigations; increase dissemination of anti-trafficking awareness campaigns directed at clients of child and adult prostitution; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government made limited 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 (\$47,059), are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government did not prosecute or convict any suspected traffickers in 2015. The police anti-trafficking unit began investigation of five cases, an increase from two cases investigated in 2014, which remain under investigation. Two of these cases from 2015 involved forced labor of male foreign nationals and three involved sex trafficking of Fijian women and children. The government continued to fund anti-trafficking in persons training for new police recruits. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

### PROTECTION

The government increased efforts to identify and protect trafficking victims. The police anti-trafficking unit identified 13 potential trafficking victims, an increase from zero victims identified in 2014 and three in 2013; and officials provided modest assistance to at least nine victims during the year. 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 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 apportioned funds to cover the operational costs of a new safe house for human trafficking victims, asylum seekers, and migrants awaiting deportation. Trafficking victims were eligible to apply for government legal aid and receive basic medical care. The government made available accommodation, medical care, interpreters, allowances for basic necessities, 24-hour police security, and temporary visas to foreign victims of trafficking; seven foreign trafficking victims used government facilities for these services during the reporting period. 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. The government provided financial and repatriation assistance to two Fijian trafficking victims in a third country. The government did not protect unidentified victims from punishment as a direct result of being subjected to human trafficking, such as women and children in prostitution or undocumented workers.

### PREVENTION

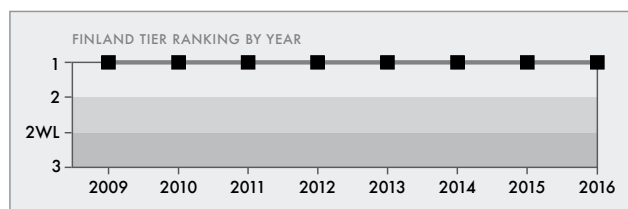
The government sustained efforts to prevent trafficking. The police anti-trafficking unit continued public awareness campaigns aimed at children and parents. The 2007 Employment Relations Promulgation gives the permanent secretary of labor the authority to fine or imprison employment agencies operating without authorization; however, the government did not make efforts to punish labor brokers involved in fraudulent recruitment offers despite known cases of such activity. 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 to its diplomatic personnel. Fiji is not a party to the 2000 UN TIP Protocol.

## FINLAND: Tier 1

Finland is a transit, destination, and limited source country for women and girls subjected to sex trafficking and for men and women subjected to forced labor. Forced labor victims come from several countries, primarily in Eastern Europe and Asia. Many victims arrive in Finland legally and are exploited in the construction, restaurant, agriculture, metal, and transport industries, and as cleaners, gardeners, and domestic servants. Seasonal berry pickers, many of whom arrive from Thailand, are especially vulnerable to labor exploitation. Female sex trafficking victims originate primarily in Eastern Europe, Southeast Asia, and West Africa. Finnish women and children, mostly girls, are vulnerable to sex trafficking. In its 2015 report, GRETA highlighted forced begging and forced criminality as emerging problems.

The Government of Finland fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government implemented changes to the victim assistance system clarifying how victims enter, exit, and receive services within it. Victim identification, especially of children, was inadequate; no children were admitted to the victim assistance system in 2015. The government increased the number of

investigations, prosecutions, and convictions of trafficking cases compared to the previous reporting period, although courts continued to issue weak sentences for convicted traffickers. It continued to provide training for prosecutors and law enforcement personnel and designated police officers in each region to serve as a national network of anti-trafficking experts. The national coordinator began drafting a new national anti-trafficking action plan. The government appointed a new non-discrimination ombudsman, who also served as the national rapporteur on trafficking. The national rapporteur's annual report on trafficking was discontinued; the government planned to incorporate trafficking into a broader non-discrimination report.



## RECOMMENDATIONS FOR FINLAND:

Vigorously investigate and prosecute sex and labor trafficking cases using the trafficking statute; increase the number of prosecutors, judges, and police that specialize in trafficking cases; train and encourage officials to identify potential sex and labor trafficking victims proactively, especially children, and refer them to services to which they are entitled under the 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 victims' rights; issue proportionate and dissuasive sentences to convicted traffickers; increase efforts to reduce the demand for forced labor; encourage greater victim participation in the criminal process; develop an updated national strategy against trafficking, including mechanisms to monitor its implementation; and conduct assessments on the effectiveness of awareness campaigns.

## PROSECUTION

The government increased law enforcement efforts. Law 1889-39 of the 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. Amendments to the penal code clarifying the differences between trafficking and procuring offenses entered into force during the reporting period, although the government also continued to use laws against pandering, discrimination, and usury to investigate and prosecute suspected traffickers. The government reported initiating 32 investigations of trafficking cases (including at least 12 sex trafficking cases and 19 labor trafficking cases) in 2015, compared with 20 cases (15 sex trafficking and five labor) in 2014. Authorities initiated prosecution of four cases in 2015. Finnish courts convicted four traffickers (two each for labor and sex trafficking) in 2015, compared with two convictions in 2014. Courts issued sentences of 32 and 46 months' imprisonment for the sex trafficking convictions; the convicted labor traffickers were sentenced to 12 and 20 months' imprisonment. The government designated police officers in each of the 11 regions to serve as a national network of anti-trafficking experts and trainers; the designated officers met twice annually to share best practices. The government

provided annual training for prosecutors; law enforcement personnel received anti-trafficking instruction as part of their basic training, as well as continued trafficking awareness training throughout their careers. The government designated five prosecutors from different regions to handle trafficking cases. GRETA noted, however, that further specialization among law enforcement, prosecutors, and judges was needed to increase the government's capacity to investigate and prosecute trafficking offenses. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government demonstrated mixed progress in protection efforts. In July, amendments to the law governing the victim assistance system, which increased transparency and clarified how victims enter, exit, and receive services, entered into force. The government provided both direct care and funding for third-party care through an asylum reception center that coordinated the national victim assistance system. In 2015, the government earmarked 1 million euros (\$1.1 million) for the national assistance system. The national assistance system spent 540,000 euros (\$588,000) of that budget on trafficking victim assistance, a decline from 830,000 euros (\$903,000) in 2014 due to changes in housing and the number of victims referred to the national assistance system for services in 2015. The center offered shelter and psychological, medical, and legal assistance to identified victims; the staff of the reception center was empowered to identify and authorize care for victims, even when law enforcement authorities did not identify a person as a trafficking victim. There were no shelters specifically for trafficking victims. The reception center maintained a hotline and a website in multiple languages exclusively for trafficking victims. One NGO reported it received increased funding from the government and the state-owned gambling monopoly for its trafficking victim services, which included social, health, and hotline services, as well as support during police interviews and training for Finnish authorities. The national victim assistance system admitted 52 potential trafficking victims (36 women, 16 men, and no children) in 2015, the majority of whom were subjected to labor exploitation, compared with 50 admissions in 2014. Authorities used a series of written guidelines to assist in victim identification and referral to care and to ensure protection of victims' rights, although law enforcement and immigration officials noted victim identification remained a core challenge for the government. There were no reports the government penalized victims for unlawful acts committed as a direct result of being subjected to human trafficking. GRETA reported authorities may have penalized unidentified sex trafficking victims through application of legal provisions allowing suspected non-resident persons in prostitution to be deported or refused entry into Finland. During the reporting period, authorities acknowledged the surge in migrants seeking asylum throughout Europe placed additional stress on the government's capacity for victim identification despite increased staffing levels. According to GRETA, identification of child trafficking victims was especially challenging, which NGOs attributed to a lack of awareness.

The government encouraged victims to assist in the prosecution of their alleged traffickers. In 2015, 40 victims assisted law enforcement in pre-trial investigations concerning human trafficking or aggravated human trafficking, eight of whom participated in the prosecutions of alleged traffickers; 53 victims assisted in 2014. Approximately 10-15 additional victims assisted in pre-trial investigations of other trafficking-



related crimes. In January 2015, legal amendments allowing courts to conceal witnesses' identities for their protection in cases of severe criminal offenses, including trafficking, entered into force. Access to emergency shelter services was not contingent on victims' cooperation in criminal proceedings against their alleged traffickers. Finnish law allows foreign victims a six-month reflection period during which they can receive immediate care and assistance while considering whether to assist law enforcement. Authorities estimated they provided five victims with a reflection period in 2015. The government offered continuous residence permits to nine victims in particularly vulnerable positions in 2015, compared with 11 in 2014. Victims may be eligible to receive renewable temporary residence permits, allowing them to seek employment. Authorities provided temporary residence permits to two victims of trafficking. In instances where victims do not possess a national passport, the government may grant a temporary alien passport, although GRETA noted victims whose cases were prosecuted under laws other than those against trafficking, such as pimping, were often treated solely as witnesses rather than victims, which affected their access to residence permits.

## PREVENTION

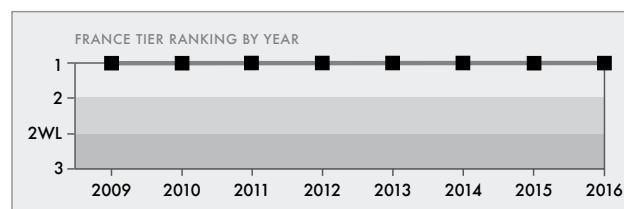
The government sustained robust prevention activities. The national anti-trafficking coordinator developed a new government-wide coordination structure that created trafficking prevention offices within each ministry. The national coordinator engaged regularly with NGOs and began work on a new national action plan for 2016-2017. Parliament adopted a resolution on the independent rapporteur's quadrennial report to Parliament calling for long-term funding and measures to improve prosecution, protection, and prevention efforts. Changes to the national rapporteur took effect in January 2015, when the office was folded into that of the newly created Non-Discrimination Ombudsman. A new ombudsman, who also was to serve as the national rapporteur on trafficking, was appointed in May. The office plans to publish an annual report on non-discrimination issues that will include trafficking; however, the office discontinued the national rapporteur's annual trafficking report. The government conducted an awareness campaign against sex trafficking that targeted vulnerable groups, including women in prostitution. GRETA reported the government did not conduct assessments to measure the effectiveness of its awareness campaigns. In response to the vulnerability facing berry pickers, who were not covered under worker protection laws, the government conducted assessments of berry industry companies to prevent labor exploitation and required companies to agree to a general code of conduct. The government assigned law enforcement personnel to its embassies to assist in trafficking prevention and potential victim identification during the visa application process. The government funded an anti-trafficking awareness campaign at a film festival in March 2016 and distributed brochures at an annual travel show to prevent sex tourism. The government did not make efforts to reduce demand for commercial sex acts or forced labor. The government provided anti-trafficking training to its forces prior to their deployment abroad on international peacekeeping missions and to its diplomatic personnel.

## FRANCE: Tier 1

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 and North Africa, Asia, and the Caribbean 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 and drug addiction. The number of children, including students and foreigners, exploited in prostitution has increased in recent years. Migrants from Africa and the Middle East, particularly women and children, are vulnerable to sex and labor trafficking in Calais. Some migrants who could not pay their smugglers are held in debt bondage. Reports indicate children, primarily from Romania, West and North Africa, and the Middle East 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. Young women in French suburbs are vulnerable to sex trafficking. 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, Marseille, 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 meets the minimum standards for the elimination of trafficking. The government did not report anti-trafficking law enforcement efforts for the reporting period. Although it identified victims and continued to provide protective services for sex and labor trafficking victims, specialized services for children remained unavailable, and some services were only available for victims who cooperated with law enforcement. The government released its first annual public report detailing its anti-trafficking efforts and continued to partner with destination countries to address child sex tourism by French nationals.



## RECOMMENDATIONS FOR FRANCE:

As stated in France's national action plan, expand available information on law enforcement efforts against human trafficking, including data on the investigation, prosecution, conviction, and sentencing of traffickers; provide specialized care for child victims of trafficking and strengthen victim protection for child victims of forced begging and theft; provide care for all victims regardless of cooperation with law enforcement; improve victims' access to restitution; standardize residence permit issuance policies and consider waiving permit fees for

all trafficking victims; screen women and children arrested for soliciting or theft for trafficking indicators; implement a national awareness campaign; and provide anti-trafficking training or guidance to diplomats.

## PROSECUTION

The government did not report comprehensive anti-trafficking law enforcement efforts for the reporting period. 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. The government did not report the number of investigations conducted in 2015; in 2014, authorities conducted 204 criminal investigations for sex trafficking. The government did not report the number of prosecutions or convictions in 2014 or 2015; in 2013, authorities convicted 127 traffickers under article 225-4. The government also convicted 23 offenders for the prostitution of children and eight traffickers for forced begging in 2013.

The government confirmed several cases in which traffickers were sentenced to multiple years of imprisonment, including a case of a complicit official. In November 2015, the Paris criminal court sentenced 10 individuals, including a police captain, to between 18 months' to five years' imprisonment for operating a trafficking network in three massage parlors throughout Paris. The head of the network, a Thai woman, was sentenced to five years' imprisonment, fined 100,000 euros (\$114,000), and banned from French territory. In June 2015, the Inter-Regional Specialized Court of Marseille sentenced six members of a Nigerian prostitution network to two to four years' imprisonment with fines of 15,000 euros (\$17,000) each. The traffickers forced 20 Nigerian women into sex trafficking. During the reporting period, in cooperation with NGOs, the Central Office for Combating Human Trafficking (OCRTEH) trained police in identification of trafficking victims. The Ministry of Justice (MOJ) provided training to prosecutors and judges on the application of the anti-trafficking statute in March 2016.

## PROTECTION

The government maintained protection efforts. The government identified 92 trafficking victims in 2015. In 2014, the government identified 467 victims of sex trafficking and aggravated pimping. The government had a formal procedure for identifying victims and an NGO-run referral mechanism. 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 51 NGO-run shelters assisting adult victims of sex and labor trafficking. Ac-Se assisted 92 trafficking victims in 2015, compared with 52 in 2014, by providing them with shelter, legal, medical, and psychological services. Eighty-seven were sex trafficking victims and five were labor trafficking victims. Seventy percent of these victims were Nigerian. The government repatriated 13 victims to multiple countries. Ac-Se received 223,000 euros (\$243,000) in 2015, compared with 205,000 euros (\$223,000) in 2014. Local governments provided French language classes to victims, and some victims could qualify for subsidized housing and job training programs. The government provided victims 350 euros (\$400) as an initial stipend, and 100 euros (\$110) per month thereafter. 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 where there was no specialized care for victims of trafficking. 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 2015; approximately 50 callers were referred to the Ac-Se network of care providers.

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 provided 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, victims unwilling to cooperate did not receive assistance. French law provided for a 30-day reflection period for identified victims, regardless of whether they chose to cooperate with law enforcement or not; however, some authorities were 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. 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; the compensation request process often took several years to complete, and many victims had requests in progress; between 2007 and 2013, the fund provided compensation to 24 victims. The MOJ partnered with Ac-Se to train front-line responders, including labor inspectors and social workers, on the identification and referral of trafficking victims. The Ministry of Economy and Finance distributed pocket-sized cards to border police and NGOs with instructions on how to identify trafficking victims. The Ministry of Social Affairs and Health and the City of Paris produced a DVD for the country's law enforcement, immigration, and social services personnel to provide guidance on victim identification.

## PREVENTION

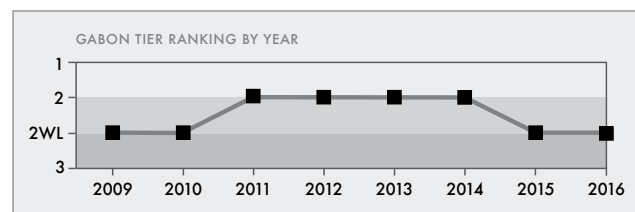
The government maintained anti-trafficking prevention efforts. The National Consultative Commission for Human Rights (CNCDDH), an independent advisory body of the government, released the first annual public report covering the government's anti-trafficking efforts in 2014 through May 2015. The government designated the CNCDDH as national rapporteur in compliance with the 2014-2016 national anti-trafficking action plan. The government did not implement a national anti-trafficking awareness campaign. However, 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 sex tourism. Tourism and hospitality students in France were obligated to take coursework on preventing child sex tourism. OCRTEH, in partnership with a hotel group, organized seminars to teach hotel personnel how to identify cases of trafficking and provided contact information for the local police for increased coordination. French police

conducted an unknown number of international investigations of child sex tourism. 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 for its diplomatic personnel.

