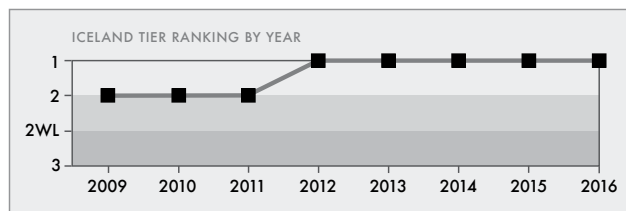


and Brazil are subjected to sex trafficking, often in nightclubs and bars. Men and women from Africa, Eastern Europe, South America, and South and East Asia are subjected to forced labor in construction, tourism, restaurants, fish factories, and as au pairs in private houses. Foreign “posted workers” 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

Directorate of Immigration had written procedures to identify trafficking victims and provide them with information and resources, including during the interview process for asylum-seekers. Immigration and police officers used a pocket checklist to identify potential victims and inform them of available services. NGOs stated these procedures worked effectively to identify and provide resources to suspected victims. Witness protection for trafficking victims was not mandated by law, but the government provided it in practice. Three victims identified in 2015 agreed to cooperate with law enforcement in the investigation of their cases, but no cases went to court during the reporting period; many victims declined to participate in the investigations due to fear of retaliation by traffickers. An NGO reported most victims of forced marriage, which may involve forced labor or sex trafficking crimes, do not contact police or press charges due to fear of traffickers and because cases can be hard to prove. Victims could file civil suits against traffickers or seek restitution from the government, but no victims did so. Any foreign trafficking victims could obtain a six-month residence permit. An additional one-year renewable residence permit was available to victims who cooperated with law enforcement or who may have faced retribution or hardship in their home countries; however, victims with either temporary residence permit could not apply for a permit to work legally in the country. The government did not issue any such temporary residence permits to victims in 2015. In early 2016, two Sri Lankan female labor trafficking victims living in a shelter left the country because they were legally unable to acquire work permits; the government provided them only 5,200 krona (\$42) per week in financial assistance and denied them residence permits. There were no reports authorities detained, fined or jailed victims for illegal acts committed as a result of being subjected to trafficking.

PREVENTION

The government increased efforts to prevent trafficking. The government continued to implement its 2013-2016 national action plan and allocated 10 million krona (\$81,000) in the 2016 budget to do so. The steering group responsible for overseeing implementation of the national action plan met monthly, established a temporary taskforce to focus on education and awareness raising, and improved law enforcement data collection and assessment of human trafficking. Its education team held 11 sessions for civil professionals across the country on victim identification and referral. Approximately 1,000 government and municipal specialists in law enforcement, welfare services, healthcare services, labor, and education attended these and 17 sessions held in 2014. In December 2015, the government signed a four-year anti-trafficking agreement with the Icelandic Red Cross that specified establishing a hotline for trafficking victims to access assistance and resources, training of legal professionals with assistance from international organizations, efforts to raise trafficking awareness within general Icelandic society, and increased cooperation between agencies and organizations involved in combating trafficking. The government demonstrated efforts to reduce the demand for commercial sex acts by monitoring and working with social media sites to reduce online advertisement of prostitution, but did not make efforts to reduce the demand for forced labor. The government included anti-trafficking language in its code of conduct for diplomatic personnel, but provided no trafficking-specific training.

INDIA: Tier 2

India is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Forced labor constitutes India's largest trafficking problem; men, women, and children in debt bondage—sometimes inherited from previous generations—are forced to work in brick kilns, rice mills, agriculture, and embroidery factories. The majority of India's trafficking problem is internal, and those from the most disadvantaged social strata—lowest caste *Dalits*, members of tribal communities, religious minorities, and women and girls from excluded groups—are most vulnerable. Within India, some are subjected to forced labor in sectors such as construction, steel, and textile industries; wire manufacturing for underground cables; biscuit factories; pickling; floriculture; fish farms; and ship breaking. Thousands of unregulated work placement agencies reportedly lure adults and children under false promises of employment for sex trafficking or forced labor, including domestic servitude.

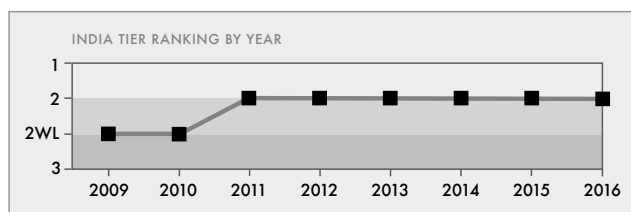
In addition to bonded labor, some children are subjected to forced labor as factory and agricultural workers, domestic servants, and beggars. Begging ringleaders sometimes maim children to earn more money. Some NGOs and media report girls are sold and forced to conceive and deliver babies for sale. Conditions amounting to forced labor may be present in the “*Sumangali* scheme” in Tamil Nadu, in which employers pay young women a lump sum, used for a dowry, at the end of multi-year labor contracts. Some children, reportedly as young as 6 years old, are forcibly removed from their families and forced by separatist groups such as the Maoists in Bihar, Chhattisgarh, Jharkhand, Maharashtra, West Bengal, and Odisha to act as spies and couriers, plant improvised explosive devices, and fight against the government.

Experts estimate millions of women and children are victims of sex trafficking in India. Traffickers use false promises of employment or arrange sham marriages in India or Gulf States, and then subject women and girls to sex trafficking. In addition to traditional red light districts, women and children increasingly endure sex trafficking in small hotels, vehicles, huts, and private residences. Traffickers increasingly use websites, mobile applications, and online money transfers to facilitate commercial sex. Children continue to be subjected to sex trafficking in religious pilgrimage centers and tourist destinations. Many women and girls—predominately from Nepal and Bangladesh, and from Europe, Central Asia, and Asia, including minority populations from Burma—are subjected to sex trafficking in India. Prime destinations for both Indian and foreign female trafficking victims include Kolkata, Mumbai, Delhi, Gujarat, Hyderabad, and along the India-Nepal border; Nepali women and girls are increasingly subjected to sex trafficking in Assam, and other cities such as Nagpur and Pune. Some corrupt law enforcement officers protect suspected traffickers and brothel owners from law enforcement efforts, take bribes from sex trafficking establishments and sexual services from victims, and tip off sex and labor traffickers to impede rescue efforts.

Some Indian migrants who willingly seek employment in construction, domestic service, and other low-skilled sectors in the Middle East and, to a lesser extent, other regions face forced labor, often following recruitment fraud and exorbitant recruitment fees charged by labor brokers. Some Bangladeshi migrants are subjected to forced labor in India through recruitment fraud and debt bondage. Some Nepali, Bangladeshi, and Afghan women and girls are subjected to both labor and sex trafficking in major Indian cities. Following the April 2015

Nepal earthquake, Nepali women who transit through India are increasingly subjected to trafficking in the Middle East and Africa. Some boys from Bihar are subjected to forced labor in embroidery factories in Nepal, while some boys from Nepal and Bangladesh are subjected to forced labor in coal mines in the state of Meghalaya, although reportedly on a smaller scale than in previous years. Burmese Rohingya, Sri Lankan Tamil, and other refugee populations continue to be vulnerable to forced labor in India.

The Government of India does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. For the first time, the National Crime Record Bureau's Crime in India report included data on trafficking investigations, prosecutions, and convictions. The data demonstrated vigorous efforts to combat human trafficking but reflected a relatively low number of law enforcement action for the scale of trafficking in India and a low conviction rate overall. Moreover, the scope of law enforcement action on forced labor and the range of sentences applied to convicted traffickers remained unclear because the data was not comprehensive. The Ministry of Home Affairs (MHA) revised its strategy guiding Anti-Human Trafficking Units (AHTUs), to ensure more effective identification and investigation of trafficking cases and coordination with other agencies to refer victims to rehabilitation services. Several state governments created or re-activated AHTUs, although the majority of districts remained without AHTUs. The government investigated and prosecuted some cases of official complicity, although comprehensive data was unavailable and official complicity remained widespread. The government continued to fund shelter and rehabilitation services for women and children throughout India and issued additional directives to states to find and rescue missing children, some of whom may have been trafficking victims. However, overall victim protection remained inadequate and inconsistent, and the government sometimes penalized victims through arrests for crimes committed as a result of being subjected to human trafficking. The government revised, but did not repeal, its policy restricting travel of some Indians identified as trafficking victims abroad by a foreign government and of their family members.



RECOMMENDATIONS FOR INDIA:

Increase prosecutions and convictions for all forms of trafficking, including forced and bonded labor, respecting due process; establish and fully resource AHTUs in all districts, including by providing additional dedicated, trained staff and by clarifying the mandate of AHTUs; encourage AHTUs to address all forms of trafficking, including forced labor of adults and children; cease the penalization of trafficking victims, including restrictions on their travel; increase investigations and prosecutions of officials allegedly complicit in trafficking, and convict and punish those found guilty; improve central and state government implementation of protection programs and compensation schemes to ensure trafficking victims receive benefits, release certificates, and rehabilitation funds; develop and implement standard operating procedures (SOPs) to harmonize victim

identification and repatriation, and the prosecution of suspected traffickers when trafficking crimes cross state lines; take steps to eliminate all recruitment fees charged to workers and raise awareness among potential migrants on the no fee policy; promptly disburse government funding for shelters and develop monitoring mechanisms to ensure quality of care; continue to increase the transparency of government efforts to combat trafficking and provide disaggregated data on efforts to criminally investigate, prosecute, and punish sex and labor trafficking; provide funding for states to establish fast-track courts that deal with all forms of human trafficking; and provide anti-trafficking training or guidance for diplomatic personnel to prevent their engagement or facilitation of trafficking crimes.

PROSECUTION

The government demonstrated increased law enforcement efforts, although investigations, prosecutions, and convictions were low for the scale of human trafficking in India, and action on forced labor remained unclear. Section 370 of the Indian Penal Code (IPC) prohibits slavery, servitude, and most forms of sex trafficking, and prescribes sufficiently stringent penalties ranging from seven years' to life imprisonment, which are commensurate with those prescribed for other serious crimes, such as rape. Section 370 does not define the prostitution of children younger than age 18 as an act of human trafficking in the absence of coercive means—the standard of the 2000 UN TIP Protocol—although other statutes criminalize the prostitution of children. Section 370 criminalizes government officials' involvement in human trafficking, prescribing sentences up to life imprisonment. Bonded labor is specifically prohibited under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, which prescribes sufficiently stringent penalties of up to five years' imprisonment and the Bonded Labor System Abolition Act, which prescribes insufficiently stringent penalties of up to three years' imprisonment. India prohibits many forms of forced labor through the Child Labor (Prohibition and Regulation) Act, the Juvenile Justice Act, and other provisions of the IPC; however, these provisions were unevenly enforced and their prescribed penalties are not sufficiently stringent, allowing for only fines or short prison sentences in some cases. The government frequently used the Immoral Traffic Prevention Act (ITPA) and various provisions of the IPC, which have sufficiently stringent penalties, to prosecute sex trafficking. However, because the ITPA also criminalizes acts related to prostitution and officials inconsistently screened for trafficking indicators, the government prosecuted sex trafficking victims under the ITPA. In December 2015, as a result of public interest litigation, the Supreme Court directed the central government to develop comprehensive anti-trafficking legislation by June 2016. During the reporting period, the government formed an inter-ministerial committee, which met multiple times to draft the legislation.

During the reporting period, the National Crimes Record Bureau (NCRB) issued the 2014 Crime in India Report, the most recent law enforcement data available. For the first time, the report included data on trafficking investigations, prosecutions, and convictions under several relevant laws. During 2014, police investigated 3,056 trafficking cases, including 2,604 cases of sex trafficking, 46 cases of bonded labor, and 406 uncategorized trafficking cases; an additional 2,336 cases were pending investigation at year's end. In 2014, 2,782 people involving 2,538 alleged sex traffickers, 195 alleged labor traffickers, and 49 uncategorized traffickers were prosecuted, resulting in 577 traffickers convicted, 1,990 persons acquitted, and 29 persons discharged. Notably, the acquittal rate was 77 percent and only

six of the convictions were for bonded labor, although bonded labor offenders may also be convicted under the Prevention of Atrocities Act, and these statistics were not reported. The government did not report sentences for convictions. One Indian media story commented the figures reported by the NCRB were ambiguous and did not reflect the large scale of human trafficking crimes in India; experts stated many cases were not registered by police or were settled at the complaint stage. Incidents of inaction by police and prosecutors reflected often inconsistent application of the law across jurisdictions, corruption among officials, and a lack of awareness or capacity in some parts of the country.

During the reporting period, MHA revised its strategy guiding the AHTUs to support trainings fostering partnership across police, prosecutors, judges, and service providers and encourage state governments to increase AHTU resources and the number of personnel. Of the more than 600 districts, only 226 had functioning AHTUs at the end of the reporting period, and most lacked clear mandates *vis-a-vis* other district- and state-level police units. In response to an increase in trafficking cases of Nepalis in India after the April 2015 Nepal earthquake, AHTUs were created or re-activated in Uttarakhand and Uttar Pradesh. Some NGOs reported significant cooperation with AHTUs on investigations, particularly in Maharashtra and Tamil Nadu states. However, coordination across states remained a significant challenge in cases where the alleged trafficker was located in a different state from the victim—jurisdictional barriers prevented confessions from one state being used as evidence in another. NGOs noted some police offices were overburdened and underfunded and lacked the necessary resources, such as vehicles and computers, to combat trafficking effectively. Some police utilized AHTU resources and personnel for non-trafficking cases. NGOs noted judges and courts did not have sufficient resources to properly prosecute cases, including an adequate number of support staff, such as stenographers and translators. State and local governments conducted training for police, magistrates, and prosecutors in collaboration with NGOs and international organizations that addressed the integration of anti-trafficking efforts post-Nepal earthquake, the law, and the non-criminalization of victims.

Official complicity in human trafficking occurred at varying levels of government. Some corrupt law enforcement officers protected suspected traffickers and brothel owners from law enforcement action, took bribes from sex trafficking establishments and sexual services from victims, and tipped off sex and labor traffickers to impede rescue efforts. The government did not report comprehensive data on investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Eight Puducherry police officers were dismissed from their jobs; in May 2015, they were charged for a second time with rape in an ongoing case from May 2014, in which four children were rescued from a sex trafficking racket. In February 2016, a Goa water resource department official and his Mumbai-based partner were arrested for running a prostitution ring; police rescued three girls and registered the case under sections of the ITPA. However, media also reported allegations of a few complicit officials whom the government did not prosecute and who remained in government.

PROTECTION

The government demonstrated mixed efforts to protect victims; while it made positive steps to find and rescue potential child trafficking victims and improve assistance to Bangladeshi victims, the government's overall provision of services was

generally inadequate and inconsistent, and the penalization of victims remained a concern. The government did not provide comprehensive information on the number of trafficking victims it identified. However, the NCRB reported the government's identification of at least 6,216 victims in 2014: 3,332 sex trafficking, 279 bonded labor, and 2,605 uncategorized victims. A 2009 MHA non-binding directive advises state officials to use SOPs for proactive victim identification and referral to protection services; however, it is unclear if all 29 states utilized such SOPs. The central government issued several directives to state- and district-level law enforcement to carry out operations to rescue and rehabilitate missing and exploited children. During the reporting period, the government reported its rescue of 19,742 children, some of whom may have been subjected to forced labor or sex trafficking. Some state- and district-level law enforcement actively partnered with NGOs to identify, rescue, and provide rehabilitation services to victims; however, other police officers believed their responsibility concluded with the rescue operation and did not complete investigations or charge suspects. In other cases, police arrested and charged alleged traffickers, but some of the alleged traffickers posted bail and while awaiting trial—sometimes for several years—purportedly intimidated witnesses and subjected new victims to trafficking.