## GABON: Tier 2 Watch List

Gabon is primarily a destination and transit country for West and Central African men, women, and children subjected to forced labor and sex trafficking and—to a lesser extent—a source country for children 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 to Gabon but are subsequently subjected to forced labor or prostitution after arriving via plane or boat with falsified documents. During the reporting period, a Sao Tomean woman was subjected to domestic servitude in Gabon. Traffickers appear to operate in loose, ethnic-based criminal networks, at times involving female traffickers—some of whom are former trafficking victims—in the recruitment and transportation of victims from their countries of origin. In some cases, child victims report their families willingly gave them to intermediaries promising employment or education who instead subjected the children to trafficking. There is evidence some traffickers operate outside the capital to avoid detection by law enforcement.

The Government of Gabon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government identified an increased number of trafficking victims, initiated more prosecutions than in the previous reporting period, and established two vigilance committees to monitor child trafficking in provincial capitals. 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 for the second consecutive year. For the third consecutive year, the government did not convict any traffickers or enact a proposed amendment specifically to criminalize adult trafficking, and it decreased funding for victim shelters. The inter-ministerial child trafficking committee, which coordinates national anti-trafficking efforts, remained without sufficient funds to fulfill its mandate effectively, and there remained no such mechanism to coordinate national efforts to address adult trafficking.



### RECOMMENDATIONS FOR GABON:

Increase efforts to investigate, prosecute, and convict traffickers, including those involved in adult trafficking and sex trafficking,

by convening the high court; enact provisions criminalizing all forms of trafficking; expand training for social workers, law enforcement, labor inspectors, and judicial staff to include the identification and investigation of adult trafficking; increase financial or in-kind support to both government-run and NGO shelters; develop an inter-ministerial committee to address adult trafficking or expand the existing inter-ministerial committee's mandate to include adult trafficking; train social workers and service providers on best practices in the provision of care for trafficking victims; increase funding and resources to government ministries to ensure full implementation of the victim identification and referral processes; increase communication among ministries to facilitate improved case management and data collection; develop a system to track trafficking cases and provide relevant law enforcement and victim protection statistics; expand national awareness-raising campaigns to include information on adult trafficking; and develop a national action plan to combat all forms of trafficking.

### PROSECUTION

The government maintained modest anti-trafficking law enforcement efforts. Existing laws do not criminalize all forms of human trafficking; for example, they do not criminalize bonded labor. Enacted in September 2004, law 09/04 on child trafficking 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 penalties of two to five years' imprisonment and a fine. Law 21/63-94 prohibits forced prostitution of adults and prescribes penalties of two to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes. Penal code article 48 prohibits the use of children in illegal activities, prescribing penalties of five to 10 years' imprisonment. Title 1, article 4 of the Gabonese labor code (law 3/94) criminalizes all forms of forced labor, prescribing penalties of one to six months' imprisonment, which are not sufficiently stringent and do not reflect the serious nature of the offense. For the third consecutive year, the government did not pass the 2013 draft amendment to law 09/04 to prohibit and punish the trafficking of adults and explicitly criminalize sex trafficking.

The high court is required to hear trafficking cases because they are a crime equivalent to murder; however, the high court was backlogged with cases and, due to funding issues, did not routinely meet, presenting a significant obstacle to prosecutions of trafficking crimes. The government reported 16 investigations—including one for adult forced labor—and 11 child labor trafficking prosecutions, comparable to 16 investigations and one prosecution the previous reporting period but a continued decrease from 50 investigations in 2013. The government did not convict any traffickers for the third consecutive year and did not provide or support anti-trafficking training for law enforcement officials during the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Data on anti-trafficking law enforcement efforts was limited, in part due to poor communication between ministries. Despite the prevalence of transnational trafficking, the government was not known to have worked with foreign law enforcement on trafficking cases.



## PROTECTION

The government maintained modest protection efforts. Officials identified at least 20 child labor trafficking victims during the reporting period and referred 14 to social services—an increase from three victims identified and none referred to services in 2014. NGOs identified five additional child labor trafficking victims. The government provided in-kind support for a training session on trafficking case management for social workers; approximately 40 workers received training. It continued to lack shelter space to accommodate trafficking victims, however, and decreased funding, for the second consecutive year, to NGOs that provided shelter and services to victims. The government continued to fund and run two shelters, and provided an unknown amount of funding and in-kind support to two NGO-run shelters offering services to orphans and street children vulnerable to trafficking, including funding for social workers, medical support, psycho-social services, legal assistance, education, and food and furniture vouchers. Nonetheless, NGOs that assisted trafficking victims relied primarily on donations from churches and private companies to finance their services. Shelters in Libreville were unable to accommodate all identified trafficking victims and other vulnerable children. Male and female victims received the same services. There were no government or NGO-run shelters specifically designated for adult victims, but some could have, in practice, provided shelter and services to adults; it is unclear if any adults were referred to such facilities during the reporting period. Adult male victims were permitted to leave shelters unchaperoned, but adult female victims were not. Shelter and victim services were in theory available to Gabonese nationals who had been repatriated due to trafficking, but it is unknown if any such victims were referred to these services during the reporting period.

The Ministry of Health and Social Welfare assisted in the repatriation of 15 foreign victims, including one adult forced labor victim associated with the ongoing forced labor investigation. If victim repatriation was not an option, the Ministry of Social Affairs could provide a victim with immigration relief and resettle them in Gabon, but it is unknown if any victims availed themselves of this legal alternative during the reporting period. The government encouraged victims to cooperate when authorities needed their testimony for the prosecution of alleged traffickers. Prosecutors, police, and magistrates routinely took victims' testimonies at the time of the arrest of the suspected traffickers or rescue of the victim, which is not considered the most effective nor a victim-centered approach. While the government has sought restitution for trafficking victims in the past, there were no reports this occurred during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of their being subjected to trafficking; however, due to uneven implementation of formal victim identification measures during the reporting period, some victims may have remained unidentified in the law enforcement system.

## PREVENTION

The government maintained modest prevention efforts. The inter-ministerial child trafficking committee established two new vigilance committees in provincial capitals to investigate child trafficking offenses, but insufficient funding hindered the committees' ability to fulfill their mandates. An international organization funded and conducted the majority of trainings for the vigilance committees. The inter-ministerial and regional vigilance committees did not conduct any trafficking

awareness campaigns, and the government did not conduct any information campaigns to inform potential victims about available assistance or to warn potential traffickers of the legal penalties for child trafficking. The government made modest efforts to implement its 2015 action plan against child trafficking and child exploitative labor by establishing the vigilance committees and identifying and prosecuting employers engaged in exploitative child labor practices. The government did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. The government, with foreign donor support, provided anti-trafficking training to Gabonese troops prior to their deployment abroad on international peacekeeping missions. During the reporting period, there were reports a Gabonese peacekeeper deployed to the Central African Republic purchased commercial sex from underage girls exploited in sex trafficking; the government's investigation of this allegation was ongoing at the end of the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel.

## 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. Women and girls are subjected to forced labor and sex trafficking in Middle Eastern countries, including United Arab Emirates, Kuwait, and Lebanon.

The Government of The Gambia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. During the reporting period, the government repatriated and provided services to nine victims subjected to trafficking abroad and continued to conduct sensitization campaigns in key border regions; however, the government did not complete any prosecutions, secure any convictions, or identify any victims within the country for the fourth consecutive year. Additionally, despite reports that government officials were complicit in trafficking offenses during the reporting period, the government did not investigate, prosecute, or convict any government officials complicit in trafficking offenses.



## 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 standard procedures for referring trafficking victims to NGO care services and inform government officials and the NGO community of such procedures; undertake cooperative efforts with anti-trafficking officials from governments in the region to enable joint law enforcement efforts, and the safe repatriation of victims to and from The Gambia; and provide adequate funding and resources to the national coordinating body to ensure its effective implementation of 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 prohibits child sex trafficking, prescribing a penalty of 10 years' imprisonment. The government initiated one investigation and one prosecution for labor trafficking during the reporting period; however, the government did not secure any convictions during the reporting period. Four prosecutions initiated in the previous reporting period remained pending; three of the suspects remained at large. Sixteen law enforcement officials attended a training provided by an international organization; however, law enforcement officials generally continued to lack adequate training to investigate and prosecute trafficking offenses. Despite reports of official complicity, the government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; additionally, 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. The government acknowledged the identification of 20 Gambian women who had been subjected to domestic servitude in Kuwait; however, the government did not repatriate or provide services for these women. The government, in collaboration with an international organization, repatriated nine women who were identified as trafficking victims in Lebanon during the previous reporting period; the government provided initial screening and psychological counseling for all nine victims and was in the process of securing victims' assistance funds to support vocational training at the close of the reporting period. 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 maintained an electronic child protection database, which included information on trafficking cases, although no cases were identified in 2015. The 2007 anti-trafficking 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

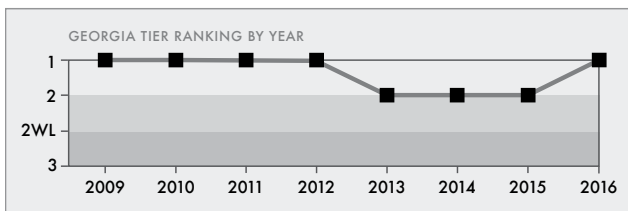
The government sustained modest prevention efforts. The National Agency Against Trafficking in Persons (NAATIP)—the coordinating body for government anti-trafficking efforts—continued to receive modest funding from the government. In consultation with NGOs, NAATIP updated the government's national action plan to apply through 2016 and began its implementation. Its officials traveled to key border posts to sensitize immigration, police, and customs officers, as well as the general public, on human trafficking and the need to report suspected cases directly to NAATIP. The government did not have effective policies to regulate foreign labor recruiters and hold them liable for fraudulent recruiting; however, the Governments of The Gambia and Lebanon began drafting a memorandum of understanding that focused on improving the regulation of labor recruiters and law enforcement cooperation; the draft was not finalized at the close of the reporting period. In collaboration with international NGOs, the Gambian tourism board continued to raise awareness about child sex trafficking within the tourism industry. 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 efforts to decrease the demand for commercial sex acts or forced labor 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 anti-trafficking training for its diplomatic personnel.

## GEORGIA: Tier 1

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 and United Arab Emirates. Georgia is also a transit country for women from Central Asia exploited in Turkey. Women from Azerbaijan and Central Asia are subjected to forced prostitution in the tourist areas of the Adjara region and 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, Egypt, Cyprus, and Iraq. Georgian, Romani, and Kurdish children are subjected to forced begging or coerced into criminality in Georgia. 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 particularly vulnerable to trafficking.

The Government of Georgia fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government increased the anti-trafficking capacity of its law enforcement through funding an unprecedented number of trainings for police, prosecutors, judges, and shelter operators. The government adopted a more victim-centered approach through the inclusion of victim witness coordinators from the initial stages of investigations through the end of court proceedings. The government continued to provide comprehensive care for all identified victims and increased services available to victims, including child care for dependents of victims staying in two government-operated shelters. The government established a labor inspectorate, hired 50 full-time labor inspectors, and provided them with comprehensive training on how to identify potential cases of trafficking. However, authorities convicted fewer traffickers, identified fewer victims, and restricted labor inspectors' ability to investigate workplaces. Victim identification of children in exploitative situations on the street, including forced begging and criminality, and Georgian and foreign workers in vulnerable labor sectors remained inadequate, and the government did not conduct a study on street children or devise a strategy to address the issue.



## RECOMMENDATIONS FOR GEORGIA:

Increase efforts to identify trafficking victims; increase efforts to investigate and prosecute suspected traffickers and convict labor and sex traffickers; conduct a comprehensive study on children living and working on the street; create integrated, interagency strategies for reducing vulnerability and countering forced begging; train law enforcement officials on interview skills and long-term case development; encourage police and prosecutors to use money laundering investigations to develop evidence, and employ expert witnesses to explain victims' behavior and experiences at trial; increase the use of plea-bargaining to motivate less serious offenders to testify and uncover larger criminal organizations, if detected; increase transparency of the inter-ministerial trafficking coordination council; and continue awareness-raising campaigns about the existence of human trafficking, legal recourse, and available protection services, targeted at vulnerable groups.

## PROSECUTION

The government demonstrated mixed progress on law enforcement efforts. The Law on Combating Trafficking in Persons and article 143 of its criminal code prohibit all forms of trafficking and prescribe penalties ranging from seven to 20 years' imprisonment, which are sufficiently stringent and

commensurate with those prescribed for other serious crimes, such as rape. The government maintained an anti-trafficking investigatory unit within the Tbilisi police, comprised of specifically trained investigators, and an anti-trafficking taskforce in Batumi. The government investigated 17 new cases under article 143, compared with 16 in 2014. Of these, 11 were for sex trafficking and six for labor trafficking, which included one minor, compared with 12 investigations for sex trafficking and four for labor trafficking in 2014. In addition, authorities conducted three trafficking investigations under article 171 for forced begging, compared with two investigations in 2014, and 11 cases under article 253 related to forced prostitution or pimping, compared with five in 2014. Authorities prosecuted two defendants for sex trafficking and one defendant for forced begging, compared with five for sex trafficking and none for forced begging in 2014. The government convicted three traffickers, compared with six in the previous reporting period. Two convicted traffickers received sentences of eight and 12 years' imprisonment, and one perpetrator of forced labor received a suspended jail sentence.

In September 2015, the Prosecutor General's Office (PGO) and the Ministry of Internal Affairs (MOIA) mandated the PGO's Victim-Witness Coordinators (VWCs) to meet and counsel victims during the initial stage of trafficking investigations through the end of the court proceedings. Under this mandate, MOIA investigators must now contact VWCs and allow them to speak with victims, offering counseling and apprising them of government assistance programs prior to and after being interviewed by investigators. The PGO and MOIA co-sponsored a comprehensive training program where VWCs, prosecutors, and law enforcement learned best practices from foreign counterparts. The government funded seven additional trainings for law enforcement, prosecutors, and judges, several of which focused on investigating forced labor and forced begging. Authorities collaborated with at least three foreign governments on transnational investigations. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

## PROTECTION

The government increased efforts to protect trafficking victims but identified fewer victims. The government identified nine adult trafficking victims in 2015, compared with 17 in 2014; six victims were female sex trafficking victims, three from Uzbekistan and three from Georgia, and three were Georgian labor trafficking victims, including two males and one female. The State Fund, the central government's social welfare agency, provided all nine identified victims with protective services as well as services for one additional victim identified in the previous year. Victim identification of children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors remained inadequate. Civil society reported the victim referral process was well-established, demonstrating strong cooperation between law enforcement bodies and victim assistance agencies. During the reporting period, the government launched the Labor Monitoring Department and hired 25 full-time labor inspectors and another 25 labor inspector reservists to conduct unannounced inspections and look for signs of trafficking at business locations throughout Georgia. All 50 full-time inspectors and reservists received comprehensive five-day training on indicators of labor trafficking.

The government funded and operated two shelters that provided medical aid, psychological counseling, legal assistance, and



financial compensation to nine trafficking victims in the reporting period. In August, shelters began offering free daycare and child care services for trafficking victims' children. The government spent at least 271,000 lari (\$114,300) on the operation of the anti-trafficking shelters in Tbilisi and Batumi and other victim assistance programs. The government reported foreign trafficking victims were eligible for temporary, one-year residence permits; the government proactively sought and issued three residence permits for victims during the reporting period. The government reported it encouraged victims to assist law enforcement with investigations and prosecutions, although their assistance was not required to receive government protection or shelter services; three of the nine identified victims assisted law enforcement. Deportation of trafficking victims is not permitted by law.

## PREVENTION

The government increased trafficking prevention efforts. Government officials funded and participated in an increased number of television, radio, and print media programs to raise awareness of trafficking. The government organized anti-trafficking information meetings in villages and towns in nearly every region of Georgia, presenting to more than 2,500 audience members from different target groups, including primary school and university students, minorities, internally displaced persons, and journalists. In August 2015, the government funded two local NGOs 5,000 lari (\$2,100) to help raise public awareness on trafficking and the government assistance available. The government also disseminated approximately 62,000 leaflets and 5,000 brochures on various trafficking issues at border crossings, tourism information centers, metro stations, and public service halls throughout the country. The government produced a documentary on human trafficking, which was aired on the public broadcasting system. The government continued to fund an anti-trafficking hotline operated by police from the 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 138 persons and the State Fund hotline received 192 calls, which led to the identification of one victim.