The Ministry of Women and Child Development (MWCD) continued to fund NGO-run shelter and rehabilitation services for women and children through the *Ujjawala* program, specifically for female sex trafficking victims, and the *Swadhar* program for women in difficult circumstances. Central government funding for MWCD grants to states decreased slightly in the 2015-2016 fiscal year. NGOs reported an insufficient number of government shelters, noting the increase in rescue operations further overwhelmed already overburdened shelters and victim care services. Both government- and NGO-run shelters faced shortages of financial resources and trained personnel, particularly of counselors and medical staff. NGOs relied primarily on donor contributions to provide victim services, although some received government funds. The disbursement of government funding to NGOs was sometimes delayed for multiple years and corruption reportedly drained some resources intended for victim care. In September 2015, the government suspended several government social welfare officers and two superintendents at a shelter home for women in Delhi for dereliction of duty and mismanagement; conditions in the shelter were found to be unhygienic, and the women lacked clean water and adequate food. Some victims waited months for transfer from temporary "transit homes" to shelters that provide long-term care due to shortages of government funds, shelter staff, or police escorts. Some government-run shelters did not permit adult victims to leave the premises. Child victims were placed in private shelters or in government juvenile justice homes and largely received the same government services as adults.

Rescued bonded laborers are entitled to "release certificates," enabling them to receive government-funded compensation and services. Many victims received certificates at or soon after their rescue, especially in areas where there was significant coordination between the government and NGOs. Others experienced lengthy delays before obtaining the certificates. Other than bonded labor victims, adult male trafficking victims did not receive care or funding from the government. Victims had access to government hospitals for emergency medical services, although long waiting lists made it difficult to obtain surgery and other procedures, and NGOs often had to pay for victims' emergency medical treatment.

Foreign victims received the same access to shelters and services as Indian nationals. MHA guidelines to all state governments specify that foreign women and children who are declared victims should not be prosecuted for immigration violations. Government policy on foreign victims dictated their return to their country of origin at the earliest possible time. Foreign sex trafficking victims were confined to government aftercare homes until repatriation and were not permitted to work in the local economy. Due to a number of constraints, this process resulted in some victims spending upwards of four years confined in these homes before being repatriated. In June 2015, the Governments of India and Bangladesh signed a Memorandum of Understanding (MOU) on human trafficking to improve coordination in preventing trafficking and protecting victims; one provision stipulated repatriation cases taking more than six months be referred to a higher-ranking authority. Bangladeshi victims were typically repatriated within 21 days. To protect both Indian and foreign national victims during trial, prosecutors may request the victim be permitted to testify by video or behind a screen, the proceeding be closed to the media and public, and irrelevant and potentially harmful questions be barred. In February 2016, a Bangladeshi trafficking victim gave testimony via video-conference from Dhaka; a lawyer commented this was likely the first time a deposition was given via live-video in a cross-border trafficking case.

NGOs in several states reported police and prosecutors were increasingly aware of the need to identify trafficking survivors as victims and not as defendants; however, the government did, in certain cases, continue to penalize victims as a result of inconsistent identification and screening efforts. There were reports of some victims being detained and arrested for acts committed as a result of being subjected to trafficking, including sex trafficking victims prosecuted and convicted for prostitution and foreign trafficking victims charged with immigration violations. In the previous reporting period, the government began denying travel of trafficking victims and their family members, including by confiscating the passports of Indians who received a visa from a foreign government indicating the person was a trafficking victim in the foreign country or was a family member of a victim. The government revised this policy in 2015 to allow these victims and their families to renew their passports and travel if documentation of the victim's trafficking experience could be provided and the Indian government determined the person to be a trafficking victim. However, some victims continued to cite lengthy delays, requests for private or otherwise sensitive information, and inconsistent application of the policy when attempting to renew their passports. In a limited number of cases during the reporting period, authorities confiscated the passports of some victims' families when they were traveling from India.

PREVENTION

The government increased efforts to prevent human trafficking. In May 2015, MWCD and Ministry of Railways signed an MOU with an NGO for the protection of unaccompanied children at railway stations. During the reporting period, 20 railway stations hosted NGO staff to provide immediate support to unaccompanied children, who may be missing, abandoned, or runaways and are vulnerable to exploitation, including trafficking. In November 2015, MWCD and the railway ministry launched a project to supply posters to railway stations advising the public to call the national Childline hotline if they encounter an unaccompanied child. Some state governments also conducted anti-trafficking awareness campaigns. During the reporting period, the governments of

Telangana, Andhra Pradesh, and Odisha partnered with NGOs and a foreign donor for a large-scale survivor-run awareness campaign across 53 districts.

In August 2015, in response to public interest litigation filed in 2004, the National Legal Services Authority submitted a report to the Supreme Court with recommendations for the prevention of trafficking for commercial sexual exploitation and the rescue and rehabilitation of victims. Based on the recommendations, the Supreme Court directed the government to establish a central organized crime agency by December 1, 2016, to investigate human trafficking cases and rescue and rehabilitate victims. During 2015, the government made the Central Advisory Committee to combat trafficking of women and children for commercial sexual exploitation the lead agency on trafficking issues. The government did not have a national action plan. Some state governments had action plans and taskforces to combat trafficking; during the reporting period, both Uttar Pradesh and West Bengal established anti-trafficking taskforces and Uttar Pradesh officially launched and West Bengal drafted an action plan. MHA maintained an online portal for officials and other stakeholders to access information on trainings, meetings, statistics, laws, and shelters.

During the reporting period, the Ministry of Overseas Indian Affairs (MOIA) merged with the Ministry of External Affairs to increase the government's ability to monitor the welfare of Indian migrant workers abroad. MOIA launched eMigrate, an online system for registering foreign recruitment agencies, and registered over 20,000 domestic agents in India and 7,000 foreign agencies during the reporting period. MOIA continued to provide counseling and other resources to those considering migrant work at five resource centers in Chennai, Gurgaon, Hyderabad, Kochi, and Lucknow; it also continued to administer a welfare fund in 43 Indian Missions globally and provide shelter to migrants in distress in several countries in the Middle East. MOIA funded the repatriation of Indian victims abroad through its mandatory insurance reserves, foreign employer security deposit policies, and receipts from overseas consular fees. MOIA worked with the Central Bureau of Investigation to address cases of recruitment fraud and trafficking allegations and frequently revoked recruitment licenses. In September 2014, the local government of Delhi issued an executive order to regulate job placement agencies; during the reporting period, NGOs reported law enforcement implemented the order when cases were brought to their attention, but awareness of the order was low and proactive implementation was lacking. After the April 2015 Nepal earthquake, the government's border patrol agency organized a joint training session on trafficking with police officers from Nepal and Bhutan. Despite India being a source and destination for sex tourism, the government did not report on specific measures to reduce the participation of its nationals in child sex tourism. Goa law enforcement cooperated with law enforcement in the United Kingdom (UK) on the prosecution of British sex tourists who had returned to the UK. The government did not report efforts to reduce the demand for commercial sex or forced labor. The Indian military conducted training on trafficking for its personnel before deployment on peacekeeping or similar missions. The government did not provide information about any anti-trafficking training provided to its diplomatic personnel.

INDONESIA: Tier 2

Indonesia is a major source and, to a much lesser extent,

destination and transit country for women, men, and children subjected to forced labor and sex trafficking. Each of its 34 provinces is a source and destination of trafficking. The government estimates 1.9 million of the 4.5 million Indonesians working abroad—many of whom are women—are undocumented or have overstayed their visas, increasing their vulnerability to trafficking. Indonesians are exploited in forced labor abroad—primarily in domestic service, factories, construction, and on Malaysian palm oil plantations—and subjected to sex trafficking. A significant number of Indonesian migrant workers face forced labor, including debt bondage, in Asia, the Middle East, and on fishing vessels. Malaysia remains the top destination for Indonesian migrant workers, followed by Saudi Arabia, and the government estimates more than one million of the 1.9 million Indonesian workers in irregular status are in Malaysia. Indonesian victims were identified in other Asian and Middle Eastern countries during the reporting period—including South Korea—as well as in the Pacific Islands, Africa, Europe (including the Netherlands and Turkey), and North America. Indonesian women and girls are subjected to sex trafficking primarily in Malaysia, Taiwan, and the Middle East. Experts report the government's expanding use of biometric travel documents, which make false travel documents harder to obtain, have resulted in more undocumented workers traveling abroad by sea.

Reports continue of Indonesian fishermen in forced labor on Taiwanese and South Korean fishing vessels in non-Indonesian waters. In past years, Indonesian men have been subjected to forced labor on fishing vessels in Indonesian waters. The government reported a significant number of foreign men in forced labor on fishing vessels in Indonesian waters, including from Burma, Cambodia, and Thailand; most of the vessels belong to Thai parent companies that operate under the auspices of Thai-Indonesian shell companies. Thai traffickers issue fake Thai identity documents to foreign workers and force them to fish in Indonesian waters, threatening to expose their fake identities if they contact Indonesian authorities. Thai-Indonesian shell companies based in fishing ports in eastern Indonesia perpetuate these abuses by prohibiting fishermen from leaving their vessels or detaining them on land in makeshift prisons after the government's 2014 moratorium on foreign fishing vessels grounded many of the men's ships in port.

NGOs estimate labor recruiters are responsible for more than half of Indonesian female trafficking cases overseas. The government and NGOs note as awareness of trafficking increases, traffickers are recruiting more victims from eastern Indonesian provinces, where awareness is lower. Migrant workers often accumulate significant debt from independent labor recruiters overseas and Indonesian recruitment companies, making them vulnerable to debt bondage. Some companies use debt bondage, withholding of documents, and threats of violence to keep migrants in forced labor. In many cases, corrupt officials facilitate the issuance of false documents, accept bribes to allow brokers to transport undocumented migrants across borders, protect venues where sex trafficking occurs, practice weak oversight of recruitment agencies, and thwart law enforcement and judicial processes to hold traffickers accountable.

In Indonesia, women, men, and children are exploited in forced labor in fishing, fish processing, and construction; on plantations, including palm oil; and in mining and manufacturing. Many females are exploited in domestic servitude and sex trafficking, including Colombian women in forced prostitution. Victims are often recruited with offers of jobs in restaurants, factories, or domestic service but are

subjected to sex trafficking. Debt bondage is particularly prevalent among sex trafficking victims. Women and girls are subjected to sex trafficking near mining operations in Maluku, Papua, and Jambi provinces. When the government closed a large red light district in 2014, protections for women who worked in prostitution in the district decreased, increasing their vulnerability to sex trafficking in other regions, including Bali and Papua. Children are exploited in sex trafficking in the Batam district of Riau Islands province and have been exploited in West Papua province in previous years. Reports suggest an increase in university and high school students using social media to recruit and subject other students to sex trafficking. Child sex tourism is prevalent in the Riau Islands bordering Singapore, and Bali is a destination for Indonesian child sex tourists.

The Government of Indonesia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government convicted 119 traffickers, repatriated 5,668 Indonesian trafficking victims identified abroad, and provided short-term shelter and services to more than 441 trafficking victims. In one case the government convicted eight traffickers for forced labor on fishing vessels, but it did not initiate any other prosecutions for trafficking offenses in the fishing industry, despite the identification of over 1,500 trafficking victims in that sector. The government created eight new shelters to serve victims of crimes, including trafficking, but the quality and services of shelters varied widely across regions. Officials' lack of knowledge of trafficking indicators and anti-trafficking legislation impaired proactive victim identification among vulnerable populations and anti-trafficking law enforcement efforts; inadequate coordination between government agencies hampered the implementation of the national anti-trafficking strategy. Despite endemic corruption among law enforcement that impedes anti-trafficking efforts and enables traffickers to operate with impunity, law enforcement prosecuted only one official for trafficking offenses.



RECOMMENDATIONS FOR INDONESIA:

Increase efforts to investigate, prosecute, and convict labor recruitment agencies, brokers, and corrupt public officials involved in trafficking; develop and implement procedures to identify potential victims among vulnerable groups, including returning migrant workers, persons in prostitution, and fishing vessel crew members; train marine ministry staff and labor inspectors on victim identification and referral procedures; provide training for judges, prosecutors, police, and social workers on the anti-trafficking law; monitor recruitment fees charged by private agencies to ensure they are in line with the law; raise awareness among victims of government reintegration services; prosecute and punish those who obtain commercial sexual services from children; increase resources for the anti-trafficking taskforce and improve its coordination across ministries; increase the amount of time allowed to investigate cases of forced labor in the fishing sector to give authorities an opportunity to gather sufficient evidence of trafficking offenses; create a national protocol that clarifies responsibilities for

prosecuting trafficking cases when they occur outside victims' respective provinces; and expand awareness-raising campaigns targeted at the public and government in all regions, especially those with high incidences of trafficking.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The 2007 anti-trafficking law prohibits all forms of trafficking and prescribes penalties of three to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Officials reported ineffective coordination among police, prosecutors, and judges hindered the government's ability to investigate, prosecute, and convict traffickers, especially when cases involved numerous jurisdictions, including other countries. Extrajudicial mediation impeded successful prosecutions, as victims whose families received settlements from traffickers were usually unwilling to participate in official law enforcement proceedings. The government lacked a system for reporting and compiling comprehensive data on anti-trafficking law enforcement efforts. Authorities' use of the anti-trafficking law to prosecute non-trafficking offenses, such as smuggling, impaired the determination of the total number of anti-trafficking investigations, prosecutions, and convictions. The Indonesian National Police's anti-trafficking unit reported 221 new trafficking investigations during 2015—a decrease from 305 the previous year. The police referred 165 cases to prosecution, compared with 134 referred in 2014, but it is unclear how many prosecutions were actually initiated. The Supreme Court reported 119 convictions in 2015, with sentences ranging from three to 15 years' imprisonment, an increase from 79 convictions in 2014. A lack of familiarity with the anti-trafficking law led some prosecutors and judges to decline cases or use other laws to prosecute traffickers.

During the reporting period, the police's anti-trafficking unit investigated and prosecuted eight employees of a Thai-Indonesian fishing company—three Indonesian managers and five Thai captains—for the alleged forced labor of Burmese, Thai, Cambodian, and Lao men aboard fishing vessels in Indonesian waters. In March 2016, the judge convicted all eight men under the anti-trafficking law and sentenced each to three years' imprisonment and either an additional two months' imprisonment or a \$12,250 fine. Furthermore, the judge ordered the five Thai captains to pay a total of \$67,800 in compensation to the 13 identified crew members who testified in the case. Despite identifying more than 620 trafficking victims in Ambon, the government launched only one investigation into trafficking offenses on that island and did not arrest any alleged traffickers in the case. NGOs and government officials reported endemic corruption among security forces and other authorities continued to impede anti-trafficking law enforcement efforts. During the reporting period, police arrested a local official in Batam for allegedly exploiting a girl from West Java in domestic servitude; officials reported this was the first arrest of a Batam official on trafficking charges, and the prosecution was ongoing at the end of the reporting period.

Because the police's anti-trafficking unit devoted substantial resources and personnel to investigate forced labor on fishing vessels and Indonesians subjected to trafficking abroad, the police upgraded the status of the anti-trafficking unit from a component of the Unit for the Protection of Women and Children to a separate unit with increased staff. While the government has not yet increased the unit's staff permanently, it temporarily relocated officers from other precincts on an as-

needed basis, primarily to gather evidence from Indonesian consulates for trafficking cases involving Indonesian victims abroad.

In September 2015, the government signed a memorandum of understanding with United Arab Emirates (UAE) to facilitate joint investigations of trafficking networks, the exchange of anti-trafficking law enforcement information, and full access to Indonesian trafficking victims in UAE for Indonesian officials. Despite a widespread lack of familiarity with human trafficking and the anti-trafficking law among law enforcement and the judiciary, the government did not report providing or funding any anti-trafficking training for officials.

PROTECTION

The government sustained inadequate victim identification efforts and moderate efforts to protect trafficking victims. Officials did not collect or report comprehensive data on victims identified. While the government had standard operating procedures for proactive victim identification, it did not consistently employ them among vulnerable groups; it continued to rely on international organizations and NGOs to identify victims, especially foreign victims in Indonesia. To standardize inspection procedures, the fisheries minister—with NGO support—drafted and adopted a ministerial regulation in October 2015 establishing government-wide protocols for inspecting fishing vessels and screening for trafficking victims among crews, but they were not uniformly implemented during the reporting period. The government continued to work with NGOs to identify trafficking victims from among the crews of ships grounded or destroyed in the government's December 2014 crackdown on fishing vessels operating illegally in Indonesian waters, including victims stranded or detained on the island of Benjina. An international organization reported that with the government, it identified approximately 1,500 men exploited in forced labor in the fishing sector. An NGO also identified 97 forced labor victims—80 in domestic servitude, 10 in factories, and seven on plantations. The same international organization provided services to 1,322 trafficking victims referred by government agencies, NGOs, lawyers, and foreign embassies; the NGO then referred more than 1,126 of those victims back for shelter and health services, the majority of which were government-run or received some government funding.

The government's systems for overseas workers to file work-related complaints received 462 reports of trafficking and 948 reports of workplace disputes or abuses, some of which may have been trafficking. When these reports led to identification of trafficking victims, the agency to place and protect Indonesian workers abroad referred the cases to the local police precincts in Indonesia where the trafficking had taken place or where the victim had originated. It is unclear if this resulted in any trafficking investigations. Indonesian consular officials screened migrant workers for trafficking and provided shelter and financial assistance to victims. The Ministry of Foreign Affairs (MFA) repatriated 5,668 Indonesian trafficking victims, a significant increase from approximately 1,200 victims repatriated in 2014. The MFA offered short-term shelter and services to victims upon return and referred them to local governments for further care. In August 2015, Indonesian and Saudi police jointly inspected an illegal shelter in Riyadh and discovered 39 Indonesian domestic workers who had been promised jobs in Bahrain but were forced to work illegally in Saudi Arabia. They arrested the suspected trafficker, repatriated all 39 victims, and provided services upon return.

The government made efforts to aggregate victim services data from government agencies and NGOs, but data remained incomplete, especially from local governments. The Ministry of Social Affairs continued to provide trauma services and reported providing immediate shelter to 441 victims of crime, including trafficking—242 males and 191 females—in adult rehabilitation centers, children’s shelters, and trauma care centers; it established eight new trauma care shelters during the year, bringing the total to 26. The government managed 247 service centers, supported by government and private funds and operated primarily by provincial governments, which served vulnerable populations, including trafficking victims. Some shelters provided some long-term care, including funds to start small businesses. Some trafficking victims were housed in 13 government-operated “detention centers,” although the government worked with an international organization to improve the shelters’ quality and services. An international organization reported trafficking victims were often unaware of government reintegration services, and follow-up services for victims who had departed shelters remained insufficient. The Ministry of Health was responsible for paying for victims’ health care, and national police hospitals were obligated to provide free medical care; NGOs and government officials reported some hospital staff were unaware of this duty or unwilling to provide care without compensation.

During the reporting period, the government’s witness protection unit provided legal assistance to at least 88 victims; because multiple agencies provide legal assistance, the total number who received such aid is unknown. The law allows victims to obtain restitution from their traffickers, and at least 25 victims received compensation during the year. There were no reports the government punished victims for crimes committed as a result of being subjected to trafficking, but inadequate efforts to screen vulnerable groups for trafficking indicators, including during raids to arrest persons in prostitution or combat illegal fishing, may have resulted in the punishment of unidentified trafficking victims. 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 made minimal efforts to prevent trafficking. Most prevention efforts occurred at the district and provincial levels; funding for and activities undertaken by the taskforces varied greatly across regions. The national anti-trafficking taskforce, housed within the Ministry of Women’s Empowerment and Child Protection (MoWECP), met several times during the reporting period and adopted a 2015-2019 national action plan to combat trafficking, which focused on enhancing rehabilitation and reintegration services for victims and improving coordination between government ministries and with other stakeholders. With support from international donors and an NGO, the MoWECP and local governments designed and implemented trafficking awareness campaigns to inform citizens of safe migration practices and recruitment procedures. In addition, it established 25 new anti-trafficking taskforces at the local level and, with NGOs, provided vocational training and scholarships to women and school-aged children living in communities targeted by unscrupulous recruiters to reduce their susceptibility to trafficking. The taskforce lacked an operational budget, however, and relied on participating ministries to contribute funds to implement its activities. Insufficient funding of some local taskforces and lack of coordination within and between local taskforces and with the national taskforce at times impeded anti-trafficking efforts. With support from international

donors and an NGO, the MoWECP and local governments designed and implemented trafficking awareness campaigns to inform citizens of safe migration practices and recruitment procedures. In November 2015, the Ministry of Labor launched the first of 18 anticipated anti-trafficking centers in migrant source villages. The centers, with some government funding and staff, provided anti-trafficking awareness materials to prospective migrants; economic empowerment programs for at-risk youth; and care and resources for returning victims, including a hotline for migrant workers to report labor violations, including forced labor.

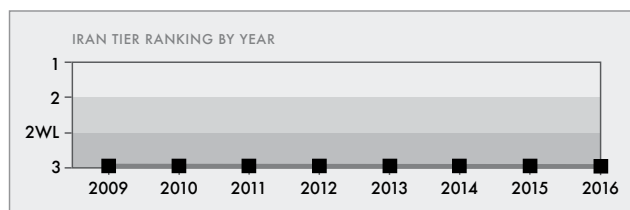
The labor ministry revoked or suspended the licenses of 24 companies allegedly engaged in unscrupulous recruitment, but it is unclear how many agencies the ministry referred to the police for investigation and if the police initiated any investigations. Authorities conducted raids on recruiting companies suspected of illegal practices but did not report any punishments for illegal acts. Due to many cases of Indonesian domestic workers subjected to trafficking in the Middle East, the government expanded its moratorium on permits for Indonesians working in domestic service from five to 21 countries in North Africa and the Middle East. The government’s one-year moratorium on foreign-built fishing vessels in Indonesian waters ran through December 2015, during which time the government froze licenses and destroyed boats in a crackdown on illegal fishing. No foreign-built fishing vessels from among the 1,132 under investigation has received its license back or resumed fishing operations since the moratorium’s expiration, and no new foreign-built vessels have been allowed to operate. The government did not report any prosecutions or convictions of child sex tourists. The government made efforts to reduce the demand for forced labor and commercial sex acts. The government provided anti-trafficking training for military personnel prior to their deployment abroad on international peacekeeping missions and for its diplomatic personnel, including modules on identifying trafficking victims and protecting Indonesian migrant workers abroad.

IRAN: Tier 3

Iran is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Accurate information on human trafficking in Iran is difficult to obtain. Organized groups reportedly subject Iranian women, boys, and girls to sex trafficking in Iran and in Afghanistan, the Iraqi Kurdistan Region, Pakistan, United Arab Emirates, and Europe. Iranian girls between the ages of 13 and 17 are targeted by traffickers for sale abroad; younger girls may be forced into domestic service until their traffickers consider them old enough to be subjected to child sex trafficking. An increase in the transport of girls from and through Iran en route to other Gulf States for sexual exploitation has been reported from 2009-2015; during the reporting period, Iranian trafficking networks subjected Iranian girls to sex trafficking in brothels in the Iraqi Kurdistan Region. The media reported Kurdistan Regional Government officials were among the clients of these brothels. In Tehran, Tabriz, and Astara, the number of teenage girls exploited in sex trafficking continues to increase. Organized criminal groups kidnap or purchase and force Iranian and immigrant children to work as beggars and street vendors in cities, including Tehran. These children, who may be as young as 3, are coerced through physical and sexual abuse and drug addiction; reportedly many are purchased for as little as \$150.

In January 2016, an international organization reported the Iranian government and the Islamic Revolutionary Guards Corps (IRGC) coerced male Afghans resident in Iran, including migrants and refugees, to fight in military brigades deployed to Syria by threatening them with arrest and deportation to Afghanistan. Afghan boys in Iran are vulnerable to sexual abuse by their employers and harassment or blackmailing by the Iranian security service and other government officials. Traffickers subject Afghan migrants, including boys, to forced labor in construction and agricultural sectors in Iran. Trafficking networks smuggle Afghan nationals living in Iran to Europe and force them to work in restaurants to pay off debts incurred by smuggling fees. Pakistani men and women migrants in low-skilled employment, such as domestic work and construction, are targeted by organized groups and subjected to forced labor, debt bondage, restriction of movement, non-payment of wages, and physical or sexual abuse. Increasingly, despite labor code protections for registered foreign workers, employers seek adjustable contracts which make workers vulnerable to exploitative work practices such as coerced overtime and denial of work benefits.

The Government of Iran does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. As in previous reporting periods, the government did not share information on its anti-trafficking efforts. Public information from NGOs, the media, international organizations, and other governments indicates the Iranian government is not taking significant steps to address its extensive trafficking problem, particularly with regard to the protection of trafficking victims. Furthermore, during the reporting period, allegations arose of complicity by Iranian officials in the coerced recruitment and use of Afghan men for combat in Syria.



RECOMMENDATIONS FOR IRAN:

Cease coerced recruitment and use of Afghan men for combat in Syria by IRGC-organized and commanded militias; while respecting due process, investigate and prosecute sex trafficking and forced labor cases; increase transparency of anti-trafficking policies and activities; ensure sex and labor trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking; institute procedures to identify trafficking victims, particularly among vulnerable populations such as persons in prostitution, children in begging rings, and undocumented migrants; offer specialized protection services to trafficking victims, including shelter and medical, psychological, and legal assistance; develop partnerships with international organizations to combat trafficking; and become a party to the 2000 UN TIP Protocol.

PROSECUTION

The government did not report anti-trafficking law enforcement efforts and was reportedly complicit in trafficking crimes during the year. Iranian law does not prohibit all forms of trafficking. A 2004 law prohibits trafficking in persons by means of threat or use of force, coercion, abuse of power, or abuse of a victim's

position of vulnerability for purposes of prostitution, slavery, or forced marriage. The prescribed penalty under this law is up to 10 years' imprisonment for the trafficking of adults and capital punishment for offenses against children. Both penalties are sufficiently stringent. The penalty for the trafficking of adults, however, is not commensurate with penalties prescribed under Iranian law for rape. In 2015, there was no new information about previous government claims that the anti-trafficking law was under review for amendment, including specific provisions to improve the effectiveness of the law. The constitution and labor code prohibit forced labor and debt bondage, but the prescribed penalty of a fine and up to one year's imprisonment is not sufficiently stringent. Iranian courts accord legal testimony by women only half the weight accorded to the testimony by men, therefore restricting female trafficking victims' access to justice. Moreover, female victims of sexual abuse, including sex trafficking victims, are subject to prosecution for adultery, which is defined as sexual relations outside of marriage and is punishable by death. The government did not report statistics on investigations, prosecutions, or convictions of trafficking offenders. The government also did not report investigations, prosecutions, or convictions of government officials complicit in trafficking offenses, despite reports that such complicity was widespread. The government did not appear to provide anti-trafficking training to officials during the reporting period.

PROTECTION

The government made negligible efforts to protect trafficking victims. There was no indication the government provided protection services to any trafficking victims, including repatriated Iranian victims. The government reportedly continued to punish sex trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as adultery and prostitution. The government did not distinguish between trafficking victims, those seeking refugee status, and undocumented immigrants, and held foreign trafficking victims in detention centers and jails until their deportation. The government and NGOs operated a small number of multipurpose shelters for women, largely in major cities, which trafficking victims could access. There were no reports of shelters for male trafficking victims. The government did not appear to provide other social or legal protection services for trafficking victims, and it was not clear if it provided support to NGOs providing limited services to victims. The government did not appear to encourage trafficking victims to assist in the investigation or prosecution of traffickers, and did not provide witness support services. It did not provide foreign trafficking victims a legal alternative to removal to countries in which they may face hardship or retribution.

PREVENTION

The government did not make sufficient efforts to prevent human trafficking. The government did not improve transparency on its anti-trafficking policies or activities, nor did it make discernible efforts to forge partnerships with NGOs or international organizations to combat human trafficking. The government made no discernible efforts to reduce the demand for commercial sex acts, forced labor, or child sex tourism by Iranian citizens traveling abroad. The government did not implement anti-trafficking awareness campaigns. During the reporting period, an amendment to the citizenship laws to allow Iranian citizenship to be passed down through mothers was submitted, but the parliament did not pass it; children with foreign fathers continued to lack documentation and remained vulnerable to exploitation. The government did not register or

provide residence permits to new Afghan refugees and coerced many to serve in combat brigades deployed to Syria. There was no indication the government provided anti-trafficking training for its diplomatic personnel. The government has not ratified the UN Convention against Transnational Organized Crime, despite previous reports the parliament was reviewing the convention. Iran is not a party to the 2000 UN TIP Protocol.

IRAQ: Tier 2

Iraq is a source and destination country for women and children subjected to sex trafficking, and men, women, and children subjected to forced labor. The continued escalation in 2015 of the conflict with Da'esh, also known as the Islamic State of Iraq and the Levant (ISIL), gravely increased the vulnerability of the population to trafficking, in particular women and children. In 2015, more than 3.3 million Iraqis were displaced across the country, and more than 245,000 Syrian refugees remained displaced in the Iraqi Kurdistan Region (IKR). Da'esh militants continue to kidnap and hold captive thousands of women and girls from a wide range of ethnic and religious groups, especially from the Yezidi community, and sell them to Da'esh fighters in Iraq and Syria where they are subjected to forced marriage, sexual slavery, rape, and domestic servitude. There are reports Da'esh executes captives if they refuse to marry fighters. The media has also reported that Da'esh sells some captives to wealthy individuals in Gulf countries. Da'esh maintained an organized system to buy and sell women for sexual slavery, including sales contracts notarized by Da'esh-run courts. In 2015, thousands of women and girls escaped Da'esh captivity—many of whom were pregnant as a result of rape—and became internally displaced persons (IDPs) because Da'esh still controlled their homelands; these victims remain highly vulnerable to various forms of exploitation, including re-trafficking. Da'esh continues to abduct and forcibly recruit and use children in combat and support roles, including as human shields, informants, bomb makers, and suicide bombers; some of these children are as young as 8 years old and some are mentally disabled. Da'esh continues to train children at military training and indoctrination camps. In 2015, an international organization and media reported Da'esh forced hundreds of boys from the Ninewa Governorate to man checkpoints and serve as informants and suicide bombers. IKR contacts reported in 2015 that the Kurdistan Workers' Party had recruited Yezidi boys, some younger than 10 years old, to serve as fighters against Da'esh. The UN reported that in 2015, volunteer militia affiliated with the Popular Mobilization Forces (PMF), which is an official entity funded by the 2015 budget but one that the government struggles to control, were alleged to have recruited and used children to serve in combat roles. The UN also reported in 2016 that the PMF coerced eight boys to attend a military training camp and recruited four boys to serve in combat roles. An international organization also reported in 2015 that children, including girls, continue to be associated with Yezidi self-defense forces fighting alongside the Peshmerga in the Sinjar mountains.

Refugees and IDPs face heightened risk of trafficking due to their economic and social vulnerability. In 2015, NGOs reported trafficking networks in the IKR targeted refugees and IDPs, operating with assistance from local officials, including judges, individuals from the Kurdistan Regional Government's (KRG) Asayish internal security forces, and border agents. Likewise, various individuals, including security and law enforcement officials, criminal gangs, taxicab drivers, and the victims' family

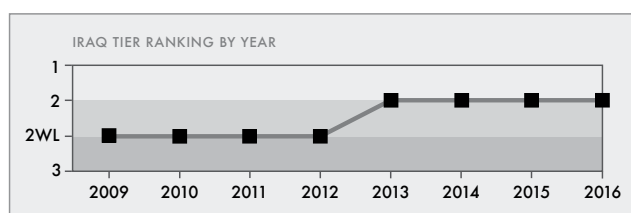
members, exploited women and girls from Iraq and Syria, including refugees and IDPs, in sex trafficking. In the IKR, members of Parliament and NGOs have alleged some personnel from the Asayish internal security forces facilitate the sex trafficking of women and girls in Syrian refugee camps in the IKR, primarily in Domiz refugee camp, as well as sex trafficking of girls outside of the camps. Reports from 2015 indicate IDPs and some Syrian refugee women are forced into prostitution by a trafficking network in hotels and brothels in Baghdad, Basrah, and other cities in southern Iraq after agents of the network promise to resettle them from the IKR; the women's children are also forced to beg on the street. Some Syrian refugee men enter into employment without legal work contracts in Iraq, which increases their vulnerability to trafficking. Some displaced Iraqi families reportedly sell their children to other families to secure better futures; these children are at risk of trafficking.