The government continued to fund and partner with the EU to develop a system to support the rehabilitation and re-socialization of children living and working on the street. The government coordinated with three NGOs to operate mobile street teams comprised of social workers, psychologists, and mentors who were formerly street children. The government also partially covered operational costs for daycare facilities, 24-hour crisis intervention facilities, and long-term transition centers to assist this vulnerable population. In January 2016, the government approved legislation authorizing social workers to act as guardians when applying for identity cards on behalf of street children. This will expedite the issuance of identity cards for such children, allowing them to receive government services and assistance, including health and education services for minors, who are undocumented foreign citizens.

In April 2015, the government adopted the Law on Labor Migration, regulating the operation of labor recruitment agencies. In August 2015, the government adopted Resolution 417, which defines labor conditions for employment, including payment, and requires domestic employers hiring a foreign worker in Georgia to submit information to the Social Services Authority within 30 calendar days of hiring. In December 2015, the State Commission for Migration Issues adopted a 2010-2016 Migration Strategy and Action Plan to address human

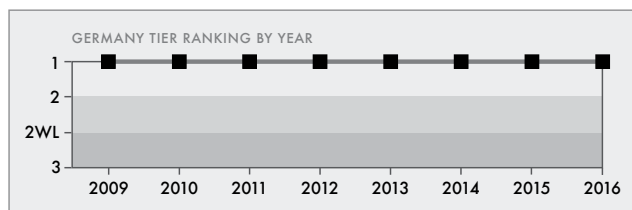
trafficking, as well as illegal migration by effectively identifying trafficking and human smuggling cases, improving criminal prosecution mechanisms, detecting and preventing potential trafficking cases in connection with illegal border crossings or visa overstays, and regularly monitoring and evaluating victim protection and rehabilitation programs. During the reporting period, law enforcement, in cooperation with third-country law enforcement, investigated 27 organizations that offered employment abroad to Georgian citizens and interviewed 105 Georgians employed outside of the country to screen for potential trafficking indicators.

The government demonstrated efforts to reduce the demand for commercial sex and forced labor. An inter-ministerial trafficking coordination council led development of new legislation and policy, including consulting NGOs, and monitored national efforts, although the council rarely made its assessments public and one international organization noted the council's lack of transparency. A number of teenage girls alleged they were sexually abused by Georgian peacekeepers in the Central African Republic; it is unclear whether trafficking crimes may have occurred. The government was investigating the allegations at the close of the reporting period. The government provided anti-trafficking training for its diplomatic personnel and its armed forces prior to deployment as peacekeepers.

## GERMANY: Tier 1

Germany is a source, transit, and destination country for women, children, and men subjected to sex and labor trafficking. Most sex trafficking victims in Germany are European, primarily Bulgarians, Romanians, and Germans. Citizens 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. Labor trafficking victims are predominantly European, including Bulgarians, Poles, and Romanians, as well as Afghans, Pakistanis, and Vietnamese. Victims of forced labor are exploited on construction sites and in agriculture, hotels, 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. In 2015, approximately 1.1 million refugees and asylum-seekers arrived in Germany, including approximately 67,000 unaccompanied minors; these individuals remain vulnerable to sex and labor trafficking. Several foreign governments reported German citizens engaged in sex tourism abroad.

The Government of Germany fully meets the minimum standards for the elimination of trafficking. The influx of migrants to the country during the reporting period placed a significant strain on government resources, including among agencies responsible for combating trafficking. Despite this challenge, the government maintained strong efforts to prosecute and convict sex traffickers, continued to identify and provide protections to sex trafficking victims, and funded various public awareness campaigns; however, weak sentences for trafficking convictions continued to undercut efforts to hold traffickers accountable, and government efforts to identify and assist labor trafficking victims and prosecute and convict labor traffickers remained inadequate given the scope of the problem.



## RECOMMENDATIONS FOR GERMANY:

Increase efforts to address labor trafficking, including by revising section 233 of the criminal code, proactively identifying labor trafficking victims, and vigorously investigating, prosecuting, and convicting trafficking offenders; ensure that all trafficking offenders are punished with sentences commensurate with the severity of the crime; standardize victim assistance measures and cooperation with civil society across the 16 federal states; increase the number of victims provided services through counseling centers; expand longer-term residence permit eligibility for victims not reliant on their willingness to testify at trial; establish policies to encourage victims to self-identify, including by addressing the requirement that officials report migrants' undocumented status; and conduct awareness campaigns targeting beneficiaries of forced labor and clients of the commercial sex industry.

## PROSECUTION

The government maintained law enforcement efforts. The criminal code prohibits all forms of sex and labor trafficking, the former under section 232 and the latter under section 233. Punishments prescribed in these statutes range from six months' to 10 years' imprisonment and are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. 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 and sex trafficking. Tracking of trafficking convictions was limited by a record-keeping system that did not record convictions as involving 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 2014, the most recent year for which comprehensive statistics were available, state and federal authorities completed 392 sex trafficking investigations, compared with 425 in 2013. Authorities prosecuted 105 defendants for sex trafficking in 2014, compared with 118 in 2013. Courts convicted 79 sex traffickers in 2014, compared with 77 in 2013. 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 79 sex traffickers convicted, only 19 were sentenced to prison, with sentences between two and 10 years. The government investigated 11 labor trafficking cases in 2014, compared with 53 in 2013; although there was a significant decrease in the number of investigations compared to 2013, the number of investigations in 2014 was comparable to recent years. Authorities prosecuted 17 alleged labor traffickers in 2014, compared with 15 in 2013. Courts convicted eight of these offenders, compared with 14 in 2013. None of the eight

convicted labor traffickers were imprisoned.

Although 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. The German Judicial Academy offered anti-trafficking training to prosecutors and judges and the Federal Criminal Police organized several specialized seminars to educate investigating officers and prosecutors on trafficking topics. 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 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 557 sex trafficking victims in 2014, compared with 542 in 2013; counseling centers cared for approximately 30 percent of those identified. The government registered 26 labor trafficking victims, a significant decrease from 61 in 2013. Requirements that officials inform immigration authorities of any undocumented migrants who 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. Although most counseling centers offered services for labor trafficking victims, the centers were generally less experienced with labor trafficking; there was also a lack of shelter services available for male labor 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. The federal government provided funding to an umbrella organization responsible for NGO-run counseling centers, and many state governments provided significant supplemental funding for the support of victims.

The government offered undocumented victims a reflection period of three months to decide if they wanted to testify in court. Victims who agreed to testify were entitled to live and work in Germany for the duration of the trial. Those who testified were not entitled to stay in Germany following trials; however, victims who faced personal injury or threats to life or freedom in their countries of origin or cases of humanitarian hardship could apply for residence permits. In 2015, the government amended the residency act, which lowered eligibility requirements for residence permits, now giving those who testified or cooperated with the authorities enhanced protections from deportation and offered residency eligibility for members of the core family in certain circumstances. 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. The law under certain requirements enables victims to join criminal trials as joint plaintiffs with free legal counsel and pursue civil remedies; however, victims often had difficulty obtaining compensation in practice. The law also entitles victims to interpreters and for a third-party representative 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, 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. The government did not prioritize labor trafficking as highly as sex trafficking, but it continued to increase efforts to assess and address labor trafficking 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 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 new federal-state working group against labor trafficking held its first workshop in March 2016. The government, in collaboration with NGOs, co-funded and implemented various public awareness campaigns during the reporting period. The Federal Agency for Migration and Refugees conducted training on identifying victims among asylum-seekers and implemented standard operating procedures on handling and reporting suspected trafficking cases in response to the increasing number of potential trafficking victims within the asylum system. The government, in cooperation with an 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 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 fund a hotline for women affected by violence, including female trafficking victims. The government did not make efforts to reduce the demand for commercial sex or forced labor. 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. Although the government did not provide anti-trafficking training for its diplomatic personnel, it did so for its troops prior to their deployment abroad on international peacekeeping missions.

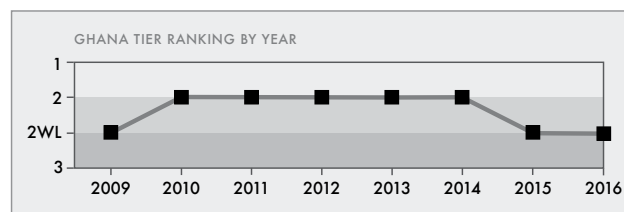
## GHANA: Tier 2 Watch List

Ghana is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The exploitation of Ghanaians, particularly children, within the country is more prevalent than the transnational trafficking of foreign nationals. 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 sex trafficking in Ghana. Sex trafficking is prevalent in the Volta region and is growing in the oil-producing Western Region. As part of a ritual to atone for sins of a family

member, Ghanaian girls are subjected to servitude that can last for a few months or several years. Ghanaian girls and young women from the rural northern regions move to urban centers as far south as Accra to seek work as porters; they are at risk for sex trafficking and forced labor.

Ghanaian women and children are recruited and sent to the Middle East, West Africa, and Europe for forced labor and sex trafficking. Licensed and unlicensed agencies recruit young Ghanaian women for domestic service or hospitality industry jobs in Gulf countries. 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 go to the Middle East where they were subjected to domestic servitude 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 increased of corruption and bribery in the judicial system, which hindered anti-trafficking measures.

The Government of Ghana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated and prosecuted trafficking and trafficking-related crimes, including allegedly fraudulent labor recruiters and suspected child traffickers, conducted public awareness activities aimed at informing the public about the risks of human trafficking, and provided funding support facilitating two meetings of the Human Trafficking Management Board (HTMB). 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 for the second consecutive year. The failure to provide adequate and timely operating funds for law enforcement and protection agencies continued to hamper the government’s anti-trafficking efforts. As a result, the government did not increase prosecution efforts or assistance to victims. While the Anti-Human Trafficking Unit (AHTU) of the Ghana Police Service (GPS) reported 238 investigations and referred 21 individuals for prosecution for trafficking-related crimes, the government reported no convictions in 2015. The government also reported identifying fewer victims overall than in the previous year. The government did not provide any funding for the human trafficking fund intended to support victim services or for maintenance or repair of its one shelter for child trafficking victims, which remained in poor condition and lacked basic security. Additionally, the government did not provide anti-trafficking training to police or attorney general’s prosecutors. While the government issued a legislative instrument to implement the human trafficking act, it included changes to punishments for trafficking offenses and allowed for application of insufficiently stringent penalties.





## RECOMMENDATIONS FOR GHANA:

Increase funding and support for police and immigration service efforts to investigate, and police and attorney general prosecutors to prosecute, trafficking offenses—especially internal labor and sex trafficking of children—and convict and punish trafficking offenders; develop and implement systematic methods of collecting and reporting data on investigations, prosecutions, victims identified, and assistance provided; develop and implement systematic procedures for law enforcement, social welfare personnel, and labor inspectors 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 government funding for the human trafficking fund; finalize and implement the national plan of action against trafficking; provide training to prosecutors and judges on the appropriate implementation of the anti-trafficking act; increase efforts to ensure attorney general prosecutors review human trafficking case dockets and lead the prosecution of human trafficking cases; provide support for government-operated shelters for children and adults and training of staff in victim care; increase efforts to regulate the activity of licensed and unlicensed recruitment agencies and investigate and prosecute agencies suspected of participating in human trafficking of Ghanaian migrant workers; and amend the anti-trafficking act legislative instrument so that it provides sufficiently stringent penalties for all trafficking offenders.

## PROSECUTION

The government reported increased investigative efforts, but decreased anti-trafficking prosecution efforts. The 2005 Human Trafficking Act—amended in 2009 to align its definition of human trafficking with the 2000 UN TIP Protocol—prohibits all forms of trafficking and prescribes penalties of five to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape; however, the regulations for this act, issued in November 2015, specify that where a parent or guardian or another person with parental responsibilities and rights over a child exploits such child in trafficking in persons, the penalty is a fine or five to 10 years' imprisonment or both. Punishments that allow for fines in place of imprisonment are not sufficiently stringent to deter the crime.

The government did not keep comprehensive statistics on its anti-trafficking law enforcement efforts; thus the data provided may not reflect an accurate or complete picture of its efforts. AHTU reported conducting 238 investigations of potential trafficking crimes compared with 94 investigations in 2014; of these, 123 were reported as human trafficking investigations and 14 as investigations of recruitment agencies operating without a license. The Ghana Immigration Service (GIS) reported identifying 10 cases of suspected trafficking, which it referred to AHTU for investigation. GPS reported referring nine cases for prosecution involving 21 defendants, compared with 15 prosecutions in 2015. The government reported no convictions in 2015, compared with seven convictions in the previous year. The attorney general's department reported no trafficking prosecutions during the reporting period. While the government did not generally provide detailed information on its reported investigations and prosecutions, it provided information on two cases. One ongoing prosecution reportedly involves two defendants accused of recruiting a young Ghanaian woman who endured forced labor and sexual abuse in Kuwait. A second prosecution is related to the forced labor of a child. For the third year, AHTU did not receive operating funds and

relied on donor support for logistics, equipment, and facilities for identified victims. The GIS also reported a lack of financial support for anti-trafficking activities.

The government did not support any specialized anti-trafficking training for government officials during the reporting period; attorney general and police prosecutors remained without such training for the fifth consecutive year. New recruits in the GIS and the GPS received training on trafficking-related topics as part of their basic introductory training. 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 increased during the reporting period, further inhibiting anti-trafficking law enforcement action.

## PROTECTION

The government decreased efforts to identify and assist victims, and reported a continued lack of funds to support services for both children and adults. The government did not keep comprehensive statistics on the number of trafficking victims identified or assistance provided. The AHTU reported identifying 112 potential victims through its investigations, compared with 146 victims reported identified in 2014. With support from donors, the Department of Social Welfare (DSW) provided care for 17 child victims of trafficking in a shelter for abused children in Osu; 13 of these children were reintegrated with their families and four were reportedly released to the police. The human trafficking fund, established by the 2005 Human Trafficking Act to finance protection efforts, continued to be unfunded for the fourth consecutive year. Despite a lack of financial support for repatriating and assisting Ghanaian trafficking victims, the GIS reported facilitating the repatriation of six victims of trafficking from Kuwait and Saudi Arabia and intercepting 46 potential victims of trafficking at airports or other ports of entry. The shelter in Osu is the only government-run shelter where child victims of trafficking or other abuses may be placed; it provides short-term care and has a maximum capacity of 30 children. This shelter is co-located with a juvenile correctional facility with no structural barrier protecting the victims from criminal offenders, is in serious disrepair, and lacks security. The government provided the salaries of shelter staff, who rely on support from international organizations to feed, clothe, and provide care for trafficking victims. There continued to be no government-run shelter for adult victims. Numerous NGOs continue to provide shelter and care to child victims of forced labor; however, the government did not provide any support to NGOs that provided such assistance.

The government did not employ formal procedures to identify victims among vulnerable groups, such as women in prostitution or children at informal work sites, such as fishing, mining, or street vending; however, law enforcement agencies operating at the border initiated questioning to recognize indicators of trafficking. Immigration service and police officials reported 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 victims may have remained unidentified in the law enforcement system.