Traditional practices, including child forced and "temporary" marriages and *fasliya*—the exchange of family members to settle tribal disputes—also place women and girls at increased risk of trafficking within the country. An NGO reported in 2015 that incidents of child marriage—which could increase a child's vulnerability to commercial exploitation—increased among Syrian refugees in the IKR, as heads of households sought ways to generate income and reduce the family's economic burden. Syrian girls from refugee camps in the IKR are forced into early or "temporary marriages" with Iraqi or other refugee men; some KRG authorities allegedly at times ignore, or may accept bribes to ignore, such cases, including those in which girls are sold multiple times. Anecdotal reports also suggest that some Iraqi law enforcement officials have allegedly frequented brothels known for sex trafficking or accepted bribes to allow sex trafficking in locations openly facilitating prostitution. Media and other observers reported in 2015 that an Iranian sex trafficking network operated brothels in Erbil where Iranian girls were exploited in prostitution; the media reported a KRG official allegedly paid \$3,000 to have sex with an Iranian sex trafficking victim, paying a premium because the victim was a virgin. Criminal gangs subject children to forced begging and other types of forced labor in Iraq, while trafficking networks also reportedly sell Iraqi children in neighboring countries and Europe for commercial sexual exploitation. Iraqi women and girls are also subjected to sex and labor trafficking in the Middle East and Turkey.

Some men and women from throughout Asia and East Africa who migrate to Iraq are forced to work as construction workers, security guards, cleaners, handymen, and domestic workers. Some foreign migrants are recruited for work in other countries in the region but are forced, coerced, or deceived into traveling to Iraq, including the IKR. In May 2015, the Ministry of Labor and Social Affairs reported approximately 140,000 foreign workers lacked formal work permits; NGOs reported some employers and recruitment agents exploit workers' illegal status by withholding salaries and subjecting workers to substandard living conditions. The Kurdistan Independent Human Rights Commission reported 69 percent of 480 foreign workers surveyed in the IKR in January 2016 were not paid their agreed-upon salaries and 18 percent reported violent acts their employers committed against them.

The Government of Iraq does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Violence and security challenges, lack of control over parts of the country, budget constraints, and an influx of IDPs, particularly in the IKR, continued to severely hinder the government's ability to combat trafficking.

The government and KRG made efforts to prosecute and convict traffickers, and the KRG continued to conduct operations to rescue Yazidi and other trafficking victims from Da'esh captivity. Some PMF-affiliated militias recruited and used child soldiers. While the PMF is funded by the government and falls under the control of the prime minister, the government struggled to exercise full control over all the PMF factions. The government did not hold anyone accountable for child recruitment and use by the PMF and PMF-affiliated militias. The government officially opened a permanent shelter for trafficking victims in Baghdad, and both the government and KRG continued to improve services available for trafficking survivors of Da'esh captivity. Nevertheless, the quality of protection services for trafficking victims varied widely by location; some trafficking victims were unable to receive services, and the government did not provide support to NGOs that provided appropriate assistance to victims. The government continued to harshly punish and deport victims of forced labor and sex trafficking, including children.



RECOMMENDATIONS FOR IRAQ:

Stop the recruitment and use of child soldiers by the Popular Mobilization Forces (PMF) and PMF-affiliated militias, hold complicit officials accountable, and provide protection services to demobilized children; amend the anti-trafficking law to prohibit and punish all forms of trafficking consistent with international law; significantly increase investigations, prosecutions, and convictions of trafficking crimes under the anti-trafficking law, including of complicit government officials; establish and implement an adequate legal framework that applies to the IKR that criminalizes all forms of human trafficking and prescribes sufficiently stringent penalties; ensure trafficking victims are not punished for crimes committed as a direct result of being subjected to human trafficking, such as prostitution and immigration violations; institute government victim identification and referral guidelines and provide unhindered access to protection services to all trafficking victims, regardless of a victim referral from the court; provide adequate protection services to trafficking victims and their children, including trauma counseling, psycho-social and medical care, long-term shelter, reintegration services, employment training, and financial assistance in Iraq and the IKR; ensure staff at the government-run shelter in Baghdad are adequately trained on victim identification and protection; establish a legal framework for NGOs to operate shelters for victims and provide in-kind support to such organizations; develop mechanisms to encourage victims' participation in investigations and prosecutions of traffickers in Iraq and the KRG; regulate recruitment practices of foreign labor brokers to prevent practices facilitating forced labor; and strengthen anti-trafficking coordination with regional, provincial, and local authorities.

PROSECUTION

The government demonstrated some law enforcement efforts, but did not adequately address alleged government complicity.

Iraq's 2012 anti-trafficking law prohibits some, but not all, forms of human trafficking. The government did not finalize regulations that would authorize authorities to fully implement the anti-trafficking law; this remained an obstacle to enforcing the law, bringing traffickers to justice, and protecting victims. The law's definition of human trafficking is not entirely consistent with international law; it requires a monetary transaction and it does not consider the facilitation of "child prostitution" a trafficking crime. An article in the penal code, however, criminalizes "the prostitution of a child"; the penalty is up to 10 years' imprisonment, which is sufficiently stringent to deter this activity, although not commensurate with the penalties prescribed for rape. The anti-trafficking law prescribes penalties for sex trafficking that range from temporary imprisonment and a fine to the death penalty, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Penalties for labor trafficking range from temporary imprisonment and a fine to the death penalty, which are sufficiently stringent. The labor law, however, prescribes penalties for labor trafficking of a fine and imprisonment not exceeding six months, which are not sufficiently stringent. The KRG did not have a law that specifically prohibits all forms of human trafficking, nor did it endorse or adopt the Iraqi government's anti-trafficking law. The central government reported the prosecution of 113 offenders and conviction of 29 traffickers, which included, but was not limited to, two forced labor offenders and one child trafficker under the anti-trafficking law; it sentenced the child trafficker to life imprisonment and a fine. These represent a significant increase compared with 18 perpetrators prosecuted in 2014. KRG authorities arrested and charged three alleged sex traffickers; the case was ongoing at the end of the reporting period. KRG authorities also arrested an alleged sex trafficker for owning a spa that operated as a brothel in the IKR; however, they eventually deported the alleged offender without charging him with trafficking offenses. In 2015, the KRG facilitated the release and rescue of approximately 5,000 Yazidis held captive by Da'esh, many of whom were trafficking victims. In addition, KRG authorities cooperated with Turkish authorities to extradite a Turkish national allegedly engaged in human trafficking. The government did not report any investigations or convictions of government officials complicit in human trafficking, despite multiple reports of complicity among law enforcement, internal security, and paramilitary forces in Iraq and the IKR. The government did not hold members of the PMF, or militia affiliated with the PMF, that reportedly recruited and used child soldiers criminally accountable; however, the government did not exercise full control over all PMF groups. Although the government reported prosecuting a police officer in Babil for attending a brothel where there were women and child sex trafficking victims, it was unclear if it charged the alleged offender for trafficking crimes.

During the reporting period, the Ministry of Interior (MOI) reorganized its anti-trafficking department to include divisions in charge of victims and witnesses, investigations, and international cooperation; this department received an unknown portion of the 2016 budget to fight human trafficking. In 2015, the MOI formed two committees in Baghdad, led by three colonels and several investigative officers, to investigate trafficking cases on a full-time basis; it also appointed one additional officer in each province to handle trafficking cases. Judicial officials lacked understanding of the anti-trafficking law and did not adequately implement it or protect victims during legal proceedings. To remedy this problem, in January 2016 the Higher Judiciary Council issued a directive calling for all judges to refer suspected trafficking cases to judges in Baghdad

who specialize in trafficking. The government continued to train its officials on anti-trafficking measures and provided some financial or in-kind assistance for international organizations to conduct additional trainings.

PROTECTION

The government demonstrated minimal efforts to identify and provide protection services to trafficking victims, but punishment of victims remained a serious deficiency. The government did not have formal procedures for proactive identification of trafficking victims among vulnerable groups, including undocumented foreign migrants and persons in prostitution, or for referral to appropriate protection services. In April 2015, the government established a working group to draft a national victim referral mechanism, but it was not finalized at the end of the reporting period. Nevertheless, during the course of investigations, the central government identified 39 Bangladeshi forced labor victims and one potential Iranian child trafficking victim. Likewise, through a coordinated effort between KRG authorities, NGOs, and the Philippine embassy, the KRG rescued 12 Filipino sex trafficking victims identified in a spa that operated as a brothel in the IKR; these victims were referred to a women's shelter in Erbil and repatriated in collaboration with the Embassy of the Philippines. These identification efforts demonstrated significant progress from the previous reporting period when the central government and KRG did not identify any trafficking victims. Despite these efforts, the KRG relied on victims to identify themselves to authorities and only referred to protection services victims initiating legal proceedings against their traffickers. Victims, therefore, remained unidentified and vulnerable to arrest, imprisonment, and deportation for unlawful acts committed as a direct result of being subjected to human trafficking, such as prostitution and immigration violations. Sentences for prostitution violations—including for children—were excessively harsh, ranging from 15 years' to life imprisonment. During the reporting period, foreign embassies reported authorities forcibly deported foreign migrant workers for overstaying their visas with no effort to screen this vulnerable population for trafficking. In some isolated incidents during the reporting period, judges overturned or reduced the sentences for women convicted for prostitution violations, but it was unclear if these women were victims of sex trafficking.

The government provided some protection services to trafficking victims, but overall victim care varied by location. No facilities in Iraq and the IKR offered specialized services to child trafficking victims or victims with special needs or psychological trauma. The government also did not provide specialized care to children who were recruited and used in armed groups, including the PMF and PMF-affiliated militia. The government did not provide funding or in-kind assistance to NGOs providing victim care. NGOs were not legally able to operate shelters, although some continued to do so without official approval; however, these facilities remained vulnerable to legal action by the government and threats of violence by extremist groups. In June 2015, the government officially opened a permanent trafficking shelter in Baghdad, with a capacity of 50 male and female victims, and trained shelter staff to provide psycho-social counseling and legal aid; it was unknown how many trafficking victims—if any—received assistance at the shelter during the reporting period, although the shelter reportedly housed orphans and victims of gender-based violence. The government operated some temporary shelters and holding facilities for foreign workers awaiting repatriation; however, these facilities did not provide appropriate services for trafficking victims and may have operated as detention centers. The government continued

to operate 16 family protection units located in police stations around the country, which were responsible for assisting women and child victims of abuse and trafficking. The units, however, focused primarily on family reconciliation instead of victim protection and they did not have a regular referral system; the government did not report if the units referred any trafficking victims to appropriate protective services in 2015. The Ministry of Health (MOH) continued to oversee the provision of medical and psychological assistance to trafficking victims in provincial health facilities, but it was unclear how many victims received these services during the reporting period.

In May 2015, the Iraqi parliament approved an emergency plan to implement UN Security Council Resolution 1325 on women, peace, and security, which established a coordination mechanism to recover victims exploited by Da'esh and provide survivors with protection, rehabilitation, compensation, and other forms of support. During the reporting period, the government provided financial compensation to 300 Yezidis, who were former Da'esh captives, through a compensation program. Additionally, in 2015 MOH collaborated with an international NGO to establish mental health units with trained professionals in Kirkuk and Dohuk Governorates to address the growing need to provide psychological and trauma assistance to trafficking victims, particularly those who were held captive by Da'esh. The KRG also continued to provide direct financial assistance to Yezidis who were former Da'esh captives, as well as limited other essential services to these victims, including shelter, rehabilitation, and psycho-social assistance in IDP camps in the IKR. While the KRG continued to operate three women's shelters in the IKR that offered some assistance for trafficking victims—where space was limited and service delivery was poor—most victims at the shelters were victims of domestic violence. Syrian victims were denied access to these shelters unless they reported trafficking or other crimes to the police first, which prevented most Syrians from receiving assistance at the shelter.

In August 2015, the government updated the labor law to include protections for foreign workers, such as allowing workers to maintain their residencies and work licenses if they lost their job to work for a different employer, and requiring employers to grant workers a return ticket home at the end of their work contract. The central government and the KRG did not encourage victims to assist in investigations and prosecutions, although the anti-trafficking law provides for victim protection during the investigation and prosecution processes. The government did not provide foreign victims relief from deportation or offer legal alternatives to their removal to countries in which they may face hardship or retribution. The government reportedly provided repatriation services to an unknown number of forced labor victims in 2015.

PREVENTION

The government made limited efforts to prevent human trafficking, including the recruitment and use of children by the PMF and PMF-affiliated militias. The government reportedly provided training to military officers on child soldier issues, but its efforts to prevent child soldiering by various armed groups were severely limited. The government's inter-ministerial anti-trafficking committee, which included a KRG representative from the Kurdistan Ministry of Interior, met four times in 2015. During the reporting period, the government raised awareness about trafficking issues among religious organizations, NGOs, and universities and conducted awareness campaigns at airports. The government continued to operate and publicize its anti-

trafficking hotline, but it was unclear if any victims were identified through the hotline. The government, in collaboration with an international organization, continued to conduct an assessment of child labor, trafficking, and forced prostitution in Iraq, but the assessment was not finalized at the end of the reporting period. The government took some efforts to reduce the demand for commercial sex acts; however, it did not take efforts to reduce the demand for forced labor, nor address the participation of Iraqi nationals in child sex tourism. It was unclear whether the government provided anti-trafficking training or guidance for its diplomatic personnel.

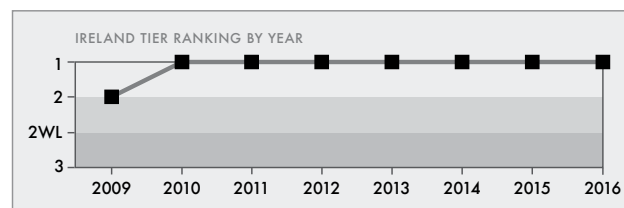
In 2015, the KRG developed an anti-trafficking action plan, which included input from various ministries, international organizations, and NGOs, but it was not finalized at the end of the reporting period. In response to growing public concern about human trafficking, in November 2015, the KRG formed a committee charged with investigating sex trafficking in Erbil; since its formation, the committee closed 52 illegal massage centers in hotels that were engaging in sex trafficking. Additionally, in 2015, the KRG launched a one-year awareness campaign against child marriage in the IKR. In January 2016, the Kurdistan Independent Human Rights Commission published its first annual report on foreign labor in the IKR, in which it assessed the labor conditions of 480 foreign workers. The KRG reported it temporarily suspended the operations of 15 companies and closed four for committing labor trafficking crimes; however, it failed to prosecute these companies for such crimes.

IRELAND: Tier 1

Ireland is a destination and source country for women, men, and children subjected to sex trafficking and forced labor—including forced criminal activity. Foreign trafficking victims identified in Ireland are from Africa, Asia, and Eastern Europe. During the reporting period, law enforcement reported an increase in suspected victims of sex trafficking and forced labor, forced criminal activity, and forced begging. Authorities reported an increase in suspected victims from Nigeria and Romania. Irish children are subjected to sex trafficking within the country. Victims of forced labor have been identified in domestic service, the restaurant industry, and car washing services. Undocumented migrant workers are at higher risk of being subjected to labor trafficking. NGOs indicate Vietnamese and Chinese men who have been prosecuted and sentenced for cannabis cultivation report indicators of forced labor, such as document retention, restriction of movement, and non-payment of wages. Media reports claimed undocumented Ghanaian, Filipino, Egyptian, and Indian migrant fishermen endure conditions possibly indicative of forced labor, including debt bondage, such as document retention, restriction of movement, and non-payment of wages, dangerous working conditions, and verbal and physical abuse. Some domestic workers, primarily women, are at risk of labor trafficking. Trafficking for forced marriage is a newly recognized phenomenon; women from Eastern Europe are subjected to sex trafficking and trafficking for forced marriage. The government acknowledged the problem of forced labor in the country is growing.