## PREVENTION

The government increased anti-trafficking prevention efforts. The government supported two meetings during the year of HTMB, the inter-ministerial committee responsible for advising the Ministry of Gender, Children, and Social Protection (MGCSP) on anti-trafficking policy, promoting prevention efforts, and facilitating the rehabilitation and reintegration of trafficking victims. MGCSP 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 government continued to review the draft national action plan on human trafficking during the reporting period. The government partnered with an international organization to conduct community-level training on child protection and the rights of children. The government also entered into a partnership with a foreign donor focused on improving its response to child trafficking and committed to increasing its resources devoted to combating this crime. In response to increasing reports of sex and labor trafficking, as well as serious physical abuse of Ghanaian women recruited for domestic and hospitality jobs in the Middle East, GIS, GPS, and HTMB members participated in radio and television sensitization programs to raise awareness of fraudulent recruitment agencies and the dangers of such travel. The government also made increased efforts to investigate and prosecute those allegedly responsible for fraudulent recruitment. The government made no efforts to decrease the demand for forced labor or for commercial sex acts. The government relied on foreign donors to provide anti-trafficking training to Ghanaian troops prior to their deployment abroad on peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

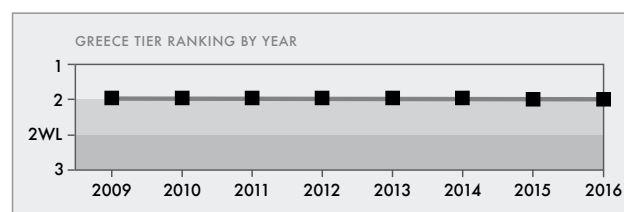
## GREECE: Tier 2

Greece is a destination, transit, 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 and children from Eastern and Southern Europe, South Asia, Nigeria, and China are subjected to sex trafficking in Greece. Victims of forced labor in Greece are primarily children and men from Eastern Europe, South Asia, and Africa. Migrant workers from Bangladesh, Pakistan, and Afghanistan are susceptible to debt bondage, reportedly in agriculture. Some labor trafficking victims enter Greece through Turkey along irregular migration routes from the Middle East and South Asia. Traffickers lure most victims through false job opportunities. Economically marginalized Romani children from Albania, Bulgaria, and Romania are forced 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.

During the reporting period, many countries in the EU and Southeast Europe—including Greece—experienced an unprecedented wave of migration from the Middle East, Africa, and Asia, consisting of a mix of asylum-seekers/potential refugees, economic migrants, and populations vulnerable to trafficking, among others. One international organization estimated Greece received more than 862,000 migrants and asylum-seekers in 2015; some of these individuals, such as unaccompanied minors and single women, were highly vulnerable to trafficking. Most migrants and asylum-seekers

are believed to rely on smugglers at some point during their journey and in some instances are forced into exploitation upon arrival in Greece.

The Government of Greece does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Greece's economic crisis and the influx of refugees and migrants to the country placed a significant strain on government resources, which affected its law enforcement efforts. The government prosecuted somewhat fewer suspects compared with the previous two years. Police identified fewer trafficking victims, but the government provided all identified victims assistance, unlike in 2014. The government operated or provided funding or in-kind assistance to some shelters that could assist trafficking victims; however, the government did not operate a trafficking-specific shelter. The government issued renewable residence permits to 29 trafficking victims in 2015, compared with none in 2014. In November, the government issued a joint-ministerial decision to grant six-month work permits for some third country nationals residing in Greece without a residence permit, aimed at reducing this population's vulnerability to trafficking.



## RECOMMENDATIONS FOR GREECE:

Vigorously investigate, prosecute, and convict traffickers, including officials complicit in trafficking; increase efforts to identify trafficking victims among vulnerable populations and refer them to specialized services; provide training to prosecutors, judges, and law enforcement on a victim-centered approach to prosecutions; establish specialized shelters for trafficking victims and provide shelter for adult male and child victims; employ witness protection provisions already incorporated into law to further encourage victims' participation in investigations and prosecutions; draft a national action plan for combating trafficking; integrate messages targeted towards vulnerable minority populations into existing awareness campaigns; and create a national database to digitize the collation of trafficking case information from national courts.

## PROSECUTION

The government sustained law enforcement efforts on convictions, but decreased it in other areas. 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 32 human trafficking cases, six of which were for forced begging or labor, compared with 36 cases in 2014. Due to limitations in data collection capabilities, conviction information was 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. In 2015, the government prosecuted 117 defendants on suspicion of committing trafficking-related

crimes, a decrease from 125 in 2014 and 142 in 2013. Of these, 20 defendants were prosecuted for labor exploitation, including forced begging, and 97 defendants for sexual exploitation. Only partial data on convictions from approximately half of the courts was available, although the number of courts that reported data increased from previous years. This partial data shows that the government convicted 34 traffickers in 2015, compared with 31 in 2014. Sentences ranged from 2.5 to 32.5 years' imprisonment and fines up to 100,000 euros (\$113,000). An NGO reported one instance in which a court convicted sex traffickers under pimping laws that carried lesser penalties.

Police units focusing on human trafficking are centered in Athens and Thessaloniki; those units provide staff to other regions to assist in the investigation of trafficking cases. Severe budgetary constraints stemming from Greece's seven-year financial crisis continue to impact police efforts. Law enforcement, in cooperation with NGOs, trained police serving in seven areas considered to be sensitive, including near the border with Turkey, and in the islands most affected by the flow of migrants. The government, sometimes in cooperation with NGOs, conducted several other training programs for police, First Reception Service staff, and public and private sector legal experts, on areas including identifying and protecting unaccompanied minors, trafficking in persons sensitivity training, a victim-centered approach to combating trafficking in persons, labor trafficking, and the nexus between the asylum process and human trafficking. The government did not provide comprehensive training for judges or prosecutors on trafficking or using a victim-centered approach. Amendments to law 4128/2013 made penalties for trafficking crimes more stringent if committed by public officials in the performance of their duties, starting with a minimum of 10 years' imprisonment and fines ranging between 50,000 and 100,000 euros (\$56,000 to \$113,000). There were isolated cases of government officials allegedly complicit in trafficking crimes. In August 2015, authorities arrested a police officer for alleged participation in an illegal prostitution ring, potentially involving trafficking victims; the investigation was ongoing at the close of the reporting period. In September 2015, authorities arrested three municipal employees alleged to have accepted bribes in exchange for issuing permits for night clubs and bars where trafficking victims were exploited; the prosecution was ongoing at the close of the reporting period. Law enforcement actively cooperated with regional governments, especially in the Balkans and Southeast Europe, on specific trafficking cases and investigations.

## PROTECTION

The government increased protection efforts in some areas, but decreased it in others. Police identified 57 potential trafficking victims, compared with 64 in 2014; 34 were victims of sexual exploitation, including four children, and 23 of forced begging or labor exploitation. Seven victims were children. Twenty-six victims were from Romania; 12 from Bulgaria; five from Greece; four from Moldova; four from Ukraine; three from Albania, and one each from Bangladesh, Poland, and Russia. The government provided assistance to all 57 victims, an increase from assistance provided to 30 in 2014. The Secretariat for Gender and Equality reported 43 trafficking victims received psycho-social support, legal and employment counseling, and emergency shelter through its hotline, counseling centers, and shelters. Greece's National Center for Social Solidarity reported it assisted 14 victims, including four children, in its shelters for victims of violence. NGOs and international organizations also identified and provided services for an additional 106 potential sex or labor trafficking victims during

the reporting period. A privately funded NGO ran the only shelter exclusively for female trafficking victims. Male victims could be accommodated in short-term government shelters for asylum-seekers or homeless persons. 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. Limited government resources affected its ability to expand shelter services during the reporting period. NGOs also administered shelters funded by government and by private funding where children, including trafficking victims, are referred for shelter and support services.

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 seven-year economic crisis and fiscal measures imposed as part of its international bailout. The government had cooperation agreements and memoranda of understanding in place with three NGOs receiving government funding to house, protect, and assist children in danger, including underage trafficking victims, and female victims of violence, including trafficking victims. NGOs reported good cooperation with the police generally and excellent cooperation with police anti-trafficking units during the reporting period. Although access to victim services was the same by law for both domestic and foreign trafficking victims regardless of residency status, some victims reportedly had difficulty obtaining medical care authorized for them through the law, as some health workers were unaware of victim service provisions. The government trained Greek and foreign law enforcement, immigration officers, social service workers, labor inspectors, and health workers in identifying trafficking victims through written procedures. Police had a screening process to ensure possible victims of trafficking in custody were not deported or sent to migrant detention centers. NGOs recommended that formal training should be compulsory for migrant detention center staff. NGOs and police both reported improvements in victim identification procedures; however, some NGOs assessed the government still needed to improve victim identification, particularly among irregular migrants.

The law provides witness protection to victims during trial; however, an NGO reported no trafficking victims it has served have received full witness protection privileges to date, while authorities state no requests for witness protection were made. The law provides for the presence of mental health professionals when victims are testifying and 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 trafficking victims could be granted one-year residence permits, renewable every two years during ongoing criminal investigations. The government issued renewable residence permits to 29 trafficking victims in 2015, compared with none in 2014. No victims were detained, fined, or jailed for unlawful acts committed as a direct result of being subjected to human trafficking. Police conducted hundreds of unannounced and targeted checks of studios, brothels, and bars; inspections occurred twice a week with an average of 10 locations inspected per week and screened for trafficking indicators amongst individuals in prostitution. It is unclear whether police identified any trafficking victims in these inspections during the year.

## PREVENTION

The government increased efforts to prevent trafficking. The Office of the National Rapporteur on Human Trafficking, which is charged with coordinating anti-trafficking efforts,



established focal points at the first reception service receiving migrants, the Asylum Service, the Labor Inspectorate, and in state hospitals to identify and refer trafficking victims. The office of the national rapporteur, jointly with the Ministry of Justice, created a working group to increase coordination between law enforcement and prosecutors to combat trafficking. There was no national action plan exclusively for anti-trafficking efforts; however, during a June session of a parliamentary committee, the office of the national rapporteur submitted a joint memo for discussion on the development of a national action plan to combat trafficking. In March, the parliament speaker approved one of the office of the national rapporteur's suggestions by reinstating the parliamentary sub-committee on issues related to trafficking in persons. Article 54, Paragraph 7 of Law 4369 (Civil Administration Reform Bill) approved by Parliament February 27 provides for additional screening of local staff members contracted for temporary employment in Greek diplomatic missions overseas, including the requirement that the employee must have no previous convictions for any crime relating to sexual exploitation. The government monitors its anti-trafficking efforts and made its assessments publicly available, but ministries continued to be inconsistent in their reporting. The development of a national database for trafficking statistics remained pending during the reporting period. In October, the government organized and funded its first ever national two-day multimedia anti-trafficking awareness festival, attended by more than 3,000 people. In November, the government issued a joint-ministerial decision to grant six-month work permits for some third country nationals residing in Greece without legal residency status whose deportation orders had been temporarily revoked or revoked on humanitarian grounds. This aimed at reducing this population's vulnerability to trafficking. The government continued a public awareness campaign with a hotline targeting female victims of violence, including trafficking victims. NGOs reported a need to increase trafficking prevention efforts in border areas where Romani and Muslim minorities are concentrated, and in areas where migrant and refugee populations are concentrated. The government continued efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking guidance for its diplomatic personnel and manuals on identifying 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 child sex trafficking victims. 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 the garment industry, small businesses, and similar sectors 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 with Mexico. Child victims' family members often facilitate their exploitation. Criminal organizations, including

gangs, exploit girls in sex trafficking and coerce young males in urban areas to sell or transport drugs or commit extortion. 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.

The Government of Guatemala does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased trafficking-related investigations, prosecutions, and convictions, and obtained one conviction for labor trafficking, compared with four in 2014. The Secretariat against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) sustained government coordination on anti-trafficking initiatives, including supporting department-level networks and concrete action plans to address prevention and emergency funding for shelters, in spite of government-wide funding cuts, but the government did not allocate a dedicated budget to protect or provide specialized services for trafficking victims. Although the government slightly increased overall funding for services to child sex trafficking victims and assisted a greater overall number of victims of trafficking compared to 2014, officials reduced funding for three shelters and most identified victims did not have access to specialized services. Adult shelters restricted victims' freedom of movement, and specialized services for male victims and labor trafficking victims remained limited. Officials advanced a high-profile trafficking in persons case involving the son of a former magistrate, which has remained in the pre-trial stage for several years; an appeals court overturned the acquittal of a former city councilman complicit in trafficking by purchasing sex acts from a child; and the government expedited the case of two judges who were accused of wrongfully absolving an influential official accused of sex trafficking. The government, however, did not criminally convict any officials for complicity in trafficking.



## RECOMMENDATIONS FOR GUATEMALA:

Improve access to and quality of specialized services for all victims, including for male victims; increase efforts to hold government officials criminally accountable for complicity in trafficking; strengthen implementation of the 2014-2015 protocol against trafficking; amend legislation to permit adults access to open shelters and enhance comprehensive services and witness protection; continue efforts to vigorously investigate and prosecute trafficking offenses, with increased focus on suspected cases of forced labor and domestic servitude; increase training for judges, who under Guatemalan law have the sole responsibility to refer victims to care, and ensure all victims are referred to appropriate care facilities; as part of developing a cadre of specialized prosecutors and judges outside of the capital, increase training to law enforcement and criminal justice officials so that forced labor and sex trafficking cases are investigated and prosecuted as trafficking and not as irregular adoption; provide reintegration and witness protection support to victims; allocate and disburse funding for specialized victim services, including those administered by NGOs; sustain 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; increase efforts to investigate, prosecute, and convict child sex tourists; and target prevention activities toward the most vulnerable populations, including indigenous communities.

## PROSECUTION

The government strengthened efforts to prosecute and convict sex and labor traffickers and, for the first time, investigated and prosecuted several 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; it 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 280 complaints of trafficking-related offenses in 2015, compared with 266 investigations in 2014, and prosecuted 105 defendants in 28 separate trafficking-related cases, compared with 62 in 2014; the majority of cases involved sex trafficking, while officials identified a limited number of cases of forced labor. These totals may also include crimes that do not meet the international definition of trafficking, such as illegal adoption. Authorities convicted 39 traffickers in 28 separate cases in 2015, compared with 20 traffickers convicted in 2014, involving 12 sex trafficking cases and one labor trafficking case, with sentences ranging from eight to 48 years' imprisonment. The government obtained its first conviction for international labor trafficking, involving Guatemalans exploited in forced labor in Jordan.

Anti-trafficking police and prosecutors' capacity to conduct investigations outside of the capital, while improved, continued to be limited by inadequate funding and training. Specialized courts continued to hear trafficking and gender-based violence cases, including a specialized 24-hour court in Guatemala City. Some members of the judiciary, especially in the interior, lacked adequate training to apply forensic evidence in prosecutions and, at times, applied trafficking sentences unevenly. Officials investigated and prosecuted few cases of forced labor or cases that did not involve organized crime elements; however, authorities investigated one case in which a routine labor inspection uncovered children subjected to forced labor in convenience stores. Officials did not identify any cases of forced criminal activity. Guatemalan officials trained 127 prosecutors and paralegals, 121 airport security officials, and 85 tourist police on trafficking indicators and identifying trafficking victims, among other topics. Guatemalan authorities also held training sessions for labor inspectors, diplomatic corps, and 17 businesses to enhance identification and prosecution efforts. Officials coordinated a law enforcement operation with El Salvador and Mexico that resulted in the arrest of 36 alleged members of a trafficking ring and rescue of 39 victims.

The government increased actions to address official complicity in trafficking crimes, but it did not convict any complicit officials. The government stripped of official immunity two judges accused of wrongfully absolving a government official of sex trafficking. Two officials were arrested for sharing law enforcement-sensitive information with organized criminal groups, including those allegedly linked to human trafficking.

## PROTECTION

The government increased efforts to identify and protect victims. The government identified 673 trafficking victims in 2015, a

significant increase from 287 victims in 2014; however, reported data did not specify the types of trafficking experienced. Of the 673 victims identified, at least 456 were women and girls, compared with a total of 106 in 2014; and 217 victims of trafficking were men and boys, including at least 174 men in forced labor, an increase from 26 in 2014. Labor officials implemented a protocol to identify potential sex and labor trafficking victims during labor inspections, and the government increased training for staff and law enforcement at sexual violence clinics in public hospitals to facilitate identification of trafficking victims. Officials, however, 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 identified or referred to protective services. Authorities collaborated to identify and rescue at least 135 children in forced child labor in the capital.

The quality and availability of specialized victim services remained inadequate, and the government did not refer the majority of victims to assistance. Officials finalized a victim protection protocol in 2015 to guide government agencies in assisting victims, but it was not implemented during the reporting period. Guatemalan law requires that judges make all referrals to public or private shelters; in 2015, judges referred 249 victims to shelters, an increase from 132 referrals in 2014 but a little less than half of all victims identified. Most referrals to shelters involved children; only seven adult men received residential services. Judges at times referred child victims to their families, leaving some vulnerable to re-trafficking, as family members often were involved in their exploitation. Repatriated victims could be referred to services, but authorities typically did not screen for indicators of trafficking among the large numbers of Guatemalans returned from abroad, including unaccompanied migrant children.