The Government of Ireland fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government increased investigations of trafficking crimes, although it has not convicted a trafficker under the 2008 anti-trafficking law since 2013. The government continued

to prosecute a high number of non-trafficking crimes as trafficking cases, including child molestation cases, and neither prosecuted nor convicted sex or labor traffickers under the 2008 anti-trafficking law in 2015. Authorities maintained victim identification and protection efforts. However, law enforcement's continued failure to identify suspected victims of forced criminal activity and their subsequent prosecution and imprisonment within the Irish court system remained a serious concern.



RECOMMENDATIONS FOR IRELAND:

Implement trafficking laws to hold sex and labor traffickers accountable through convictions and dissuasive sentences; increase efforts to identify and protect victims of labor trafficking and forced criminality, ensuring victims are not penalized for crimes committed as a result of being subjected to trafficking; establish multi-stakeholder case reviews during the victim identification process, involving service providers and anti-trafficking law enforcement units; offer specialized emergency accommodation and use of apartments and houses with outreach support to victims; publish the second national anti-trafficking action plan; enable and encourage all trafficking victims to access available legal services; and amend the policy to authorize the identification of trafficking victims in the asylum process and grant them relevant residence permits, including access to training and work.

PROSECUTION

The government sustained efforts to investigate trafficking offenses, but has not convicted any labor or sex traffickers under the 2008 anti-trafficking act since 2013. The 2008 human trafficking act, amended in 2013, prohibits all forms of trafficking, prescribing penalties up to life imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. The law broadly defines sexual exploitation, including the sexual abuse of children, and conflates possession or creation of child pornography with human trafficking, making it inconsistent with the 2000 UN TIP Protocol. Section 5 of the 2008 act criminalizes soliciting or importuning a person subjected to trafficking for the purposes of prostitution, punishable by up to five years' imprisonment.

Authorities initiated investigations of 91 new trafficking-related cases in 2015, an increase from 79 in 2014. Four of the investigations were closed and the government will not prosecute them due to various factors, including lack of evidence, lack of cooperation from witnesses, and unidentified suspects. The government did not report for the second consecutive year how many cases it reviewed of individuals charged with drug-related offenses for work in cannabis cultivation to establish whether they involved trafficking. Authorities did not report how many individuals charged with these offenses were found to be trafficking victims. In 2015, all of the prosecutions under the anti-trafficking act involved the sexual abuse of children as opposed to trafficking as defined

under the 2000 UN TIP Protocol. The government did not report any criminal convictions for sex trafficking or forced labor under the anti-trafficking act in 2015. The government did not report any investigations, prosecutions, convictions, or sentencing of government officials for alleged complicity in trafficking offenses. During the reporting period, the government established a national protective services bureau, which includes the human trafficking investigation and coordination unit within the police force. In 2015, authorities hosted a three-day seminar on combating trafficking for 148 members of the police force, and an additional 70 members of senior police management received awareness raising training on human trafficking. Law enforcement cooperated with various foreign governments on trafficking investigations.

PROTECTION

The government maintained victim protection efforts. The national referral mechanism required victims be referred to law enforcement before shelter, health, and legal services could be provided. Authorities identified 78 suspected trafficking victims in 2015, compared with 46 in 2014. Victims included 22 children, of which 15 were Irish; 22 victims from Romania; 13 from Nigeria; and the rest from Eastern Europe, Africa, and South Asia; 52 were female, 25 were male, and one was transgender; 48 were potentially exploited in sex trafficking; 28 were exploited in labor trafficking—11 for forced labor in temporary Romanian car washes, three for forced begging, and five for forced criminal activity; two in both sex and labor trafficking; and seven, including four Nigerians, had previously applied for asylum. Authorities did not report how many suspected victims they ultimately confirmed as trafficking victims. NGOs reported the continued lack of an effective mechanism to identify victims inhibited victims from receiving adequate protection, assistance, and witness preparation, and claimed the standard of proof for victim identification was too high. Law enforcement decisions on victim status could not be appealed, and NGOs reported not being offered explanations of denials. The justice department's anti-trafficking unit acknowledged the need to improve victim identification measures, and solicited NGO input for a potential new framework. All 56 inspectors of the Workplace Relations Commission and 106 immigration officials received training on trafficking indicators.

The national referral mechanism included formal procedures guiding the provision of services to trafficking victims. All foreign adult victims from countries outside the EU were offered lodging in the government-operated network of 34 asylum reception centers. Child victims were supported through child protection services. Irish adult victims could receive services through general social welfare and health service channels. In 2015, officials completed individual care plans for 28 suspected sex trafficking victims and 30 suspected labor trafficking victims, compared with 20 suspected sex trafficking victims and 19 suspected labor trafficking victims in 2014, that covered medical care, psychological care, lodging, legal assistance, and education and training. The government provided 225,000 euros (\$256,300) to an NGO for assistance for sex trafficking victims, compared with 172,000 euros (\$195,900) in 2014, and 9,564 euros (\$10,900) to an NGO to assist labor trafficking victims, compared with 4,000 euros (\$4,560) in 2014. The government gave additional funding to three organizations for projects to address victims' personal and social needs. NGOs reported concerns with lack of trauma and gender sensitivity, inadequate privacy protections and security, and remote locations and inaccessibility of some of these centers. Possible trafficking victims who have an asylum

application pending are not entitled to work pending a decision on their application. The referral tracking system did not allow social workers to verify whether the full range of services for which victims were eligible had actually been provided.

The government provided identified, undocumented migrant trafficking victims a 60-day reflection period to decide whether to assist law enforcement, during which victims were prohibited from working, as well as six months of temporary residency, during which victims were required to cooperate with law enforcement. Authorities granted five victims reflection periods and 28 victims six-month temporary residence permission in 2015; six of these victims received the permission without requiring a prior reflection period. The government did not report how many victims received ad hoc long-term residency by extending their temporary residence permission to remain in the country while cooperating with law enforcement. NGOs believed the government put too much emphasis on law enforcement cooperation from victims. NGOs report that some trafficking victims were advised to submit asylum claims, though this could cause problems for victims because it precluded them from seeking legal employment. Seven potential trafficking victims identified in 2015 had previously requested asylum in Ireland. NGOs urged the government to codify protections for all victims, irrespective of immigration status, which are currently governed by administrative procedures. The government offered free legal aid to all suspected trafficking victims, but not all eligible individuals used the aid; in 2015, 24 suspected victims did so, compared with 16 in 2014. As early legal representation was not always available, some victims faced challenges navigating the immigration system and lacked representation during the investigation process.

The law did not protect victims from prosecution for crimes committed as a result of being subjected to trafficking. NGOs reported that if the government prosecuted victims for crimes they committed as a result of being subjected to trafficking before their identification as victims, their criminal record could not be expunged following formal identification. NGOs continued to report the government prosecuted, convicted, and imprisoned Asian victims of forced labor in cannabis production for crimes committed as a result of being subjected to trafficking. In 2015, the national police reported 70 Asian nationals remained in prison related to cannabis offences, including 30 cases where the defendants were in pre-trial detention, and the remainder in jail as convicts. The national police were reviewing the 30 pre-trial cases for trafficking indicators, but the government did not report how many defendants were involved. NGOs expressed frustration at having no information on the progress of the review, ongoing since 2014. In 2015, the high court ruled the national police failed to identify a Vietnamese adult trafficking victim who was forced to work in cannabis production, finding deficiencies in the investigation and in policies and procedures for identifying trafficking victims. In 2015, NGOs reported the government tried and acquitted two trafficking victims for cannabis production, and did not take measures to assist them after release from prison, exacerbating their vulnerability. The national police enacted new measures during the reporting period to investigate human trafficking independently of drug offenses. The government, in collaboration with law enforcement, was compiling a set of guidelines to assist police officers in investigating these cases, but they remained in draft at the end of the reporting period. The government reported taking steps to make police and prosecutors aware of the possible victimization of individuals involved in cannabis cultivation, but did not report identifying any such individuals as trafficking victims in 2015, despite

what NGOs reported as strong indicators of forced labor in the cannabis production sector. Trafficking victims can file civil suits against their traffickers. However, it has proven more difficult for sex trafficking victims to obtain compensation than labor trafficking victims, who have the option of pursuing cases through the Labour Relations Commission, and also can claim quantifiable losses related to employment.

Media reports claimed undocumented Ghanaian, Filipino, Egyptian, and Indian migrant workers were routinely subjected to exploitative labor and possibly trafficking for forced labor on Irish trawlers, and were subject to passport retention, denial of freedom of movement, severe sleep deprivation, verbal and physical abuse, and dangerous working practices. The government identified one victim of labor trafficking in the fishing industry. The government identified the maritime industry as a potentially high risk area for human trafficking. The agriculture department established an interdepartmental taskforce, including representatives from civil society, charged with monitoring and oversight of the industry, and eliminating forced labor vulnerabilities. Ireland participates in an international group of senior law enforcement officials and Catholic bishops working with civil society to eradicate human trafficking; and leads a project focused on the fisheries industry in the North Atlantic, which carried out several law enforcement investigations and inspections in 2015, one of which led to the identification of a non-EU labor trafficking victim in the Irish fishing industry. The case was under investigation at the close of the reporting period, and the victim received victim services from the government and NGOs.

PREVENTION

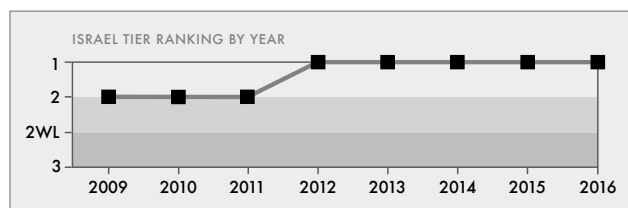
The government strengthened its anti-trafficking prevention efforts. The justice ministry's anti-trafficking unit coordinated interagency efforts, including the high-level interagency group and five working groups that included NGOs. NGOs called for the working groups to resume meeting on a regular schedule. The draft second national action plan remained under review for a third year, and NGOs expressed frustration at the length of the process. Authorities made efforts to reduce the demand for commercial sex and for forced labor. The government introduced a bill to criminalize the purchase of commercial sex, and classified the purchase of sex from a trafficking victim as a more serious offense. Authorities and NGOs completed an awareness-raising campaign on sex trafficking. The government conducted anti-trafficking trainings on supply chain issues for employees of a food production company. NGOs advocated for an independent national rapporteur to monitor government anti-trafficking efforts. The government monitored the guidelines instituted in the previous reporting period aimed at preventing the exploitation of domestic workers of foreign diplomats in Ireland, and there appeared to be a decrease in forced labor among domestic workers in diplomatic households. The government required all locally engaged staff of diplomats to have contracts in compliance with local labor law; NGOs recommended the government extend these measures to service staff employed by diplomats. The government provided anti-trafficking training to its diplomatic personnel and defense forces prior to their deployment abroad on international peacekeeping missions.

ISRAEL: Tier 1

Israel is a destination country for men and women subjected to

forced labor and, to a much lesser extent, a source country for men and women subjected to sex trafficking. Migrant workers primarily from Asia, Eastern Europe, and West Africa migrate to Israel for temporary contract labor in construction, agriculture, caregiving, and fishing; some of these workers are subjected to forced labor. An international organization reported in 2015 that some Thai men and women are subjected to forced labor in Israel's agricultural sector, where their passports are withheld, and they experience long working hours, no breaks or rest days, and difficulty changing employers. In 2013, men from the Philippines, Sri Lanka, and India worked on fishing boats under harsh conditions, some of which constitute human trafficking, distinguished by isolation, long working hours, and withheld salaries. Caregivers are highly vulnerable to forced labor due to their isolation inside private residences, high recruitment fees, and their lack of protection under the labor law. The Philippine Embassy reports that Philippine workers are paying recruiters in the Philippines fees of \$12,000 to go to Israel for work and that the requirement to repay this amount results in significant hardship for the workers. Foreign caregivers are legally limited to employment in a geographic area and type of work, though the government reports foreign caregivers are free to change employers without special permission from their current employers; nevertheless, NGOs continue to raise concerns that these regulations bind caregivers to their employers and increase their vulnerability to exploitation. Persons with disabilities, particularly foreigners, are vulnerable to forced labor, such as street begging. Women from Eastern Europe, Uzbekistan, China, and Ghana, as well as Eritrean men and women, are subjected to sex trafficking in Israel; some women arrive on tourist visas to work willingly in prostitution, but are subsequently exploited by sex traffickers. NGOs report some Palestinian LGBTI persons are vulnerable to abuse and exploitation, due to their legal status and restrictions on work eligibility for Palestinian nationals in Israel. Some Israeli women and girls may be victims of sex trafficking in Israel. Since 2007, thousands of African migrants have entered Israel from Egypt's Sinai Peninsula. Many of these migrants were kidnapped along the Eritrea-Sudan border or within Sudan and subjected to severe abuse, including forced labor and sex trafficking, at the hands of criminal groups in the Sinai before reaching Israel. Although the flow of these migrants arriving in Israel has dramatically decreased from more than 10,000 in 2012, the Israeli government reported the arrival of 168 irregular migrants in 2015, an increase from the 21 migrants who arrived in 2014. The remaining 43,000 Eritrean and Sudanese male and female migrants and asylum-seekers are highly vulnerable to sex and labor trafficking.

The Government of Israel fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate strong efforts to identify and provide protective services to victims of all forms of trafficking. It continued to operate shelters and other facilities that provided victims a wide variety of immediate and long-term care and rehabilitative services. The government sustained law enforcement actions against sex and labor trafficking, though prosecution and convictions decreased slightly from the previous year. In 2015, fourteen traffickers received sentences that included serving time in prison commensurate with the severity of the crime. Though the government continued to identify and provide some care to trafficking victims among the detained irregular African migrant population, unidentified victims continued to be susceptible to long-term detention for committing immigration violations. The government continued to implement strong anti-trafficking prevention measures.



RECOMMENDATIONS FOR ISRAEL:

Continue to impose stricter sentences on convicted traffickers, consistent with the gravity of the crime; ensure trafficking victims are not penalized, including by detention, for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration violations; further strengthen victim identification and referral measures among African migrants in detention facilities, especially those who endured severe abuses in Egypt's Sinai Peninsula; continue to provide protection for all trafficking victims, including shelter and medical and psycho-social treatment; further increase and train the number of labor inspectors, social workers, and interpreters in the agricultural, construction, and caregiving sectors; increase training for law enforcement, including police and prison officials, in victim identification, victim sensitivity, and enforcement of labor and sex trafficking laws; and increase enforcement of foreign worker labor rights.

PROSECUTION

The government continued to make progress in effective prosecution of traffickers under the anti-trafficking law, but some convicted traffickers received low sentences. The 2006 anti-trafficking law prohibits all forms of human trafficking and prescribes penalties of up to 16 years' imprisonment for the trafficking of an adult, up to 20 years' imprisonment for the trafficking of a child, up to 16 years' imprisonment for slavery, and up to seven years' imprisonment for forced labor. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Under 376A of the Penal Law 5737-1977, holding a person's passport against their will carries a penalty of three to five years' imprisonment.