The government continued funding three government shelters, as well as NGOs that provided specialized services, mostly for child trafficking victims. The three government-run shelters assisted 153 trafficking victims. A government-supported NGO provided specialized services to an additional 55 children; however, this NGO reduced its available services, in part because of government funding cuts. The sole government-run shelter for women closed in December 2015, after providing services to 20 women in 2015; while in operation, staff restricted residents' movements outside the shelter, effectively denying their ability to earn an income or participate in other outside activities while in the shelter. The quality of services in remaining government-run shelters remained poor; NGO shelters provided higher quality care and had the capacity to shelter victims as long as necessary to address psycho-social, re-integration, and security needs. Nonetheless, 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. The government ran 15 centers in the country's interior, which provided non-residential reintegration assistance to child trafficking victims and families but not specialized services. There were few services available in the country 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. Although the government had no specialized shelters for male victims, it provided temporary residential shelter to seven adult male victims of trafficking.

Authorities encouraged victims to assist the investigation and prosecution of traffickers and made options available for private testimony; an unspecified number did so with legal and psychological support from NGOs and the Public Ministry. 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. Judges may order restitution when sentencing traffickers, and victims had the right to file civil claims for compensatory damages and harm suffered as a result of being subjected to trafficking; in practice, no civil suits regarding damages for trafficking crimes were filed in 2015, compared with 10 victims obtaining restitution from criminal convictions in 2014. There were no reports that the government detained, fined, or otherwise penalized identified victims 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 acknowledged some of these victims may have been prosecuted or otherwise treated as criminals. 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. Foreign victims had the same access to care as domestic trafficking victims.

## PREVENTION

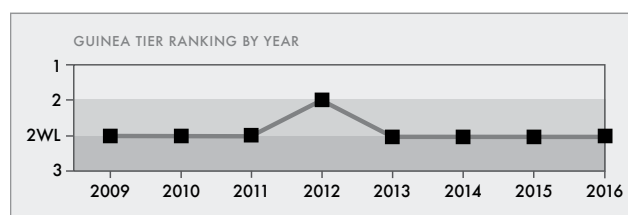
The government continued strong prevention efforts. SVET continued to oversee the interagency anti-trafficking commission and coordinate government efforts against trafficking and gender-based violence. Officials oversaw 23 departmental networks in the interior of the country, which responded to trafficking cases and conducted prevention activities; however, such network activities slowed due to 2015 budget constraints. The new general labor inspection protocol was implemented and included modules on the identification of victims of trafficking and child labor exploitation. The government conducted a wide range of initiatives to educate potential victims, the public, government officials, and tourists about the dangers, causes, and consequences of trafficking. Authorities ran prevention campaigns on trafficking awareness and sex tourism targeting students, visitors to hospitals, activists, airport security officials, tourist police, and businesses. As part of the Code of Conduct for the Prevention of Child Sex Tourism, SVET provided training to 17 businesses across the country, reaching a total of 2,405 individuals. The government made efforts to reduce the demand for commercial sex, investigating suspects who purchased commercial sex with children. The government made no discernible efforts to reduce the demand for forced labor. The government provided anti-trafficking training to its diplomats and to Guatemalan troops prior to their deployment abroad on international peacekeeping missions.

## GUINEA: Tier 2 Watch List

Guinea is a source, transit, and—to a lesser extent—destination country for men, women, and children subjected to forced labor and sex trafficking. Women and children are the most vulnerable to trafficking. Trafficking is more prevalent among Guinean citizens than foreign migrants and more prevalent among children than adults. Girls are sometimes sent to intermediaries who subject them to domestic servitude and sex trafficking, while boys are forced to beg on the streets, work as street

vendors or shoe shiners, or labor in gold and diamond mines. Some men, women, and children are subjected to forced labor in agriculture. Reports indicate children are sent to the coastal region of Boke for forced labor on farms or to Senegal where corrupt *marabouts* subject students to forced begging in Koranic schools. Children from villages in the Upper Guinea region may be more vulnerable to trafficking due to the region's lack of schools and economic opportunities. Some traffickers take children with parents' consent under false pretenses of providing an education, but instead exploit them in forced begging in Senegalese Koranic schools or forced labor in Senegalese, Malian, and other West African gold mines. Guinea is a transit country 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 exploited as domestic servants and possibly in sex trafficking. Guinean women and girls are subjected to domestic servitude and sex trafficking in various West African, European, and Middle Eastern countries, as well as the United States. Guinean boys are exploited in prostitution in the Netherlands. Thai, Chinese, and Vietnamese women are subjected to forced prostitution in Guinea. Due to the lack of research on trafficking in Guinea, the full extent of the problem remains unknown.

The Government of Guinea does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Law enforcement officials identified 48 potential trafficking victims and arrested seven suspected traffickers in one investigation. 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 the fourth consecutive year. Per the Trafficking Victims Protection Act, Guinea was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards. The government did not initiate any prosecutions of and there were no convictions for trafficking offenses, nor did the government provide adequate resources or anti-trafficking training to law enforcement and judiciary officials. The government relied on NGOs to provide victim services and did not take any tangible action to prevent trafficking.



## RECOMMENDATIONS FOR GUINEA:

Intensify efforts to investigate, prosecute, and convict suspected traffickers, including allegedly complicit officials, and ensure adequate sentencing; develop systematic procedures for victim identification and subsequent referral to protective services; train police, border officials, labor inspectors, and magistrates on such procedures, as well as case investigation techniques; enact legislation to increase prescribed penalties for forced prostitution and criminalize debt bondage; regularly convene the national anti-trafficking committee (CNLTP) and provide it with sufficient resources, including an operational budget, to effectively fulfill its mandate; enhance collaboration and information-sharing among government agencies involved



in combating human trafficking; strengthen partnerships with NGOs and international organizations to improve victim referral procedures, expand victim care, and provide increased financial or in-kind support; implement the national action plan to combat trafficking in persons; establish a shelter specifically for trafficking victims; and increase efforts to raise public awareness about trafficking, including adult trafficking.

## PROSECUTION

The government maintained minimal 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, commonly imposed in practice, because 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 (\$250). The government, with help from an international organization, drafted a law in 2012 to provide NGOs with the ability to become plaintiffs on behalf of victims and exempt them from the prosecution fees normally charged by the judiciary; the draft law remained pending for the third consecutive year.

Following its interception in January 2016 of a caravan of 48 children allegedly destined for forced begging in Senegalese Koranic schools, the government arrested and initiated a judicial investigation against seven suspected traffickers traveling with the children. The alleged traffickers remained in jail awaiting formal charges at the end of the reporting period. The government did not report any prosecutions or convictions for trafficking offenses in 2015—a decrease from four prosecutions and three convictions achieved the previous reporting period. Officials from the Office for the Protection of Gender, Children, and Morals (OPROGEM), the division of the Guinean police responsible for investigating human trafficking and child labor, investigated a case of local children forced to serve as porters at a bus station but ultimately did not pursue trafficking or any other charges. The government did not provide anti-trafficking training for its law enforcement personnel during the reporting period, nor did it provide in-kind support for such training provided by an NGO. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking; however, general corruption remained an issue among judiciary and law enforcement officials and was believed to be especially prominent among labor inspectors, customs directors, and heads of police stations.

## PROTECTION

The government demonstrated minimal efforts to protect trafficking victims. The government identified 48 potential trafficking victims but did not provide any victim services during

the reporting period; furthermore, it did not provide funding or in-kind support to NGOs that assisted victims. In one instance, local authorities asked an NGO for reimbursement for food the authorities had provided to the suspected trafficking victims before the NGO began to provide victim care. Due to a lack of resources and miscommunication between government agencies, the 48 suspected child trafficking victims were housed at a local prison for two days—where they may have been in close contact with their accused traffickers—before they were transferred to a youth hall. The government referred child victims on an *ad hoc* basis to NGOs, where most victims were placed; however, due to the Ebola outbreak and the economic crisis, many NGO safe houses were in the process of closing. Some OPROGEM officials brought child victims to their private homes until space became available in NGO shelters. OPROGEM received irregular funding, did not have an operational budget, and often relied on donations or support from international organizations; limited resources and the lack of trained personnel severely reduced its efficacy and operational capacity. Articles 392-396 of the child protection code mandate child victims, including trafficking victims, have the right to legal representation and a ministry-appointed guardian but, due to the lack of financial and human resources, these services were not implemented during the reporting period.

Although legally available, the government did not provide temporary or permanent residency to any victims from countries where they would face hardship or retribution, as the government did not identify any such victims during the reporting period. There was no evidence the government encouraged trafficking victims to participate in the investigations or prosecutions of their traffickers; 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 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

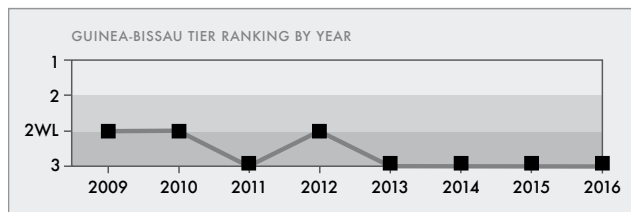
The government demonstrated minimal efforts to prevent trafficking. The CNLTP, with financial assistance from the office of the president, drafted and finalized an anti-trafficking national action plan that focuses on victim assistance and prevention efforts. The CNLTP continued to lack an operational budget, which severely hindered its effectiveness in overseeing national anti-trafficking efforts, but it did meet several times throughout the reporting period. The government did not conduct any trafficking awareness campaigns. The government has policies to regulate foreign labor recruiters and hold them civilly and criminally liable for fraudulent recruitment, yet OPROGEM lacked the resources and trained personnel necessary to oversee the policies' successful implementation. The government did not take any tangible steps to reduce the demand for forced labor or commercial sex acts. It did not provide anti-trafficking training for its diplomatic personnel or peacekeeping troops prior to their deployment 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 *marabouts* force such boys into begging in Guinea-Bissau. Some *marabouts* subsequently transport the boys to Senegal or, to a lesser extent, Mali or Guinea, for forced begging. Unscrupulous *marabouts* increasingly exploit Bissau-Guinean boys from rural areas in forced begging in cities. The principal traffickers are men from the regions of Bafata and Gabu—often former students of the *marabouts*, known as *talibes*, or men who claim to be working for a *marabout*—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 agricultural and mining sectors 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 victims of child sex trafficking in these countries. There are unconfirmed reports Europeans engaged in child sex tourism on islands in the Bijagos Archipelago.

The Government of Guinea-Bissau does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. In August 2015, the president dismissed the government after a little more than one year in office; a two-month gap with no government followed, and a second government assumed power in October 2015. Despite enacting an anti-trafficking law and adopting a national action plan in 2011, the government failed to demonstrate any notable anti-trafficking efforts for a fourth consecutive year. It did not take law enforcement action against suspected trafficking offenses, provide adequate protection to trafficking victims, conduct prevention activities, or implement its national action plan in 2015.



## RECOMMENDATIONS FOR GUINEA-BISSAU:

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including unscrupulous *marabouts* who subject boys to forced begging in Koranic schools; provide anti-trafficking training to law enforcement, labor, and social welfare officials on victim identification, referral, and case investigation techniques; train judicial personnel on the 2011 anti-trafficking law; develop formal written procedures to identify and refer victims to protective services and train officials on such procedures; provide shelter and services for all trafficking victims; reconvene the inter-ministerial anti-trafficking committee and allocate specific funds for the implementation of the national action plan; increase funding allocated to NGOs to ensure provision of adequate services to all victims; make efforts to raise public awareness of human trafficking; and improve data collection efforts, including the number of victims identified and referred to protective services.

## 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 police did not further advance the case. During the reporting period, an NGO intercepted 22 children at the Senegalese border allegedly en route to Koranic schools for forced begging; law enforcement did not launch an investigation or make any arrests. Guinea-Bissau's judicial system lacked sufficient human and physical capital to function properly, and corruption remained 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. Observers reported some police and border guards might have accepted bribes from traffickers, hindering law enforcement efforts during the reporting period.

## PROTECTION

The government made inadequate efforts to identify and protect victims, although it provided modest financial assistance to one NGO that provided services to trafficking victims. The government did not provide any statistics on the number of victims identified during the reporting period. An NGO identified and provided services to 43 Bissau-Guinean children in its transit centers in 2015, including the 22 children intercepted at the border, though it is unclear if any were victims of trafficking. A Senegalese NGO identified 86 Bissau-Guinean boys allegedly subjected to forced begging in Koranic schools. There is no evidence the government assisted with their repatriation or provided victim services. The government did not make systematic efforts to identify victims proactively. 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 (\$8,290) to an NGO that operated two multipurpose shelters that provided care to an unknown number of victims. These facilities were severely overcrowded and underfunded; some shelter volunteers used their own homes to house victims temporarily. Shelter was only available for child victims, and there were no services to address trafficking victimization in particular. While the government did not initiate any investigations of trafficking offenses during the reporting period, officials would not ordinarily make efforts to encourage victims, adult family members, or neighbors to participate in legal proceedings against suspected traffickers. The government did not provide legal alternatives to removal to countries in which victims would face hardship or retribution. There was no evidence the government detained, fined, or jailed trafficking victims for unlawful acts committed as a result of being subjected to trafficking.

## PREVENTION

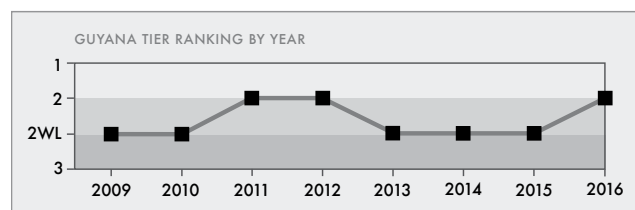
The government did not make any tangible efforts to prevent trafficking. The government's inter-ministerial anti-trafficking committee, established in 2009 to coordinate the government's anti-trafficking efforts, did not meet. The anti-trafficking national action plan, adopted by a previous government in 2011, requires the government to allocate funds annually from its general budget for anti-trafficking efforts; however, with the

exception of the funds allocated to the aforementioned NGO, no additional funds were dedicated to anti-trafficking efforts in 2015. There was no evidence the government took steps to implement the national action plan. The government made no discernible efforts to reduce the demand for commercial sex acts or forced labor during the reporting period. There were unconfirmed reports Europeans engaged in child sex tourism on the Bijagos Archipelago. Despite these unconfirmed reports, the government did not take action to investigate the claims. The government did not provide anti-trafficking training for its diplomatic personnel.

## GUYANA: Tier 2

Guyana is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and children from Guyana, Brazil, the Dominican Republic, Suriname, and Venezuela are subjected to sex trafficking in mining communities in the interior and urban areas. Victims are subjected to forced labor in the mining, agriculture, and forestry sectors, as well as in domestic service and shops. While both sex trafficking and forced labor occur in interior mining communities, limited government presence in the country's interior renders the full extent of trafficking unknown. Children are particularly vulnerable to sex and labor trafficking. Guyanese nationals are subjected to sex and labor trafficking in Jamaica, Suriname, and other Caribbean countries. Some police officers are complicit in trafficking crimes, and corruption impedes anti-trafficking efforts.

The Government of Guyana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government convicted one trafficker, imposed a three-year prison sentence, and required her to pay the victim restitution—the first time restitution has been ordered for a trafficking offender in Guyana. The government also provided 600,000 Guyanese dollars (GYD) (\$2,970) to an NGO-run shelter dedicated to trafficking victims—the first shelter of its kind in Guyana—to enhance the shelter's psycho-social services for victims. The government further increased collaboration with anti-trafficking NGOs by instituting procedures to refer victims to the shelter and including a leading anti-trafficking NGO on its inter-ministerial anti-trafficking taskforce. However, it did not allocate additional personnel to the severely understaffed anti-trafficking unit to facilitate trafficking investigations, nor did it increase protection and services for victims outside the capital or participating in investigations against their traffickers. The government continued to prosecute and punish suspected trafficking victims for crimes committed as a result of being subjected to trafficking.