In 2015, the police initiated 234 investigations of potential sex trafficking crimes, including 23 related to child sex trafficking; it also opened 158 suspected forced labor investigations, three of which involved withholding of passports. In 2015, the government prosecuted nine suspected sex traffickers and zero labor traffickers, compared with 14 sex trafficking and zero labor trafficking prosecutions in 2014. In 2015, the government convicted three sex traffickers and no forced labor offenders, a significant decrease from 18 sex traffickers and one labor trafficker convicted in 2014. Courts continued to issue sentences to some traffickers that are sufficiently stringent and commensurate with other serious crimes. However, many traffickers received sentences of suspended jail time, 'community service' similar to probation, and financial penalties; these sentences are neither sufficiently stringent nor commensurate with those prescribed for other serious crimes. In 2015, fourteen offenders—some of whom were convicted in 2014—were given sentences that ranged from 'service to the community' to 16 years' imprisonment. The government continued to report challenges to prosecuting sex trafficking and forced labor cases, as many victims preferred repatriation and were unwilling to remain in Israel to serve as witnesses in criminal cases against their traffickers. In 2015, the government coordinated with

INTERPOL and Russian authorities to issue extradition requests for suspects involved in sex trafficking cases. The government also requested legal assistance from Russian authorities to collect testimonies from Russian trafficking victims for an ongoing sex trafficking investigation against alleged Israeli suspects. The government did not report efforts to prosecute or convict any officials allegedly complicit in trafficking offenses. However, in 2015, the government charged a police officer for alleged involvement in protecting the operation of a brothel, but it was unclear if the officer was charged for trafficking crimes. The government continued to provide extensive anti-trafficking training, workshops, and seminars to officials in various ministries, including training for police officers on procedures for appropriately handling child sex trafficking cases.

PROTECTION

The government continued to demonstrate strong efforts to identify and protect victims of all forms of trafficking, but unidentified victims among the African migrant population remained vulnerable to detention and thereby could not access full government services appropriate for victims of trafficking crimes. The government continued to circulate victim identification guidelines widely to relevant ministries, which regularly referred potential victims to the police to open investigations and ensure provision of protective services. Authorities continued to cooperate with NGOs on victim identification and referral. In 2015, authorities identified 50 trafficking victims and referred them to shelters; in addition, police also identified 13 victims during raids on brothels. Despite these efforts, an NGO reported having difficulty coordinating with the police's foreign workers investigation unit (SAAR) during the reporting period; the NGO reported referring to SAAR 13 cases of labor violations—some of which were potential forced labor cases—but it was unclear if authorities followed up on such cases.

The government continued to provide a wide range of protective services for victims of all forms of trafficking. The government maintained its funding for the 35-bed Maagan shelter for female trafficking victims and a 35-bed Atlas shelter for male trafficking victims; shelter residents were provided work permits and allowed to leave freely. Due to low occupancy numbers and no new victim referrals, the government closed its 18-bed Tesfa shelter in July 2015, which specifically catered to the cultural and social needs of female victims from Eritrea and Ethiopia. At the time of its closing, its 13 residents, including one infant, were relocated to other shelters for care. These shelters offered one year of rehabilitation services, including job training, psycho-social support, medical treatment, language training, and legal assistance. The government also funded transitional apartments with 18 beds for trafficking victims, and a six-bed transitional apartment specifically for male trafficking victims. In 2015, the Maagan shelter assisted 44 victims, including 24 victims newly referred to the shelter; eight of the residents resided in the shelter with their children and 15 of those newly referred were Eastern European. In 2015, the Atlas shelter assisted 39 newly referred trafficking victims, including 15 male sex trafficking victims, and it continued to assist 26 victims who entered the shelter in 2014. During the reporting period, eight Atlas shelter residents participated in a training program to work in the welding sector; seven of the program's participants received an internationally-recognized professional diploma after completing the training, and four subsequently sought work in their area of expertise. The Ministry of Social Affairs continued to operate a day center in Tel Aviv for male and female African trafficking victims who chose not to reside at a

shelter and to assist with victims' transition from the shelter to the community. The center provided psycho-social services and food aid, and social workers at the center were trained to identify individuals at risk of trafficking and refer them to shelter services. In 2015, the center provided services to 141 men and women, primarily Eritrean, all of whom were identified by police as trafficking victims abused in the Sinai. The government also operated six centers for child sex trafficking victims and at-risk youth vulnerable to sex trafficking, which provided medical and rehabilitation services to children; the government did not report how many trafficking victims were assisted at these centers during the reporting period. Additionally, for those identified trafficking victims who opted not to live in shelters, the government provided an official letter that protected them from potential arrest and emergency contact numbers for shelters and relevant ministries. Identified trafficking victims living outside of shelters were also allowed to receive free emergency medical and psychiatric treatment at various government-funded health facilities; authorities continued to train medical care providers in identification and treatment of trafficking victims.

The Ministry of Justice (MOJ) legal aid branch continued to provide free legal aid to trafficking victims. In 2015, the branch received 132 legal aid requests from victims, including 82 African migrants and asylum-seekers, who were trafficking victims in the Sinai, and eight victims with disabilities. In 2015, the government issued 99 B1 visas—unrestricted work visas—and one-year rehabilitation visas to trafficking victims, which included 29 newly identified victims. By law, all victims residing in the Maagan and Atlas shelters were provided B1 visas. In 2015, the government provided repatriation assistance to eight trafficking victims in coordination with an international organization. The government continued to encourage victims to assist in the investigation and prosecution of their traffickers, but did not require their participation as a condition for receiving visas and protective assistance; victims could also opt to leave the country pending trial proceedings. The government allowed trafficking victims to work during the investigation and prosecution of their traffickers. In total, the government provided medical care to 130 identified trafficking victims, including 11 children.

Although most trafficking victims were not punished for acts committed as a direct result of being subjected to human trafficking, authorities regularly detained trafficking victims among the irregular African migrant population—including those who were abused in the Sinai—for immigration violations under the Law of Infiltration. An amendment to the infiltration law, which determines irregular African migrants remain in prison for three months followed by 12 months in the Holot holding facility, went into effect in February 2016. Although the government characterized Holot as an open facility, an international organization and Holot residents claimed it is a de facto detention center due to its remote location in the desert and restrictive requirements on movement. Despite this, an NGO reported the government's process to identify trafficking victims among African migrants abused in the Sinai improved during the reporting period. It was unclear how many trafficking victims were released from Holot and referred to protective services during the reporting period.

PREVENTION

The government maintained strong efforts to prevent and raise awareness of human trafficking among the public and government officials. The national anti-trafficking unit

continued to coordinate anti-trafficking efforts effectively among relevant ministries and NGOs during the reporting period; it also conducted training and awareness-raising workshops for officials, including a train-the-trainers program, and maintained a website on human trafficking. The anti-trafficking unit continued to chair an inter-ministerial committee appointed to study women and children in prostitution in Israel. The Knesset subcommittee on trafficking in women and prostitution was dissolved in 2015, but its mandate was reassigned to fall under the Knesset Committee on the Status of Women and Gender Equality; this committee met regularly and coordinated with various ministries to address sex trafficking issues and policies during the reporting period. In February 2016 the sub-committee on trafficking in women was officially reestablished. The government provided anti-trafficking training for its diplomatic personnel.

The government continued efforts to reduce the demand for forced labor. In 2015, the government reported prosecuting 15 offenders and convicted nine offenders for fraudulent labor recruitment of foreign workers; six of these were corporations. The Population Immigration and Border Authority (PIBA), under the Ministry of Interior, continued to monitor recruitment agencies and manpower companies for labor law violations. The Ministry of Economy (MOE), which employed 274 labor inspectors and contracted translators during routine inspections, initiated 1,007 investigations, issued 2,429 administrative warnings and imposed 23 fines to employers for labor violations in 2015. MOE's ombudswoman for foreign worker's rights received and responded to 1,300 complaints of labor law violations in agriculture and referred 90 percent of these complaints to relevant authorities for follow-up or investigation. The government partnered with NGOs to produce and distribute to manpower agencies an informational brochure on victim identification and relevant anti-trafficking resources. In accordance with PIBA procedures for recruitment agencies in the caregiving sector, it continued to require every agency to hire a licensed social worker responsible for supervising the conditions of foreign caregivers, including home visits, and for informing relevant authorities about labor violations. The government, in collaboration with a civil society organization, continued to operate a 24-hour hotline to assist foreign workers who are in Israel under bilateral agreements.

The government continued efforts to reduce the demand for commercial sex acts and to address sex tourism. In 2015, the state attorney's office and law enforcement entities collaborated to shut down five brothels for a period of 30 to 90 days to prevent sex trafficking crimes. In 2015, courts convicted five defendants for purchasing commercial sex with children; sentences given to the offenders ranged from 16 years' imprisonment to a suspended sentence. The anti-trafficking unit worked with tourism organizations to promote awareness of prostitution and sex trafficking in the hotel and hospitality sector. The law prohibits Israeli nationals from engaging in child sex tourism abroad.

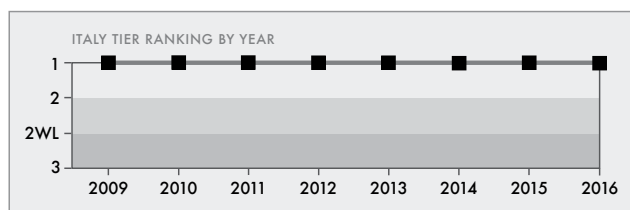
ITALY: Tier 1

Italy is a destination, transit, and source country for women, children, and men subjected to sex trafficking and forced labor. Victims originate from Nigeria, Romania, Morocco, China, and other countries. Female victims are often subjected to sex trafficking in Italy after accepting promises of employment as waitresses, dancers, singers, models, or caregivers. Eastern

European women and girls are forced into prostitution by Romanian and Albanian criminal groups. Nigerian women and girls are subjected to sex and labor trafficking through debt bondage and coercion through voodoo rituals. Experts estimate approximately 3,000 children are exploited in street prostitution. Men from Africa, Asia, and Eastern Europe are subjected to forced labor through debt bondage in agriculture in southern Italy and in construction, house cleaning, hotels, and restaurants in the north. Chinese men and women are forced to work in textile factories in Milan, Prato, Rome, and Naples. Children subjected to sex trafficking, forced begging, and forced criminal activities are from Romania, Nigeria, Brazil, Morocco, and Italy, particularly Romani and Sinti boys who may have been born in Italy. Transgender individuals from Brazil and Argentina are subjected to sex trafficking in Italy. Unaccompanied children are at risk of trafficking, particularly boys from Somalia, Eritrea, Bangladesh, Egypt, and Afghanistan who often work in shops, bars, restaurants, and bakeries to repay smuggling debts or send money to their families. Official complicity in human trafficking crimes occurs at the local level. Italian men engage in child sex tourism abroad, including countries throughout Africa, Latin America, and East Asia.

During the reporting period, NGOs and government officials reported the number of trafficking victims in Italy increased significantly due to the dramatic rise in migrants and asylum-seekers arriving by boat from sub-Saharan Africa; one international organization estimated more than 2,800 likely trafficking victims arrived in 2015 from Nigeria alone. Most migrants and asylum-seekers rely on smugglers at some point during their journey and in some instances are forced into exploitation upon arrival in Italy. Italy received approximately 154,000 irregular arrivals by sea in 2015, more than half of whom requested asylum; these individuals were highly vulnerable to trafficking. Although the government operated temporary centers throughout the country to house asylum-seekers, the system was overwhelmed and the government was forced to house approximately 90,000 asylum-seekers in improvised shelters; international organizations reported increased incidents of labor and sex trafficking of asylum-seekers as a direct result of shelter shortages. Asylum-seekers, who are unable to legally work while their applications are reviewed, often sought employment in informal sectors, increasing their vulnerability to trafficking. More than one-third of the approximately 18,000 unaccompanied minors who arrived in Italy in 2015 left their protected communities to work, beg, or journey northwards, increasing their vulnerability.

The Government of Italy 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, especially among agencies that combat human trafficking. Despite this challenge, the government convicted a significantly larger number of traffickers, passed its first national action plan, and continued to provide training to law enforcement officials. However, investigations and prosecutions decreased, government-supported NGOs remained severely underfunded, many victims among vulnerable groups went unidentified, and there remained a significant lack of government coordination on anti-trafficking efforts.



RECOMMENDATIONS FOR ITALY:

Continue to vigorously investigate and prosecute trafficking cases and ensure convictions of traffickers result in dissuasive sanctions; formalize victim identification and referral procedures and consistently train law enforcement and other officials on their proactive application; improve efforts to screen irregular migrants and asylum-seekers to identify possible trafficking victims, particularly in migrant reception and expulsion centers; provide adequate long-term funding to NGOs assisting victims; develop specialized services for child trafficking victims and expand accommodation for male victims; allow asylum-seekers to obtain legal employment while waiting for their applications to be reviewed; establish a national coordination structure that involves all relevant public bodies and NGOs; allocate sufficient funding towards the implementation of the national action plan; make efforts to reduce the demand for child sex tourism; and implement nationwide awareness-raising activities on all forms of trafficking.

PROSECUTION

The government demonstrated a decrease in investigations and prosecutions, but an increase in convictions. The 2003 Measures Against Trafficking in Persons law prohibits all forms of trafficking and prescribes penalties of eight to 20 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Authorities investigated 2,897 suspected traffickers in 2014, the most recent year for which law enforcement statistics were available, a decrease from 3,803 in 2013. The government prosecuted 828 defendants for suspected trafficking crimes in 2014, a decrease from 1,024 in 2013. In 2014, courts convicted 169 traffickers and appeals courts affirmed convictions of 184 defendants, representing a significant increase from the 74 traffickers convicted and 108 convictions upheld in 2013. The government was unable to provide complete data on sentences imposed in 2014, but reported some convicted traffickers received prison sentences ranging from five to 13 years' imprisonment. The government did not disaggregate law enforcement statistics involving sex and labor trafficking crimes but historically has prosecuted both. The training curriculum for law enforcement agencies included victim identification and investigation of trafficking and exploitation crimes; in 2014, the most recent year for which law enforcement statistics were available, 1,942 officers were trained. Despite isolated incidents of local government officials involved in trafficking, media did not report any new investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained modest protection efforts. The Department of Equal Opportunity, the entity responsible for coordinating protection efforts, reported government-supported NGOs assisted approximately 800 victims in 2015, similar to the 810 victims assisted in 2014; however, due to poor record keeping, the government was unable to provide a verified number of victims assisted. The government allotted 8 million euros (\$7.35 million) to trafficking victim assistance programs implemented by NGOs in 2015; the same amount allocated in 2014, despite the significant increase in the number of victims. Local governments provided an additional 1,700,000 euros (\$1,870,000) to victim assistance programs. The government relied predominantly on NGOs and international organizations to provide shelter and services to victims, who cited insufficient funding and the lack of a formal referral mechanism as serious

problems during the reporting period. These issues were particularly problematic in reception areas where migrants and refugees were forced to wait for extended periods for shelter, which resulted in increased instances of labor and sex trafficking.

Adult victims were entitled to a six-month temporary residence permit that was renewable if the victim found employment or enrolled in a job training program. Child victims received an automatic residence permit until age 18 and were accommodated in generalized children's centers or in new centers established for trafficking victims that are also asylum-seekers. The government granted 324 temporary residence permits for victims of exploitation in 2015; it is unclear how many recipients were trafficking victims. Although victims were not required to cooperate with law enforcement to obtain a residence permit, some NGOs and international organizations reported authorities gave preference to those who collaborated with law enforcement. It is unclear how many victims collaborated in the prosecution of their traffickers in 2014. Police worked in collaboration with NGOs and international organizations to screen for trafficking victims as part of standard registration procedures at most ports of entry. NGOs reported, however, that many trafficking victims among irregular migrants, asylum-seekers, and unaccompanied children went unidentified due to officials' inconsistent use of identification criteria. Therefore, although the law protects victims from being penalized for unlawful acts committed as a result of being subjected to trafficking, many unidentified victims were treated as regular asylum-seekers or illegal migrants.

PREVENTION

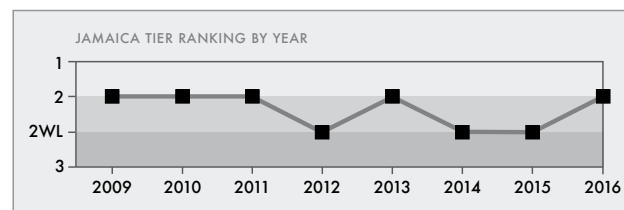
The government sustained limited trafficking prevention efforts. In February 2016, the government adopted a national action plan; however, it did not fund or implement the plan during the reporting period. Government officials and representatives from NGOs and international organizations cited an absence of coordination on trafficking efforts; the government continued to lack a national anti-trafficking coordinator and there was no national rapporteur to conduct independent evaluations of anti-trafficking efforts. It also did not implement any nationwide public awareness campaigns. Local authorities and NGOs continued to distribute brochures, posters, bumper stickers, and media advertisements providing information on victim assistance. The government's hotline for victims of trafficking received more than 3,600 calls for information in 2015, of which 610 were directly related to trafficking. Local municipalities and police supported NGO-led education campaigns aimed at reducing the demand for commercial sex. Although Italians engaged in child sex tourism in various countries abroad, the government did not make any efforts to address the demand for child sex tourism, nor did it make any tangible efforts to reduce the demand for forced labor. The government provided anti-trafficking training to Italian troops prior to their deployment abroad as part of international peacekeeping missions and for its diplomatic personnel.