### RECOMMENDATIONS FOR GUYANA:

Continue to vigorously investigate and prosecute sex and labor trafficking cases and hold convicted traffickers accountable—including complicit officials—by imposing sentences that are

commensurate with the severity of the crime, denying bail, and ordering restitution, where appropriate; finalize and issue written 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 sex trafficking; train law enforcement, judiciary officials, and front-line responders—especially those working outside the capital—on victim identification, referral to services, and victim-centered investigations; allocate additional staff to the inter-ministerial anti-trafficking unit and provide sufficient funding and resources for it to investigate trafficking in the mining sector and conduct awareness campaigns; provide additional protection for victims to enable them to appear in court and testify against traffickers in a way that does not further endanger them; increase funding for NGOs that identify and assist victims; take efforts to ensure victims are not summarily deported without the opportunity to assist in a trial against their traffickers and that they are not penalized for crimes committed as a result of being subjected to trafficking; open and adequately fund the proposed shelter for male trafficking victims; develop child-sensitive investigation measures and court procedures that protect the privacy of children and minimize their re-traumatization; regularly convene the inter-ministerial taskforce and finalize and implement the 2016-2017 national action plan; offer increased protection and assistance for victims near mining communities outside the capital; and continue to raise awareness of trafficking among civil society.

### PROSECUTION

The government modestly increased its law enforcement efforts. 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 those prescribed for other serious crimes, such as rape. The government reported investigating 15 trafficking cases involving 56 victims, including 16 children, which resulted in seven prosecutions and one sex trafficking conviction, compared with seven investigations, four prosecutions, and one conviction the previous reporting period. The defendant in the 2015 conviction was sentenced to three years' imprisonment and, unlike defendants convicted in previous years, was denied post-conviction bail and required to pay restitution to the victim. At least one of the defendants in an ongoing prosecution was released on bail pending the outcome of her trial. In response to calls received by the trafficking hotline, government officials conducted raids on mining and logging areas outside of the capital. It is unclear if authorities removed any victims from exploitative situations or initiated any trafficking investigations as a result of these raids. During the previous reporting period, a police officer was convicted of child sex trafficking and sentenced to four years' imprisonment but granted bail pending appeal; his appeal remained pending at the end of the reporting period. Media reports indicated a brothel owner was tipped off by a law enforcement official in advance of a police raid and tried to clear four trafficking victims from her establishment to avoid detection by law enforcement. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. Law enforcement lacked training on victim identification, referral, and trafficking investigations, and the government did not directly train these officials or provide in-kind support for such training.

### PROTECTION

The government increased protection efforts but victim assistance



remained insufficient, especially in areas outside the capital and for male victims, and the government continued to penalize some suspected trafficking victims. It is unclear how many of the 56 identified trafficking victims were identified by the government and how many by NGOs; the government identified 16 victims during the previous reporting period. In January 2016, the government signed a memorandum of understanding with an anti-trafficking NGO and provided 600,000 GYD (\$2,970) to the NGO for the provision of enhanced psycho-social services to adult, female trafficking victims referred by the government. This is the first Guyanese shelter dedicated solely to trafficking victims. The shelter provided short-term shelter, psycho-social services, and career guidance to two victims during the reporting period. Prior to the memorandum of understanding, the government also provided 10 million GYD (\$49,500) to another NGO that provided housing and counseling services to victims of crimes, including 17 trafficking victims referred by the government. There were no public or private shelters dedicated to male or child trafficking victims; however, the government announced plans to open and partially fund a shelter for male victims. Child trafficking victims were placed in government-run shelters with child victims of other crimes. Male victims were offered voluntary placement in homeless shelters. Resources devoted to victim protection remained inadequate; authorities did not consistently refer trafficking victims to services; and shelter and services for victims outside the capital, including in mining areas, remained nonexistent. One victim reported sleeping on the floor of a police station because shelter and services were unavailable. Longer-term shelter and protection were not available in Guyana, and reports indicated some identified victims were subjected to additional trafficking after identification or became homeless due to inadequate protective services. Donor-funded organizations continued to provide some victim services, including in dangerous areas outside of the capital.

The government continued to develop standard operating procedures to guide officials in identifying trafficking victims, but the procedures remained informal and were not widely implemented during the reporting period. As a result, victims did not always receive proper care or referrals to services. Government officials continued to work with NGOs to develop child-sensitive investigation and prosecution procedures; the lack of such procedures put children at risk of reprisal from traffickers. In one case, government officials identified two girls as labor trafficking victims in a bar and, disregarding protocol, returned the girls to their mother, whom the girls had identified as their trafficker.

The government did not effectively encourage victims to assist in the investigation and prosecution of their traffickers. 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 court or could not afford residency in Guyana in the months before their court date. Guyanese law protects victims from punishment for crimes committed as a result of being subjected to trafficking and provides foreign victims with relief from deportation. However, the government did not report extending deportation relief to foreign victims during the reporting period and in June deported 11 potential trafficking victims, six charged with illegal entry into Guyana, and five charged with overstaying their time in Guyana. The victims were discovered during a raid and were not properly screened for indicators of trafficking. These factors generally contributed to the relatively low conviction rate for trafficking crimes.

## PREVENTION

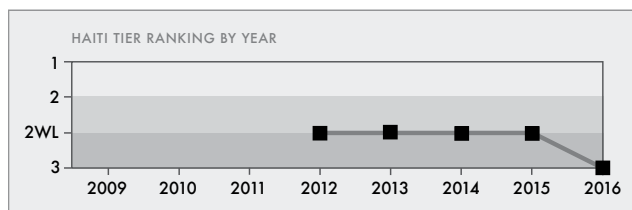
The government maintained efforts to prevent trafficking. Guyana's newly elected government reformed the anti-trafficking inter-ministerial taskforce in January 2016; before the reformation, however, the taskforce was inactive for eight months and did not make efforts to implement the 2014-2015 national action plan. Like previous taskforces, the reconstituted taskforce included representatives from several government agencies and NGOs but, for the first time, also included the lead anti-trafficking NGO in Guyana. The government drafted but did not finalize an action plan to combat trafficking. It conducted a variety of awareness-raising activities, including campaigns to sensitize civilians and law enforcement in the mining and logging sectors outside the capital. 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. While the government significantly increased its number of labor inspections, the number of labor trafficking investigations did not significantly increase. The government did not provide anti-trafficking training for its diplomatic personnel.

## HAITI: Tier 3

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 involve children in domestic servitude who often are physically abused, receive no payment for services rendered, and may be kept from school. A significant number of children flee employers' homes or abusive families and become street children. A May 2015 UN report documented members of its peacekeeping mission in Haiti sexually exploited more than 225 Haitian women in exchange for food, medication, and household items between 2008 and 2014. Female foreign nationals, particularly citizens of the Dominican Republic, are particularly vulnerable to sex trafficking and forced labor in Haiti. Other vulnerable populations include Haitian children working in construction, agriculture, fisheries, domestic work, and street vending in Haiti and the Dominican Republic; women and children living in camps for internally displaced persons set up as a result of the 2010 earthquake; members of female-headed or other single-parent families; children in private and NGO-sponsored residential care centers; and Haitians without documentation, including those returning from the Dominican Republic or The Bahamas. Haitian adults and children are vulnerable to fraudulent labor recruitment and are subject to forced labor, primarily in the Dominican Republic, other Caribbean countries, South America, and the United States.

The Government of Haiti does not fully meet the minimum standards for the elimination of trafficking and did not demonstrate overall increasing efforts compared to the previous reporting period. Having been placed on Tier 2 Watch List in the preceding four years, Haiti is not making significant efforts to meet the minimum standards and is therefore placed on Tier 3. In December 2015, the government inaugurated the inter-ministerial anti-trafficking committee. The government also finalized its action plan, and investigated and prosecuted trafficking cases during the reporting period. However, the systemic weaknesses of the justice system in disposing of cases and the lack of funding for, and coordination among, government agencies impair efforts to prosecute traffickers. The government's interagency effort to formalize victim identification and referral guidelines, like other priorities,

gained little momentum due to the protracted political impasse over the scheduling of Haiti's elections.



## RECOMMENDATIONS FOR HAITI:

Vigorously investigate, prosecute, convict, and sentence traffickers, including those responsible for domestic servitude and child sex trafficking; resource and 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; train police, prosecutors, and judges on trafficking; in partnership with NGOs, adopt and employ formal procedures to guide officials in proactive victim identification and referral of victims to appropriate shelters and services; implement measures to address the vulnerabilities that lead to child domestic servitude, including protecting child victims of neglect, abuse, and violence; to counteract tolerance of child domestic servitude, educate the Haitian public about children's rights to education and freedom from slavery; and draft and enact a child protection law with special protections for child trafficking victims.

## PROSECUTION

The government sustained minimal anti-trafficking law enforcement efforts and did not secure any trafficking convictions during the reporting period. The 2014 anti-trafficking law (No. CL/2014-0010) prohibits all forms of human trafficking and prescribes penalties of seven to 15 years' imprisonment and a fine ranging from 200,000 to 1,500,000 gourdes (\$4,500 to \$32,000). The law criminalizes sex trafficking, forced labor, and intentional retention of identification documents or passports for the purpose of committing trafficking-related offenses. 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 others. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

During the reporting period, the government continued investigations and prosecutions of two previously reported cases. Authorities also initiated four new investigations and prosecutions—one potential sex trafficking case, two potential forced labor cases, and one potential sex and labor trafficking case—as compared to the last reporting period in which the government reported four investigations and two prosecutions. The Haitian Magistrate's School collaborated with two U.S. government-funded organizations to develop a training curriculum on the anti-trafficking law and provided a venue for the training. Approximately 100 officials from the central directorate of judicial police, the Haitian Police Minors' Protection Brigade, the social welfare agency, judges, prosecutors, and victim assistance groups participated in a two-day seminar to discuss the 2014 anti-trafficking law and its implementation. However, NGOs reported government personnel in some provinces lacked training on the anti-trafficking law and its

implementation, resulting in lesser charges and informal arrangements to dispose of cases. The national anti-trafficking commission began drafting a proposal to the Ministry of Justice to create a specialized anti-trafficking law enforcement unit in the department of Hinche.

## PROTECTION

The government sustained minimal efforts to identify and assist trafficking victims. While the government did not systematically track data regarding trafficking victim identification, it reported identification of two potential trafficking victims; one Dominican child and one Haitian child. The government continued to provide assistance to a total of 97 child trafficking victims in 2015, including 17 potential victims identified in 2014. In 2015, Haitian officials removed some children, including some trafficking victims, from vulnerable situations and referred or placed them in appropriate care. One government shelter assisted at least 43 children, at least some of whom were child trafficking victims referred by the social welfare agency. Haitian authorities worked with an international organization to identify and assist hundreds of Haitian child domestic workers in exploitative situations.

The 2014 anti-trafficking law tasks the national anti-trafficking commission to develop standard operating procedures to guide officials in the identification and rehabilitation of trafficking victims; requires the government to provide protection and medical, psychological, and social services to trafficking victims; and creates a government-regulated fund to assist trafficking victims. NGO or international partners who came into contact with trafficking victims made ad hoc referrals directly to police or social welfare officials for assistance and case management. Social welfare officials worked with international and local NGO partners to assess the scope of care needed by the child victims and found organizations to provide that care, including medical and counseling services, family tracing services, pre-return assessments, family sensitization, and economic empowerment opportunities. The Haitian government operated two of the country's 776 care centers focused on reducing the number of children living on the streets of the capital.

The government did not provide any specific services for adult or foreign victims. While the government did not provide detailed information on the amount it spent on victim protection, its funding remained insufficient to cover the basic protection needs of trafficking victims throughout Haiti. The ministries of labor and social welfare lacked staff and resources to inspect worksites for indicators of forced labor. The government did not have a formal program to assist victims who returned to Haiti. Authorities worked closely with the U.S. Coast Guard to receive deported migrants, screening unaccompanied children and facilitating their re-integration with family members. The law provides temporary residency during legal proceedings for foreign victims of human trafficking, as well as access to legal counsel, interpretation services, and permanent residency in Haiti if the victim so chooses; however, authorities have not used these provisions. The law also protects victims from liability for crimes committed while under the control of actual perpetrators of trafficking offenses as defined in the 2014 trafficking law, but there was no information regarding whether victims were in fact protected from such prosecutions by this law.

## PREVENTION

The government sustained efforts to prevent trafficking. The Haitian president inaugurated a 12-member inter-ministerial

commission to combat trafficking in December 2015; however, the commission's lack of a budget slowed its efforts to implement the 2015-2017 national anti-trafficking action plan. In December, the Ministry of Labor and Social Affairs and an international organization jointly issued a report on children in domestic servitude, which found one in four children do not live with their biological parents and 207,000 children under age 15 are engaged in working more than 14 hours a week and, thus, have been significantly delayed in completing school. The report recommended the government put measures in place to prevent exploitation, including domestic servitude; protect at-risk children and victims of neglect, abuse, violence, or exploitation, including sex trafficking and forced labor; and draft and enact a child protection law. With foreign government funding, the government continued 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.

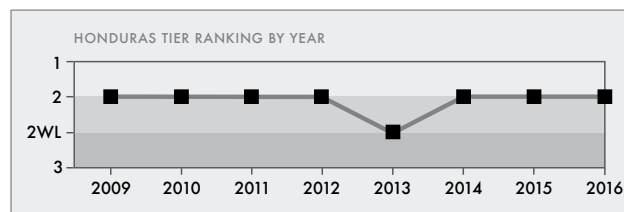
Following the Government of the Dominican Republic's June 15, 2015 deadline for registration of migrant workers in that country, the Haitian government coordinated efforts with international organizations and NGOs to receive Haitian expellees. However, dysfunction of the Haitian civil registry system and weak consular capacity to provide identity documents leaves many Haitians at risk of remaining undocumented in the Dominican Republic and subject to deportation—recognized risk factors for vulnerability to trafficking. At the border, the government worked with NGOs to assess the needs of children crossing the border and permitted children accompanied by an adult to cross from Haiti into the Dominican Republic only after verifying that the adult had legal authority to take the child out of Haiti. Officials acknowledged traffickers were more likely to use unofficial border crossing points. The government continued a partnership with community representatives to monitor night clubs for sexual exploitation and met with officials in the geographic administrative department of Hinche to explain the anti-trafficking law and its consequences. Haiti does not have effective laws or policies to regulate foreign labor recruiters or prevent fraudulent recruiting. The 2014 anti-trafficking law includes sanctions for individuals who knowingly procure commercial sex acts from trafficking victims, but authorities did not use these provisions 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.

## 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, Belize, and the United States. LGBTI Hondurans are particularly vulnerable to sex trafficking. Honduran men, women, and children are subjected to forced labor in agriculture, street vending, domestic service, and the informal sector in Honduras, and forced labor in other countries, particularly in Guatemala, Mexico, and the United States. Children from indigenous and Afro-descendant communities, particularly Miskito boys, are vulnerable to forced labor, including on fishing vessels; children living on the streets

are vulnerable to sex and labor trafficking. NGOs and the media report that 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 commit acts of violence, including murder; this occurs primarily in urban areas, but one NGO reported an increase in gang activity in rural areas. During the year, there were continued 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 or vending. Honduras is a destination for child sex tourists from Canada and the United States. Some Honduran 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, where some are exploited in sex trafficking and forced labor. During the year, there were reports of child sex trafficking victims being brought into prisons and exploited by prisoners, raising concerns over the potential complicity of prison authorities. Overall corruption remained a challenge for law enforcement efforts. Prosecutors reported some local police provided protection to brothel owners or tipped them off about impending raids, and security officials have been involved in child sex trafficking.

The Government of Honduras does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities prosecuted and convicted more sex traffickers, but there were no investigations or prosecutions for suspected cases of forced labor or the recruitment of children for forced criminal activity. For the second year, the government provided a budget to its interagency, multi-stakeholder commission on child trafficking and commercial sexual exploitation (CICESCT), and it developed a national action plan for 2016-2020. The government's "immediate response team" strengthened referral to services for female child sex trafficking victims, but services for other populations remained limited and there were reports that the government re-victimized adult victims by ordering restrictions on their communication and movement while compelled to reside in an NGO shelter. The government did not develop guidelines to identify trafficking victims among vulnerable populations. Authorities demonstrated progress in addressing trafficking-related complicity by convicting one police officer and one military official for purchasing sex acts from child trafficking victims.



### RECOMMENDATIONS FOR HONDURAS:

Increase efforts to prosecute trafficking offenses and to convict and sentence traffickers, including for crimes involving forced labor, sex trafficking of adults, and forced criminal activity of children; develop and implement formal procedures to identify victims among vulnerable populations and refer them to service providers; increase the identification and assistance of adult victims, forced labor victims, and children forced to commit crimes, including among repatriated Hondurans; continue to strengthen victim referral mechanisms and provide specialized



services and shelter to all victims, including through increased funding to government entities or civil society organizations; ensure adult victims are not detained in shelter facilities against their will; develop policies and train officials to protect both child and adult victims from re-victimization in the criminal justice system; sustain efforts to prosecute and convict public officials for complicity in trafficking offenses; enforce laws punishing brokers for illegal practices that facilitate trafficking, such as fraudulent offers of employment or illegal 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; amend the anti-trafficking law to include a definition of human trafficking consistent with international law; and implement the national action plan for 2016-2020.

## PROSECUTION

The government continued law enforcement efforts to combat child sex trafficking and made progress in holding complicit officials accountable, but efforts to investigate and prosecute other forms of trafficking were negligible. The 2012 Honduran anti-trafficking law prohibits all forms of trafficking, prescribing penalties ranging from 10 to 15 years’ imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law is inconsistent with international law in that it conflates human trafficking with other crimes, such as illegal adoption, and establishes the use of force, deceit, or intimidation as an aggravating factor, rather than an essential element, of most trafficking crimes. Civil society organizations reported concerns that traffickers were often prosecuted for lesser crimes with lower penalties, such as pimping. Authorities reported investigating 18 cases of suspected trafficking and initiating prosecution of 24 suspects in nine cases for sex trafficking. It convicted 13 traffickers in 10 cases—some of which had been opened in previous years; this is an increase from four prosecutions and no convictions in the previous reporting period. Convicted offenders received sentences ranging from 10 to 15 years’ imprisonment. One convicted trafficker is believed to have been the leader of a sex trafficking ring that catered to “clients” in the police and military, who also provided the criminal operation with protection against investigation. In the same case, two public officials—one police officer and one army lieutenant colonel—were convicted for purchasing commercial sex acts from trafficking victims and sentenced to five years and four years and six months in prison, respectively. These convictions demonstrated progress in addressing impunity for trafficking-related complicity. Despite evidence of force or coercion used by gangs to compel children and adults to engage in illicit activities, authorities did not investigate or prosecute any such crimes as human trafficking. Furthermore, the government did not investigate or prosecute any suspected cases of forced labor. A lack of adequate human and material resources limited the effectiveness of investigators and prosecutors, and funding was insufficient to address the magnitude of the problem. Authorities cooperated on trafficking investigations with officials from INTERPOL, Colombia, Costa Rica, El Salvador, Guatemala, Mexico, Nicaragua, Panama, and the United States. NGOs funded by international donors continued to deliver most of the anti-trafficking training available to government officials, often with support from the government’s anti-trafficking commission.

## PROTECTION

Overall government efforts to identify, refer, and assist trafficking

victims remained inadequate and authorities remained largely dependent on NGOs to fund and provide services. While immigration officials, border police, and the CICESCT “immediate response team” had victim identification tools, Honduran authorities lacked systematic procedures to identify trafficking victims among vulnerable populations, such as people in prostitution or working children. The immediate response team, which included a full-time coordinator and a trained psychologist, worked with government ministries and civil society organizations to coordinate immediate victims’ services—including food, shelter, and health screenings—as well as referrals to longer-term support services. This team provided support to 28 sex trafficking victims, including 14 women and 14 girls; three victims were Nicaraguan and one was Salvadoran, while the others were Honduran. The government did not identify any forced labor victims, male victims, or LGBTI victims in Honduras. It is unknown how many victims NGOs identified and assisted in 2015. The foreign ministry assisted 31 victims of sex and labor trafficking through Honduran missions in Belize, Guatemala, and Mexico; these included three men and three girls, while the age and gender of the others was not specified. Only one of these victims was referred to the immediate response team for assistance. Of the 59 victims identified within the country and abroad, 41 were reunited with their families and received limited long-term support, four were housed in shelters, three foreign victims were repatriated to their home countries, and 11 Honduran victims remained in other countries. Honduran consular officers in Mexico helped 10 Honduran victims obtain humanitarian visas to remain in Mexico. The immediate response team operated a dedicated helpline for responding to cases of trafficking and staff of the government’s new 911 system received training on how to manage trafficking cases.

There were limited services available for victims, and services for adults or children identified outside the capital were particularly lacking. Civil society organizations continued to fund and provide the majority of services for victims. During the year, the government created a new mechanism to provide trafficking victims greater access to existing social services, though the impact of this initiative was not clear. The government continued to provide a small grant of 371,460 lempiras (\$17,000) to an NGO that operated the country’s only specialized shelter for girl victims of sexual abuse and sex trafficking. Adult victims were typically placed in shelters for victims of various forms of abuse that had neither the capacity nor the specialized resources to provide appropriate care for these victims. There were reports during the year that government officials ordered restrictions on the communication and movement of adult victims housed in NGO shelters. There were few long-term support or reintegration services available for victims, leaving them vulnerable to re-trafficking. Authorities made efforts to screen for indicators of trafficking among the large numbers of Hondurans returned from abroad, including unaccompanied migrant children, but procedures for referral to follow-up services were insufficient to ensure that all identified victims received such care. The government encouraged victims to assist in investigations and prosecutions, but the lack of adequate victim and witness protection programs, exacerbated by a slow trial process and the fear of retaliation by traffickers, caused many victims—particularly adults or those victimized by criminal groups—to decline to cooperate. There were no reports of identified victims being penalized for unlawful acts committed as a 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. Officials acknowledged that

children forced to engage in criminal activities by criminal groups were not properly identified and thus treated as criminals instead of victims. NGOs noted that the criminal justice system often re-victimized both child and adult victims due to the lack of sensitivity of some officials, lack of protective services, and restriction on movement imposed on adult victims. The government enabled some child victims to provide testimony via videoconference or pre-recorded interviews, but the necessary equipment was not always operational. Honduran law allows foreign victims to receive temporary and permanent residency status, including the ability to work; one victim remained in the country in 2015 and applied for long-term residency and a work permit with assistance from the government.

## PREVENTION

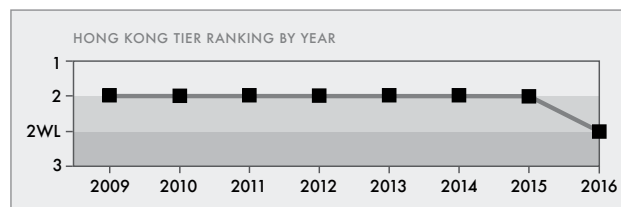
The government sustained its strengthened prevention efforts. The interagency commission on child trafficking and commercial sexual exploitation, which included civil society, coordinated the government's efforts; although overall funding remained insufficient, the government distributed 2,354,173 lempiras (\$107,000) and provided office space for the commission. The commission increased the number of interagency committees to coordinate efforts at the local level to 19, up from 10 in 2014. With both government and donor funding, authorities organized and participated in activities to raise awareness about the dangers of trafficking, including through television and the distribution of printed materials. The government provided training and materials to members of the local interagency committees and conducted awareness-raising sessions in schools and other public institutions. The interagency, multi-stakeholder commission conducted a series of stakeholder meetings in early 2016 and drafted a 2016-2022 national action plan to guide the government's anti-trafficking activities, but the plan had not been adopted by the close of the reporting period. The government did not make efforts to punish labor recruiters for illegal practices that increase migrants' vulnerability to exploitation abroad, though in September 2015 it published an official decree requiring job placement companies to charge fees to employers and not employees. The government convicted three individuals, including two public officials, for purchasing sex acts from trafficking victims. Authorities conducted campaigns to raise awareness of child sex tourism among members of the tourist sector and local officials. The government provided anti-trafficking training for its diplomatic personnel.

## HONG KONG: Tier 2 Watch List

The Hong Kong Special Administrative Region of the People's Republic of China is primarily a destination, transit, and to a much lesser extent, a source territory for men, women, and children subjected to sex trafficking and forced labor. Victims include citizens from mainland China, Indonesia, the Philippines, Thailand, and other Southeast Asian countries as well as countries in South Asia, Africa, and South America. Approximately 340,000 foreign domestic workers, primarily from Indonesia and the Philippines, work in Hong Kong; some become victims of forced labor in the private homes in which they are employed. Employment agencies generally charge job placement fees in excess of legal limits, which may lead to situations of debt bondage of workers in Hong Kong. The accumulated debts sometimes amount to up to 80

percent of workers' salaries for the first seven to eight months of employment. Some workers are unwilling to report abusive employers for fear of losing their jobs and being unable to repay their debts; some employers or employment agencies illegally withhold passports, employment contracts, or other possessions until the debt is paid. Domestic workers have also reported working 17-hour days, receiving less than minimum wage, experiencing physical or verbal abuse and confinement in the employer's home, and not receiving a legally required weekly day off. An NGO report released in 2016 estimated that as many as one in six foreign domestic workers are victims of labor exploitation. Some foreign domestic workers sign contracts to work in Hong Kong but upon arrival are sent to work in mainland China or the Middle East. Separately, criminal syndicates or acquaintances sometimes lure women to Hong Kong using false promises of lucrative employment and subsequently force them into prostitution to repay money owed for passage to Hong Kong. Traffickers sometimes psychologically coerce sex trafficking victims by threatening to reveal photos or recordings of the victims' sexual encounters to their families.

The Government of Hong Kong does not fully meet 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, Hong Kong is placed on Tier 2 Watch List. Authorities' investigations and prosecutions for labor trafficking were inadequate for the scale of the problem, and there were no convictions for labor trafficking in 2015 because there remains no specific criminal offense related to the crime. Hong Kong's laws do not prohibit all forms of trafficking and authorities continued to define human trafficking as the trans-border movement of people for prostitution, inconsistent with the 2000 UN TIP Protocol. While the government convicted eight traffickers during the reporting period, sentences were incommensurate with the gravity of the crime, with three perpetrators sentenced to seven months' imprisonment or less. The government did not appropriately penalize employment agencies that perpetuated labor trafficking via debt bondage. Labor tribunals lacked sufficient translation services, did not provide the right to counsel, and often had judges inexperienced with forced labor cases. Some trafficking victims may have been punished for crimes committed as a direct result of being subjected to trafficking. The government continued to fund partially six NGO-run shelters and three government-owned and -operated shelters for victims of abuse and trafficking, and identified 16 trafficking victims during the reporting period. It continued distribution of anti-trafficking information pamphlets to foreign domestic workers, law enforcement training, and cooperation with the consulates of labor-sending countries.



## RECOMMENDATIONS FOR HONG KONG:

Enact a comprehensive anti-trafficking law that prohibits all forms of trafficking in accordance with the definitions set forth in the 2000 UN TIP Protocol; proactively identify sex and labor trafficking victims among vulnerable populations—such as

mainland Chinese and foreign migrants, domestic workers, and women and children in prostitution—and refer them to available services; vigorously prosecute suspected labor traffickers and recruiters, especially those who exploit foreign domestic workers; penalize employment agencies that charge excessive fees; do not penalize victims for crimes committed as a result of being subjected to trafficking; increase protective services for vulnerable populations, such as foreign domestic workers and women in prostitution; make labor tribunals more effective through improved translation services, the right to counsel, and anti-trafficking training for judges; grant foreign victims permission to work and study while participating in judicial proceedings against their traffickers; adopt an action plan to combat trafficking and commit resources to its implementation; provide legal alternatives to foreign victims who may face hardship or retribution in their home countries; and educate law enforcement, government officials, and the public on trafficking definitions aligned with international standards.

## PROSECUTION

The government maintained limited anti-trafficking law enforcement efforts. Hong Kong laws do not criminalize forced labor and authorities continued to define trafficking as the trans-border movement of people for prostitution; this definition is inconsistent with the 2000 UN TIP Protocol definition of human trafficking. Section 129 of the crimes ordinance, which prohibits “trafficking in persons to or from Hong Kong,” requires an element of transnationality given its focus on the movement of persons into or out of Hong Kong for prostitution, and it does not require the use of force, fraud, or coercion. Section 129 prescribes penalties of up to 10 years’ imprisonment, which is sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. The government amended the prosecution code—an administrative handbook to guide prosecutors in building criminal cases—in 2013 to include the 2000 UN TIP Protocol’s definition of trafficking. There was no parallel change in the criminal laws, however, and labor trafficking investigations and prosecutions remained low (two cases) in 2015 compared with the scope of the problem. There were no convictions for forced labor in 2015.

In 2015, the government investigated and prosecuted six alleged trafficking cases, compared with four trafficking investigations and one prosecution in 2014. Three cases involved sex trafficking of 11 Thai women, in which five defendants were convicted of managing a vice operation and sentenced to between four and 22 months’ imprisonment and seven additional defendants are pending sentencing. Two cases of foreign domestic workers forced to work in mainland China by their employers remained pending. The government sentenced three traffickers to 28-30 months’ imprisonment for conspiracy to obtain by deception services of three victims transiting Hong Kong on fraudulent documents. A high profile case—filed by an alleged victim of forced labor who stated that he received no assistance from the government—set in motion a judicial review of the government’s human trafficking laws, which remains in progress. Prosecutors sometimes used victims’ receipt of unlawfully low wages or their acceptance to work outside of their contracts under duress as evidence that victims violated their immigration status instead of evidence of abuse. While victims could go to labor tribunals to attempt to claim back wages, poor translation services, the lack of a right to counsel, the inability to work while awaiting a decision, and judges’ inexperience with forced labor cases typically led victims to abandon attempts at restitution. In 2015, authorities trained approximately 400 front-line police officers

on trafficking victim identification and more than 500 new immigration trainees on trafficking and victim identification, among other training activities. Hong Kong authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government maintained limited efforts to protect victims and their frequent penalization discouraged victims from self-identifying, seeking assistance, or leaving employment where they suffered exploitation. In 2015, authorities identified 16 trafficking victims, a decrease from 26 in 2014. The government continued to partially fund six NGO-run shelters and three government-owned and -operated shelters that serve victims of abuse, exploitation, and trafficking. Although the government reported screening 7,133 foreign workers and 3,573 persons arrested for prostitution for signs of exploitation and trafficking during the reporting period, it only identified 16 trafficking victims. Potential victims, some of whom were arrested and charged with crimes, were considered for protective services in consultation with the Department of Justice on a case-by-case basis. NGOs and victims reported the government sometimes charged victims with crimes committed as a direct result of being subjected to human trafficking and that victims often pled guilty to these charges to facilitate expeditious deportation. Officials reported having a policy in place to encourage victims to participate in the investigation and prosecution of traffickers, but they did not allow victims to work while participating in trials that were sometimes lengthy, which deterred victims from cooperating with authorities. As a result, many victims opted to repatriate immediately or were deported. In 2015, immigration officials issued 1,824 visa extensions to former foreign domestic workers involved in ongoing legal proceedings in Hong Kong, but it was unclear how many of these cases involved labor exploitation. Hong Kong does not allow for permanent residency status for cases in which repatriation may constitute a risk of hardship or retribution in the victim’s home country.

## PREVENTION

The government sustained modest efforts to prevent trafficking. An interdepartmental working group led by the security bureau has been in place since 2010. The government began drafting a national action plan to combat trafficking in 2013, but it has not announced the publication, formal adoption, or implementation of the plan. Authorities continued to distribute anti-trafficking pamphlets in five languages and information packets to foreign domestic workers at the airport, six information kiosks, through their consulates, and in Filipino and Indonesian language newspaper advertisements. These information packages describe foreign domestic workers’ rights and their employers’ obligations under the law, and provide contact information for relevant government offices for assistance. NGOs report these packets are sometimes seized by employment agencies or employers. Authorities also conducted publicity campaigns using radio, newspaper, and leaflets to remind employers of their legal obligations to their domestic workers. Labor officials conducted inspections of approximately 1,300 employment agencies, roughly the same number as in 2014. Following inspections, 12 agencies were convicted for various offenses, five licenses were revoked, and investigations were opened into other agencies. NGOs reported employment agencies that violated regulations faced penalties that were too lenient and continued to operate either without a license or under the guise of new ownership. The government made some efforts to reduce the demand for



commercial sex through school sex education programs and reported efforts to reduce the demand for forced labor through raising awareness of proper treatment of domestic workers. It reported no efforts to prevent or combat child sex tourism of Hong Kong residents in mainland China or other foreign countries. The government did not provide anti-trafficking training to its personnel posted overseas.