JAMAICA: Tier 2

Jamaica is a source and destination country for adults and children subjected to sex trafficking and forced labor. Sex trafficking of Jamaican women and children reportedly occurs on streets and in night clubs, bars, massage parlors, and private homes, including in resort towns. Jamaican citizens have been subjected to sex trafficking and forced labor abroad, including

in other Caribbean countries, Canada, the United States, and the United Kingdom. Communities vulnerable to sex trafficking and forced labor include residents of Jamaica's poverty-stricken areas effectively controlled by criminal "dons," and workers in the informal sector, particularly on family farms and in markets and shops. Child domestic workers may be subject to domestic servitude. Many children are reported missing in Jamaica; some of these children are subjected to forced labor or sex trafficking. Foreign nationals are subjected to forced labor in Jamaica and aboard foreign-flagged fishing vessels operating in Jamaican waters. NGOs and other local observers report child sex tourism is a problem in Jamaica's resort areas. Two former officials faced trafficking in persons charges.

The Government of Jamaica does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government secured two convictions, the first in seven years: one each for forced labor and sex trafficking. The government prosecuted nine trafficking cases against 14 alleged traffickers. The government developed a national action plan for 2015-2018, developed and implemented two new victim protection protocols, reported 52 suspected child trafficking cases, identified four confirmed trafficking victims who were provided government shelter and services, and increased funding to victim services. Officials identified few confirmed victims relative to the number of new trafficking investigations and the size of the vulnerable population.



RECOMMENDATIONS FOR JAMAICA:

Vigorously prosecute, convict, and punish traffickers, including any officials complicit in sex or labor trafficking; identify and assist more victims of forced labor and sex trafficking, including prostituted Jamaican children; develop a new, comprehensive national action plan with adequate funding dedicated to implementing the plan; fully implement government-wide standard operating procedures to guide police, labor inspectors, child welfare officials, and health workers in the proactive identification of local and foreign victims of forced labor and sex trafficking, including children younger than age 18 in prostitution in night clubs, bars, and massage parlors; develop and implement standards for shelter and trafficking victim care designed to move victims toward self-sufficiency; provide the necessary authority and support to the newly appointed national rapporteur on trafficking in persons to carry out the mandate to investigate reports of human trafficking, report on violations of the rights of victims, and provide an annual report to the government; and continue efforts to raise awareness about human trafficking of both Jamaican citizens and foreign nationals.

PROSECUTION

The government increased efforts to investigate, prosecute, and convict traffickers. The government prohibits all forms of trafficking through its comprehensive Trafficking in Persons (Prevention, Suppression, and Punishment) Act. The maximum sentence for trafficking in persons and conspiracy to commit trafficking is 20 years' imprisonment, or a fine, or both. The

maximum sentence for aggravated trafficking in persons is 30 years' imprisonment, or a fine, or both. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In April 2014, officials enacted the Criminal Justice Act, which may be used to prosecute traffickers who are members of a "criminal organization" with penalties of five to 15 years' imprisonment or a fine or both. A number of new laws, including most notably the Evidence (Amendment) Act of 2015, the DNA Evidence Act of 2015, and the Jury (Amendment) Act of 2016, are expected to strengthen the judicial system's ability to admit relevant evidence in trafficking cases and improve the jury system.

Authorities reportedly initiated 30 new trafficking investigations compared with 38 in 2014, leading to the arrest of four individuals for suspected trafficking crimes in 2015. Officials prosecuted nine trafficking cases against 14 alleged traffickers; two cases—one sex trafficking and one forced labor—against four defendants were new in the reporting period compared to five new trafficking cases in the previous reporting period. The government secured two convictions, the first in seven years: a forced labor conviction and a sex trafficking conviction. In the forced labor case, the court sentenced the trafficker to pay 2.4 million Jamaican dollars (\$19,700) in fines and 2.4 million Jamaican dollars in restitution to three victims, but did not impose imprisonment; this is not sufficiently stringent under international law. In the sex trafficking case, the trafficker was sentenced to 15 years of hard labor in April 2016. The independent commission of investigations had authority to investigate all alleged abuses by police officers and government officials. The former deputy chairman of Jamaica's anti-doping committee faced charges of living off the earnings of prostitution, a crime under the Sexual Offenses Act; the prosecution was ongoing at the close of the reporting period.

The government trained 563 police officers on trafficking, compared to 128 in the previous reporting period. The Ministry of National Security and the National TaskForce against Trafficking in Persons trained coast guard, customs, and immigration officials; and the Jamaican Constabulary Force (JCF), with the Ministry of Labor and Social Security, funded and facilitated an anti-trafficking training for police officers, soldiers, customs officers, and other law enforcement officials from across the Caribbean. Jamaican officials participated in trafficking in persons courses for criminal justice system professionals to build capacity, funded by foreign government and international organization sources.

PROTECTION

The government increased efforts to protect victims. Authorities identified four confirmed trafficking victims—three men and one girl—in 2015, compared to four confirmed victims—three women and one girl—in 2014. The government developed a victim protection protocol and a standard operating procedure for granting temporary immigration status to trafficking victims. Police continued to use a standard operating procedure for victim identification. Immigration officials continued to screen and conduct risk assessments of potential victims. The children's registry received 52 reports of suspected trafficking cases—49 for sex trafficking and three for forced labor—which it referred to the JCF. The JCF's trafficking unit, when taking trafficking victims into protective custody, was required to notify the taskforce, partner NGOs, and, when applicable, the Child Development Agency. The JCF trafficking unit then made arrangements for the transportation and transfer of victims to a shelter care facility.

The government offered protection to all four identified victims and referred them to government or NGO care facilities for medical services, psychological services, and financial assistance for basic necessities. The government's trafficking shelter, which could house 12 people, continued to assist two female victims; one victim of domestic servitude who had lived in the shelter for three years and one child sex trafficking victim who entered the shelter in 2015. Both received medical and dental care, psychological counseling, food and basic necessities, legal services, and access to recreation. Both victims attended school outside the shelter and received help with homework from shelter staff. Authorities also provided shelter and services to three male forced labor victims at a secure location. Authorities provided 13 million Jamaican dollars (\$107,100) for victim assistance in 2015, compared with 3.4 million Jamaican dollars (\$29,500) in 2014; however, the 2014 budget figure did not include the cost of accommodating victims in locations alternative to the shelter. In accordance with Jamaica's anti-trafficking law, the government directed immigration authorities not to deport foreign victims. The anti-trafficking taskforce and an international organization were in the process of securing immigration relief for four foreign national victims at the end of the reporting period. 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 efforts to prevent human trafficking. Jamaica developed and published a new national anti-trafficking plan valid through 2018, to be implemented by the national taskforce through sub-committees on prevention, protection, and prosecution. The taskforce requested but had not received a fixed budget to implement the plan. The cabinet appointed a national rapporteur on trafficking in persons in early 2015 in order to investigate reports of trafficking, report on violations of the rights of victims, and provide an annual report to the government. The government engaged in public awareness raising activities on all forms of trafficking, including a campaign in schools and the community; media interviews; and targeted outreach through the distribution of more than 3,300 pamphlets. The government's efforts resulted in the direct training of more than 4,000 students and 90 principals. The labor ministry, prior to the departure of Jamaican participants in an overseas seasonal agricultural program, educated them about the risks of trafficking. The taskforce educated members of the tourism industry in major resort areas on indicators of trafficking and encouraged them to report suspected sex tourism. The government did not report any child sex tourism investigations, prosecutions, or convictions. Police conducted operations in an area known for the commercial sex trade, which resulted in the closure of three establishments suspected of facilitating illegal activity. The government did not report efforts to reduce the demand for forced labor. The government provided anti-trafficking training to diplomatic personnel, including the requirement for such personnel to enter into employment contracts with their domestic workers.

JAPAN: Tier 2

Japan is a destination, source, and transit country for men and women subjected to forced labor and sex trafficking, and for children subjected to sex trafficking. Male and female migrant workers, mainly from Asia, are subjected to conditions of forced labor, including some cases through the government's Technical

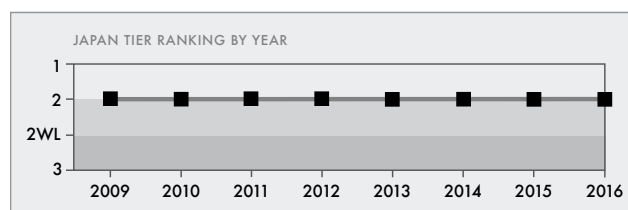
Intern Training Program (TITP). Some men, women, and children from East Asia, Southeast Asia (mainly the Philippines and Thailand), South Asia, South America, and Africa travel to Japan for employment or fraudulent marriage and are subjected to sex trafficking. Traffickers use fraudulent marriages between foreign women and Japanese men to facilitate the entry of women into Japan for forced prostitution in bars, clubs, brothels, and massage parlors. Traffickers strictly control the movement of victims using debt bondage, threats of violence or deportation, blackmail, passport retention, and other coercive psychological methods; victims of forced prostitution sometimes also face debts upon commencement of their contracts. Most victims are required to pay employers fees for living expenses, medical care, and other necessities, leaving them predisposed to debt bondage. Brothel operators may add “fines” for alleged misbehavior to victims’ original debt, and the process used to calculate these debts is typically not transparent. Trafficking victims may transit Japan before enduring exploitation in onward destinations, including East Asia and North America.

Japanese citizens, particularly runaway teenage girls, children of foreign and Japanese citizens who have acquired citizenship, and their foreign mothers, are also subjected to sex trafficking. The phenomenon of *enjo kosai*, also known as “compensated dating,” and variants of the “JK business” (JK stands for *joshi-kosei*, or high school girl) continue to facilitate the sex trafficking of Japanese children. Sophisticated and organized prostitution networks target vulnerable Japanese women and girls—often in poverty or with mental disabilities—in public areas such as subways, popular youth hangouts, schools, and online; some of these women and girls become trafficking victims. Organizations in Japan contact children of Japanese fathers and Filipino mothers to assist them and their mothers to acquire citizenship and move to Japan for a fee; once in Japan, some mothers and children are then exploited in sex trafficking to pay off the debt incurred for the organizations’ services. Japanese men continue to be a significant source of demand for child sex tourism in Asia.

Cases of forced labor occur within TITP, a government-run program originally designed to foster basic technical skills among foreign workers that has effectively become a guest-worker program. During the “internship,” many migrant workers are placed in jobs that do not teach or develop technical skills—the original intention of TITP; some of these workers continued to experience conditions of forced labor. The majority of technical interns are Chinese and Vietnamese citizens, some of whom pay up to \$10,000 for jobs and are employed under contracts that mandate forfeiture of the equivalent of thousands of dollars if they leave. Reports continue of excessive fees, deposits, and “punishment” contracts by sending organizations under this program. Some employers confiscate trainees’ passports and other personal identity documents and control the movements of interns to prevent their escape or communication with persons outside the program.

The Government of Japan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased prosecutions and convictions of traffickers and the number of trafficking victims identified during the reporting period, although nine of the 27 traffickers convicted in 2015 received only fines as punishment. The government did not prosecute or convict forced labor perpetrators despite allegations of labor trafficking in TITP, and the overall number of prosecutions and convictions decreased since 2013. The government released its first annual report on anti-trafficking measures. The government,

however, did not develop or enact legislation that would fill key gaps in the law to facilitate prosecutions of trafficking crimes and bring it into accordance with the definition of trafficking in international law. The government modestly increased efforts to protect trafficking victims. The government, however, did not develop specific protection and assistance measures for trafficking victims, such as establishing a nationwide network of shelters exclusively for trafficking victims apart from the existing network of shelters for victims of domestic violence. The government did not accede to the 2000 UN TIP Protocol.



RECOMMENDATIONS FOR JAPAN:

Update the legal framework to fully criminalize all forms of trafficking in accordance with the definition in international law, including to criminalize those who recruit, transport, transfer, or receive individuals for forced labor or sex trafficking; increase the penalty for trafficking offenses by eliminating the alternative of a fine to a prison sentence; significantly increase efforts to investigate and prosecute labor trafficking cases, and punish convicted traffickers with jail time; enact the TITP reform bill; increase enforcement of bans on excessive deposits, “punishment” agreements, withholding of passports, and other practices by organizations and employers that contribute to forced labor; implement the newly expanded victim identification procedures for front-line officers to recognize both male and female victims of forced labor or sex trafficking; enhance victim screening to ensure potential trafficking victims, including but not limited to arrested migrant workers under the TITP program, are not detained or forcibly deported for unlawful acts committed as a direct result of being subjected to trafficking; set aside resources to provide specialized care and assistance to trafficking victims, including designated shelters for trafficking victims; aggressively investigate, prosecute, convict, and punish Japanese citizens who engage in child sex tourism overseas; and accede to the 2000 UN Transnational Organized Crime Convention and the 2000 TIP Protocol.

PROSECUTION

The government modestly increased anti-trafficking law enforcement efforts. Japan’s criminal code does not prohibit all forms of trafficking in persons, as defined by international law, and the government relies on various provisions of laws relating to prostitution, abduction, child welfare, and employment to prosecute trafficking in persons crimes. Articles 7 through 12 of the 1956 Prostitution Prevention Law criminalize the procurement of prostitutes and forced prostitution. Article 226-2 of the penal code criminalizes the buying or selling of human beings. The 1947 Employment Security Act makes it a crime for a person to engage in labor recruitment “by means of violence, intimidation, confinement or other unjust restraint on mental or physical freedom” or to recruit laborers for “work harmful to public health or morals.” In addition, Japan’s 1947 Child Welfare Act broadly criminalizes harming a child—to include causing a child to commit an obscene act or an act harmful to the child—which has reportedly been the basis for prosecuting a defendant for subjecting a child to prostitution. However, the Child Welfare Act does not appear to cover all forms of child sex trafficking, as it does not reach the recruitment, transport,

transfer, or receipt of a child for the purpose of prostitution. Article 226-2 provides a 10-year maximum penalty for buying a person for the purpose of profit or indecency, which is sufficiently stringent and generally commensurate with penalties prescribed for other serious crimes, such as rape. However, buying and selling a person for the purpose of transporting him or her across international borders is a lesser crime subject to a two-year minimum penalty. Other crimes relied on by Japanese prosecutors to prosecute trafficking offenses also carry insufficiently stringent penalties because they provide for a fine as an alternative to incarceration. An offender who prostitutes a child and is convicted of endangering a child's welfare by "causing the child to commit an act making an impact that is mentally or physically harmful to the child" could be punished only with the payment of a fine, as the penalty is a maximum of three years imprisonment, a fine of the equivalent of one million yen (\$8,000), or both. Likewise, though causing a child to "commit an obscene act" carries a higher maximum penalty of 10 years' imprisonment, a fine of no more than 3 million yen (\$24,000), or both, even under this article there remains the possibility of a fine as the sole punishment. Similarly, to the extent the Employment Security Act criminalizes the act of recruitment for forced labor, the allowed maximum punishment of a minimum fine of 200,000 yen (\$1,700) is insufficiently stringent. In addition, some forms of forced prostitution are punishable by a maximum of three years' imprisonment or a fine. Others are subject to five years' imprisonment without the alternative of a fine.