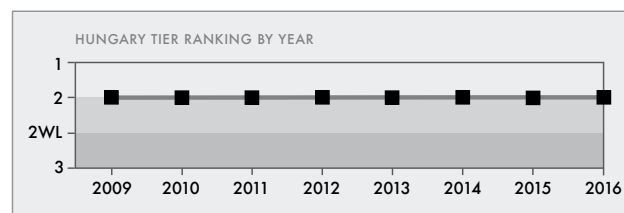
## HUNGARY: Tier 2

Hungary is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. Vulnerable groups include Hungarians in extreme poverty, Roma, unaccompanied asylum-seekers, and homeless men. Hungarian women and children are subjected to sex trafficking within the country and abroad, mostly within Europe—with particularly high numbers in the Netherlands, Belgium, Germany, Austria, Switzerland, and the United Kingdom. Hungarians, particularly Romani women and girls from eastern Hungary and from state care institutions, are exploited in sex trafficking in large numbers in Belgium by Hungarians also of Romani origin. A large number of Hungarian child sex trafficking victims exploited within the country and abroad come from state-provided childcare institutions and correctional facilities, and traffickers recruit them upon leaving these institutes. Hungarian women lured into sham marriages to third-country nationals within Europe are reportedly subjected to forced prostitution. Hungarian men and women are subjected to forced labor domestically and abroad, including in the United Kingdom, the Netherlands, other European countries, and North America. There are strong indicators labor trafficking of Hungarian men in Western Europe has intensified in agriculture, construction, and factories. Trafficking victims from Eastern European countries transit Hungary en route to Western Europe. Hungary is a transit country for asylum-seekers and illegal migrants, some of whom may be or may become trafficking victims. Within the country, Romani children are exploited in forced begging, child sex trafficking involving both girls and boys, and forced petty crime.

During the reporting period, international organizations and government officials reported the dramatic rise in migrants and refugees arriving predominantly from Syria, Afghanistan, and Kosovo. These individuals were highly vulnerable to trafficking. International organizations reported a high prevalence of trafficking indicators amongst migrants in Hungary; however, the formal mechanisms set to screen migrants for trafficking indicators failed to identify any such cases.

The Government of Hungary does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities increased law enforcement efforts against human trafficking, although data on these efforts was unreliable and efforts to address sex and labor trafficking of children have remained weak for several years in a row. Despite increased efforts, including funding for NGOs providing services for victims, increased funding for shelters, and new victim protection legislation, government protection efforts were insufficient. Specialized services for child victims did not exist and law enforcement arrested children exploited in prostitution, including sentencing nine children to imprisonment despite their being subjected to trafficking. Shortcomings in security and services at state care institutions for children remained widespread, resulting in high vulnerability

of children under state protection during and after their time in these facilities.



### RECOMMENDATIONS FOR HUNGARY:

Screen all individuals in prostitution for trafficking indicators and ensure neither adults nor children are punished for crimes committed as a result of trafficking, including prostitution; take steps to prevent trafficking among vulnerable children residing in state-run child care institutions and individuals who leave these institutions; increase identification of and assistance for child victims exploited within Hungary; increase law enforcement efforts to investigate, prosecute, and convict the perpetrators of all forms of trafficking; increase victim-centered training of law enforcement, prosecutors, and social workers; bolster protection for victims who face serious harm and retribution from their traffickers, including by developing longer-term care options to improve reintegration; increase funding for and provision of specialized victim services and provide consistent funding to NGOs to offer victim care; enhance the collection and reporting of reliable law enforcement and victim protection data; and bring the anti-trafficking law in line with international law by more precisely defining exploitation and requiring fraud, force, or coercion as elements of the core offense of adult trafficking.

### PROSECUTION

The government increased law enforcement efforts against human trafficking, although data on these efforts was unreliable and efforts to address sex and labor trafficking of children appeared to remain weak. Article 192 of the 2013 criminal code prohibits many forms of human trafficking, but is overly broad because it does not require the use or threat of force or fraud to prove the basic offense of trafficking in persons, instead making force, the threat of force, or fraud aggravated elements resulting in enhanced penalties under article 192(3). The law defines exploitation as the abuse of power for the purpose of taking advantage of a victim but does not include the necessary purposes of exploitation, as defined by international law. Prescribed penalties range from one to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. Article 193 of the criminal code prohibits forced labor, with sentences ranging from one to eight years' imprisonment, while article 203 penalizes profiting from child prostitution, with penalties of up to eight years' imprisonment.

Law enforcement data remained unreliable, making it difficult to assess efforts. In 2015 police initiated 62 trafficking investigations, including 28 for forced labor, seven for forced begging, two for sex trafficking, and 25 for unspecified trafficking, compared with 10 forced labor investigations and 10 other trafficking investigations started in 2014. Officials prosecuted 18 individuals, including at least one for forced labor, compared with 18 individuals prosecuted in 2014. The government did not report how many investigations or prosecutions, if any, involved child sex trafficking. Courts convicted 22 traffickers in 2015, compared with 10 sex traffickers convicted in 2014. Sentences

ranged from no jail time or suspended sentences to six years' imprisonment. The government did not provide information on the specific type of trafficking crimes committed aside from forced labor. National police investigated transnational trafficking cases, and local police investigated internal cases; NGOs criticized local police for lack of sensitivity toward trafficking cases. Observers raised concerns that law enforcement regularly underreported trafficking offenses. Although the 2012 criminal code eliminated the previous requirement to provide evidence of a commercial transaction for a victim, judges continued to seek this evidence. Prosecutors appeared reluctant to press trafficking charges and chose lesser crimes instead, which were easier to prove in court, but often resulted in suspended sentences, permitted traffickers to commit a serious crime with impunity, endangered the victims they exploited, diminished the deterrence effect, and prevented policymakers from effectively evaluating the trafficking situation and calibrating policies and resources to fight this crime.

Anti-trafficking experts reported police categorized children between the ages of 14 and 18 as "youth" instead of children and treated them as criminals instead of victims, particularly in cases of child sex trafficking. Experts also reported police generally failed to investigate or remained reluctant to investigate certain trafficking cases involving child victims, including vulnerable children in state-run care institutions. There were no reported investigations, prosecutions, or convictions for official complicity. Authorities provided anti-trafficking training to some government officials, particularly police and prosecutors. Officials coordinated with other European governments on anti-trafficking investigations and extradited 30 individuals accused of trafficking to other European countries.

## PROTECTION

The government's protection efforts remained insufficient, as specialized services for child victims did not exist and law enforcement arrested children exploited in prostitution, including sentencing nine children to imprisonment despite their being subjected to sex trafficking. The government did not demonstrate adequate efforts to identify victims among vulnerable populations, such as children exploited in prostitution or adults and children living in government-run institutions. The government decree on the trafficking victim identification mechanism listed the institutions responsible for identifying victims, the questionnaire to be completed with suspected victims, and procedural protocols. The Victim Assistance Service of the Office of Justice identified eight victims, including one child, compared with 20 total victims in 2014. The National Crisis Management and Information Service reported 27 victims, including four men, 13 women, and 10 children. NGOs reported identifying 25 trafficking victims—19 female victims, four male victims, and two transgender victims. Two government-funded shelters provided care for 62 victims, including 33 adult women, seven adult men, and 22 dependent children accompanying adult victims.

In November 2015, Parliament amended legislation that introduced new victim protection services, including psychological and emotional support in courtrooms; a requirement to provide victims with more information during criminal proceedings; the opportunity for each sex trafficking victim to be questioned by an individual of his or her gender; and closed hearings. Victims may ask their perpetrator not to be present in the courtroom and officials must alert victims prior to the release of their traffickers from custody. NGOs noted a lack of trained staff, funding, and available services, particularly

for long-term needs such as reintegration. The government was required by law to provide victim assistance and state compensation to victims exploited within Hungary. Authorities provided victims financial support, psychological services, legal assistance, and referral to a shelter. The government increased the funding to 19 million forints (\$67,600) for two NGO-run family shelters in 2015 that could reserve a total of 16 beds for trafficking victims for a renewable 90-day period; the government provided 16 million forints in 2014. Victims generally were not allowed to leave the shelters unless accompanied by a chaperone. Authorities provided two million forints (\$7,300) to an NGO for anti-trafficking efforts, including support for its shelters providing services to victims. Although the Office of Justice issued a protocol in 2015 for victim support professionals outlining specific guidelines for assisting child victims, the government did not implement specialized services for child trafficking victims. Child victims could receive general care through the child protection system, but experts reported this system did not have sufficient staff or resources to provide tailored care, leaving victims vulnerable to re-trafficking.

During the reporting period, authorities fined five adult sex trafficking victims for prostitution violations. Furthermore, authorities penalized 101 children, including 100 girls and one boy, for prostitution offenses despite being sex trafficking victims; 30 received a fine, and courts sentenced nine to imprisonment. Experts criticized the government's lack of harmonized guidelines on protective services for victims, noting the referral system was ineffective. Inadequate government protection for victims who testified against traffickers was a concern; one child victim and one adult victim participated in the witness protection program. Foreign victims could receive a 30-day reflection period to decide whether to assist law enforcement, during which they were eligible for temporary residence permits while legal proceedings against their traffickers were ongoing. State compensation was available to indigent victims of crime who met specific criteria, including trafficking victims, but authorities did not report how many trafficking victims received this compensation in 2015.

## PREVENTION

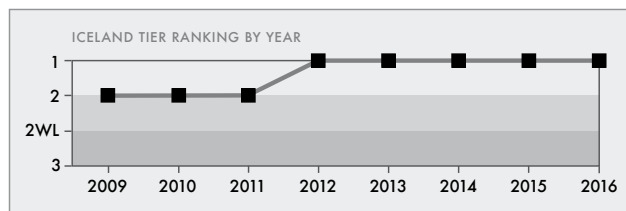
The government sustained its prevention efforts. The government had an anti-trafficking coordinator who chaired the national coordination mechanism, an entity including government actors and civil society organizations. The government had a 2013-2016 anti-trafficking national strategy with specific instructions for implementation. Experts reported interagency coordination remained uneven. Authorities continued multiple awareness campaigns on human trafficking targeted at teenagers, which reached an estimated 125,000 primary and secondary school students. In August, the Ministry of Interior organized an event to raise awareness at an annual music festival for the fourth consecutive year; the campaign reached 1,376 people through questionnaires on trafficking. Authorities reported no efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

## ICELAND: Tier 1

Iceland is a destination and transit country for women subjected to sex trafficking and men and women subjected to labor trafficking. Women from Eastern Europe, the Baltics, West Africa,

and Brazil are subjected to sex trafficking, often in nightclubs and bars. Men and women from Africa, Eastern Europe, South America, and South and East Asia are subjected to forced labor in construction, tourism, restaurants, fish factories, and as au pairs in private houses. Foreign “posted workers” are at particular risk of forced labor as the traffickers pay them in their home countries and contract them to work for up to 183 days in Iceland to avoid taxes and union fees, limiting tax authorities’ and union officials’ ability to monitor their work conditions and pay. Traffickers also subject women to domestic servitude, forced labor, and sex trafficking and men to forced labor, sometimes through forced marriage; NGOs report these cases are rarely reported to the police. Traffickers reportedly exploit the visa-free regime in the Schengen Zone and the European Economic Area to bring victims to Iceland for up to three months and move them out of the country before they must register with local authorities.

The Government of Iceland fully meets the minimum standards for the elimination of trafficking. The government increased investigations of suspected trafficking and identified more victims. However, for the third consecutive year there were no prosecutions or convictions of suspected traffickers. The government worked with NGOs to publish and distribute updates to its victim identification, assistance, and referral procedures, focusing educational efforts on professionals likely to come into contact with potential victims. Unlike the previous reporting period, several victims identified in 2015 cooperated with law enforcement efforts. The government maintained prevention efforts by holding 11 awareness-raising sessions across the country for officials and professionals on identifying and referring victims.



## RECOMMENDATIONS FOR ICELAND:

Significantly increase efforts to prosecute and convict traffickers; increase training for all investigators, prosecutors, and judges on detecting and prosecuting trafficking crimes; prioritize building trust between law enforcement and victims and provide protection and adequate residence and work permits to encourage victims to participate in the investigation and prosecution of traffickers; provide specialized services, including shelters, for male and child trafficking victims; enhance training methods for collecting evidence against suspected traffickers to avoid overreliance on victim testimony; develop procedures for identifying victims of forced marriage and involve labor inspectors in victim identification; expand training for officials on proactive identification of trafficking victims, particularly among migrant workers, unaccompanied children, and asylum-seekers; and provide adequate funding to law enforcement for implementation of the national anti-trafficking action plan.

## PROSECUTION

The government demonstrated mixed anti-trafficking law enforcement efforts, due in part to inadequate funding and resources. Article 227a of the criminal code prohibits both sex trafficking and forced labor and prescribes penalties of up to 12 years’ imprisonment; these are sufficiently stringent

and commensurate with penalties prescribed for other serious crimes, such as rape. Law enforcement initiated 23 trafficking investigations during the reporting period, an increase from 11 investigations in 2014; of these investigations, 14 were for suspected labor trafficking, three for sex trafficking, and six were undetermined. However, as in 2013 and 2014, the government did not prosecute or convict any traffickers. The police college curriculum included instruction on victim identification and investigation of trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Police authorities conducted cooperative international investigations on two suspected trafficking cases during the year.

## PROTECTION

The government strengthened victim identification and referral procedures, and increased victim identification efforts. The government identified at least 29 potential trafficking victims in 2015, an increase from 11 in 2014, and certified 10 as trafficking victims: three male (one of whom was a minor) and five female victims of forced labor (of which one adult man and one woman had been subjected to forced labor through forced marriages), and a woman and a minor male subjected to an unidentified form of trafficking. Police were unable to confirm the form of trafficking from the testimony of either victim, but suspected both were sex trafficking victims. Authorities referred all 10 of these to care facilities for assistance, but only three of the women and the minor believed to have been subjected to child sex trafficking accepted housing at shelters. There are currently no shelter services available for adult male victims. Government-funded NGOs identified and assisted one additional potential trafficking victim. In December 2014, the government signed a two-year agreement to provide funding for an NGO-run domestic abuse shelter to provide emergency shelter to female trafficking victims and their children. The 2016 state budget allocated 70.6 million krona (\$573,000) to the shelter, compared with 65.1 million krona (\$528,000) for 2015. The Welfare Ministry provided the shelter with an additional 200,000 krona (\$1600) for the provision of services for trafficking victims. The shelter maintained a team of specialists to manage cases involving possible trafficking victims. Victims had access to free legal, medical, psychological, and financial assistance, whether or not they stayed at the shelter or cooperated with authorities. Municipal social service agencies provided services and financial assistance to trafficking victims, and the Ministry of Welfare reimbursed the municipalities for all associated expenses; in 2015, the government refunded 12.5 million krona (\$102,000) to municipal governments for expenses related to “foreign citizens in distress,” which may have included trafficking victims. The government allocated 71 million krona (\$576,000) in the 2016 state budget to a separate NGO offering psychological services to victims, compared with 65.5 million krona (\$532,000) in 2015. Iceland remained without specialized care for male victims, who could access general social services and receive referrals to NGOs providing food, shelter, legal advice, and healthcare. Municipal and state child protection services were responsible for assisting unaccompanied children, including child trafficking victims.

The national police commissioner published detailed procedures for police to use to identify, contact, and work with possible trafficking victims to provide them with assistance. The government distributed information on the EU-issued “Guidelines for the Identification of Victims of Trafficking” and NGO-developed interview guidelines to government employees most likely to come into contact with trafficking victims. The