The government reported investigating 44 cases for crimes related to human trafficking in 2015, compared with 32 in 2014. It initiated prosecution of 17 cases in 2015, most of which had direct or indirect links to sex trafficking and involved a total of 26 suspected traffickers. The government convicted 27 traffickers, six of whose prosecutions began in 2014, compared with 18 convicted in 2014. Nine of the 27 convicted traffickers received only fines. Despite numerous reports and allegations of possible labor trafficking offenses under the TITP, including confiscation of passports, imposition of exorbitant fines, arbitrary deduction of salaries resulting from non-contractual infractions, and attempted forceful deportation by both sending and receiving organizations, the government did not prosecute or convict traffickers involved in the use of TITP labor as traffickers. However, the government has prosecuted some of these abuses as labor violations with insufficiently stringent penalties. The government reported investigating 728 cases of child prostitution, compared with 661 in 2014. It was unclear how many investigations resulted in prosecutions and convictions and how many of the cases involved children engaged in transactional sex as compared to children subject to prostitution by a third party. The National Police Agency (NPA), Ministry of Justice (MOJ), Bureau of Immigration, and public prosecutor's office continued to conduct numerous anti-trafficking trainings for senior investigators and police officers, prosecutors, judges, and immigration bureau officers on identifying victims and investigating trafficking cases. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government modestly increased efforts to identify and protect trafficking victims. The government identified 54 trafficking victims, compared with 25 in 2014. Of the 54, the government identified 23 Filipino labor trafficking victims in one case, which may have also involved sex trafficking for some

victims. The government identified 11 other labor trafficking victims in separate cases in 2015. This was the first year the government identified labor trafficking victims in 20 years; some of these cases may also have been related to sex trafficking. The government's protection efforts continued to be hampered by a narrow definition of human trafficking. The government has never identified a forced labor victim in TITP, despite substantial evidence of trafficking indicators, including debt bondage, passport confiscation, and confinement. NPA officials identified 20 female sex trafficking victims in 2015, compared with 25 in 2014. Five of the 13 Japanese sex trafficking victims identified were children. Despite 518 children identified as involved in prostitution by police, the government officially identified only five children as sex trafficking victims. Police informally counseled some child sex trafficking victims on their behavior instead of formally identifying them as trafficking victims and consequently did not receive specialized trafficking victim services. The government continued to lack trafficking-specific victim services but funded Japan's Women's Consulting Center (WCC) shelters and domestic violence shelters, which assisted 21 of the identified victims. Other victims received assistance in NGO shelters or returned to their homes. WCC shelters provided food, basic needs, psychological care, and coverage of medical expenses, and allowed the victims to leave the facilities when accompanied by facility personnel. The government began to provide financial support for shelter protection for male victims through an NGO in October 2015.

NPA officials used an IOM-developed handbook and the Inter-Ministerial Liaison Committee's manuals to identify victims and refer victims to available services. Some victims were reluctant to seek government assistance due to fear of reprisals from traffickers. No government assistance to victims of labor trafficking or abused participants in the TITP was reported, as the government did not screen for or identify victims among this vulnerable population. The government-funded Legal Support Center provided pro bono legal services to destitute victims of crime for both criminal and civil cases; for the fourth consecutive year, it was unclear whether any trafficking victims applied for or received such services. Although the law prohibits trafficking victims from being punished for crimes committed as a result of being subjected to trafficking, some victims were fined for immigration violations incurred. Temporary, long-term, and permanent residence benefits were available to victims who feared returning to their home country; the government granted eight long-term residence visas. In most cases, however, foreign victims chose to return to their home country rather than stay through the lengthy investigation and trial period, during which they were often not allowed to work. The government funded a program through an international organization to provide counseling, temporary refuge, social reintegration, and repatriation services to foreign victims. Twelve victims received services and returned to their home countries through this program during the reporting period. Victims had the right to seek compensation from their traffickers; and some foreign workers, including potentially unidentified trafficking victims, did file civil suits for non-payment of wages. However, given that companies ordered to provide restitution often declared bankruptcy, receiving restitution remained difficult.

PREVENTION

The government increased efforts to prevent trafficking. It issued its first annual report on government actions to combat trafficking and tracked measures against the stated goals of its anti-trafficking action plan. The plan outlined efforts to reform the TITP, train front-line officers, and improve

protection and assistance for trafficking victims. A draft TITP reform bill submitted to the Diet in March 2015 has yet to be voted upon. The reform bill would establish an entity to conduct management audits, an oversight mechanism to hold perpetrators accountable for crimes of forced labor, redress mechanisms for foreign migrants, and would designate responsible ministries, but it would not allow interns to change employers. The Ministry of Land, Infrastructure, Transport and Tourism initiated a program to accept foreign construction workers that has strong protection components, such as onsite assessments and reviews, as an attempted progression from TITP. The MOJ banned three companies, 32 supervising organizations, and 238 implementing organizations from receiving TITP interns in 2015. The Japan International Trade Cooperation Organization, a government entity designated to monitor the TITP, conducted employer visits and trainings, operated a hotline for TITP interns, and distributed the TITP workers' handbooks in six languages.

The government continued to advertise the multilingual emergency contact hotline number at local immigration offices and with governments of source countries, conduct online trafficking awareness campaigns, and publicize trafficking arrests to raise awareness. To reduce demand for commercial sex, the cabinet office continued to distribute posters, leaflets, and passport inserts nationwide with warning messages to potential consumers of sexual services. Japan is a source of demand for child sex tourism, with Japanese men traveling and engaging in commercial sexual exploitation of children in other Asian countries—particularly Thailand, Indonesia, Cambodia, the Philippines, and, to a lesser extent, Mongolia; the government prosecuted one Japanese national for child sexual exploitation in another Asian country and sentenced him to two years' imprisonment with a four-year suspended sentence. The NPA shared case details on commercial sexual exploitation of children in Southeast Asia with Thai, Cambodian, Philippine, and Indonesian police counterparts. The government provided anti-trafficking training for troops prior to their deployment abroad on international peacekeeping missions and to its diplomatic personnel. Japan is the only G-8 country that is not a party to the 2000 UN TIP Protocol.

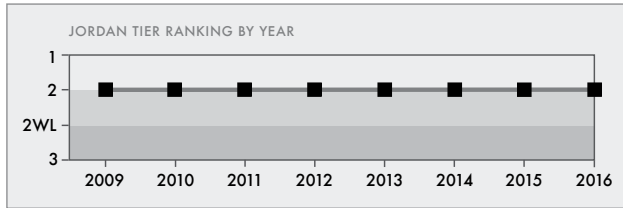
JORDAN: Tier 2

Jordan is a source, destination, and transit country for adults and children subjected to forced labor and, to a lesser extent, sex trafficking. Jordan relies on foreign migrant workers in several industries, including construction, agriculture, textiles, and domestic work. Jordan's sponsorship system prevents foreign workers from switching employers or receiving adequate access to legal recourse in response to abuse. Some migrant workers from Egypt—the largest source of foreign labor in Jordan—experience forced labor in the construction, service, and agricultural sectors. There are an estimated 53,000 foreign female domestic workers in Jordan, primarily from Southeast Asia and East Africa; some are subjected to forced labor and experience withheld or non-payment of wages, confiscation of identity documents, restricted freedom of movement, long hours without rest, and verbal and physical abuse. Many of these workers are unable to return to their home countries, while some remain in Jordanian detention, due to pending criminal charges against them or due to their inability to pay overstay penalties or plane fare home. The publicized case of a recruitment agent's beating of a Bangladeshi domestic worker, which was caught on camera in December 2015, exemplifies

the abuse suffered by some domestic workers in Jordan. Men and women from throughout Asia migrate to work in factories in Jordan's garment industry, where some workers experience withholding of passports, unsafe living conditions, verbal abuse, and restricted movement; in addition, workers in 47 percent of the factories in this industry pay unauthorized fees to recruitment agents in their country of origin, making them vulnerable to debt bondage.

Syrian refugees in Jordan are increasingly vulnerable to trafficking, in part due to their financial circumstances. Women and children—in particular—among the refugee population often work illegally and informally in the Jordanian economy, which puts them at risk of trafficking; however, the Jordanian government enacted new policy in March 2016 that allows Syrian refugees legal work permits. NGOs have observed an increase in child labor and potential forced child labor among Syrian refugee children working alongside their families in agriculture and service industries, as well as peddling goods and begging. In previous years, Jordanian law enforcement, NGOs, and the media reported instances of Syrian refugee women and girls sold into "temporary" or forced marriages to Jordanians and men from the Gulf for the purpose of forced prostitution; however, Jordanian officials did not report similar incidents in 2015. International organizations and NGOs reported an increase in early marriages among Syrian refugees in 2015, which may place girls at risk of sexual exploitation and forced labor. Syrian, Lebanese, North African, and Eastern European women may be forced into prostitution after migrating to Jordan to work in restaurants and nightclubs; some Jordanian women working in nightclubs may also be forced into prostitution. Some out-of-status domestic workers from Indonesia, the Philippines, Bangladesh, and Sri Lanka were reportedly forced into prostitution after fleeing their employers. Jordanian children employed within the country as mechanics, agricultural laborers, and beggars may be victims of forced labor. There are reports of organized child begging rings involving Jordanian and Syrian children. Some Jordanian girls are forced to drop out of school to perform domestic service in their families' homes; some of these girls are vulnerable to trafficking.

The Government of Jordan 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 continued robust efforts to investigate, prosecute, and convict trafficking offenders, including complicit officials and alleged offenders in the garment industry. Despite serious budget and resource constraints, the government sustained progress in its proactive identification, referral, and provision of protective services to victims. The government opened its first shelter dedicated solely to victims of all forms of trafficking, with a three-year operating budget of 750,000 Jordanian dinars (JD) (\$1,056,264) and ensured shelter staff was trained to provide appropriate care. The government also adopted a national victim referral mechanism—developed in consultation with civil society organizations—for authorities to systematically identify and refer victims to protection services. Nevertheless, authorities continued to lack screening procedures in detention facilities to identify trafficking victims among illegal foreign migrants who were arrested and imprisoned.



RECOMMENDATIONS FOR JORDAN:

Amend the anti-trafficking law to ensure that penalties for sex trafficking and forced labor of adults are sufficiently stringent and commensurate with other grave crimes; amend the anti-trafficking law to restrict the ability of judges to impose fines in lieu of prison time when sentencing convicted traffickers; continue to prosecute, convict, and punish sex trafficking and forced labor offenses with adequate jail time and investigate and punish individuals for withholding workers' passports under Jordan's passport law; increase training for law enforcement and prison officials to proactively screen for trafficking victims among detained foreign migrants, and improve proactive identification of victims of all forms of trafficking among vulnerable populations and regularly cooperate with NGOs in these efforts; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration or prostitution violations or escaping from an abusive employer; fully implement and train law enforcement, prison, and judicial officials on implementation of the national victim referral mechanism; continue to allocate adequate funding for operation of the government's trafficking shelter and continue to train shelter staff to identify and provide specialized care to victims; issue regulations governing work in the agricultural sector, and regulate fraudulent labor and recruitment practices; and continue to implement anti-trafficking awareness campaigns.

PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. The 2009 anti-human trafficking law prohibits all forms of sex and labor trafficking. Penalties for sex trafficking and forced labor of adults are a minimum of six months' imprisonment and/or a fine ranging from 1,000-5,000 JD (\$1,400-7,000); these penalties are neither sufficiently stringent nor commensurate with those prescribed for other grave crimes, such as rape and kidnapping. As stated in Jordan's criminal code, penalties for rape are not less than 10 years' imprisonment and penalties for kidnapping range from two to 10 years' imprisonment. The law also prescribes penalties of not more than 10 years' imprisonment for the sex trafficking and forced labor of children, which are sufficiently stringent and commensurate with those prescribed for other grave crimes. Jordan's labor law assigns administrative penalties for labor violations committed against Jordanian or foreign workers, yet these penalties are not sufficiently stringent to deter the crime of human trafficking. The withholding of passports is a crime under Jordan's passport law, which prescribes six months' to three years' imprisonment, as well as financial penalties.

The Public Security Directorate and Ministry of Labor (MOL) joint anti-trafficking unit continued robust efforts to investigate potential trafficking crimes. In 2015, the joint anti-trafficking unit investigated 206 potential trafficking cases, among which 28 were determined to be forced labor cases and referred for prosecution; 26 of these cases were related to domestic servitude and two were related to the agricultural and construction sectors.

The Ministry of Justice reported it initiated the prosecution of 55 potential trafficking cases and convicted 12 offenders under the anti-trafficking law in 2015. Three of these convictions involved sexual exploitation and nine involved forced labor offenses; penalties applied to the offenders ranged from six months' imprisonment to 10 years of hard labor and fines. Eight alleged trafficking offenders were acquitted and the government dropped two cases by general amnesty, which the King announced by Royal Decree. The government's prosecution efforts in this reporting period increased slightly from 53 trafficking cases in 2014, yet convictions decreased from 28 in 2014. In one case in December 2015, an NGO reported an incident involving a Bangladeshi domestic worker beaten and forced to work by a recruitment agent. The police immediately investigated and referred the case for prosecution for alleged trafficking crimes; the case was ongoing at the end of the reporting period, and the recruitment agency was closed. The anti-trafficking unit conducted 57 inspections of recruitment agencies and 35 at work sites to investigate reports of mistreatment of foreign workers. Unlike in the previous reporting period, the government proactively took steps to investigate and refer for prosecution potential trafficking crimes in the garment industry. In January 2016, the anti-trafficking unit investigated forced labor allegations in a garment factory where more than 100 migrant workers experienced confiscation of passports, withheld pay, physical abuse, and unsafe living conditions. The anti-trafficking unit promptly referred the case for expedited prosecution and trafficking charges were reportedly filed against the factory's manager and owner in February 2016; however, at the end of the reporting period, an NGO reported the factory administration was pressuring the victims to dismiss the charges. In addition, in November 2015, the government reported two members of the General Intelligence Directorate were charged with trafficking crimes and scheduled to be tried in front of a military court; the case was ongoing at the end of the reporting period.

The government also continued to settle an unknown number of labor disputes during the reporting period, which included cases involving non-payment of wages, withholding of passports, breaches of contract, inappropriate work conditions, and excessive work hours. Though some of these cases involved conditions indicative of trafficking crimes, the government did not categorize them as such. NGOs and foreign embassy representatives continued to report the government preferred to settle potential cases of domestic servitude through mediation, rather than referring them for criminal prosecution. NGOs also raised concerns that the long litigation process for trafficking cases gave employers time to pressure victims to drop their cases. The joint anti-trafficking unit held a number of trainings and awareness-raising workshops for government officials in 2015, some of which were held in coordination with civil society organizations. For example, the anti-trafficking unit and a local NGO jointly held three trainings for 74 government officials on the protection of migrant workers.

PROTECTION

The government continued to take proactive measures to identify trafficking victims and made progress in its efforts to provide protection services to victims despite budget constraints. Authorities proactively screened for potential victims during trafficking investigations and labor inspections conducted throughout the year. Through these efforts, the government identified and referred 124 trafficking victims to government and NGO-run shelters in 2015; this was on par with the number of victim referrals in 2014. The government also offered protection

services to 100 forced labor victims identified in a garment factory in January 2016. Though the victims reportedly chose to continue working in the factory instead of receiving assistance, an NGO reported in February 2016 the factory administration was not providing the victims adequate food and was pressuring them to drop the charges against their perpetrators. The anti-trafficking unit received referrals from a wide range of entities, including the MOL-operated hotline, law enforcement and labor officials, NGOs, and foreign embassies. In November 2015, the government finalized and signed into effect its first national victim referral mechanism, which was drafted in consultation with various government ministries and civil society organizations. The referral mechanism outlines a broad range of institutions that can identify and refer trafficking victims and details a wide range of protection services available for victims, including shelter, medical, psychological, legal, translation, rehabilitation, and reintegration services, as well as training programs for all trafficking victims, both Jordanian and foreign. The referral mechanism, however, does not explicitly state that a victim can receive protection services regardless of whether they file charges against his or her perpetrator.

In September 2015, the government officially opened a shelter solely dedicated to protecting trafficking victims with a three year operating budget of 750,000 JD (\$1,056,264). The shelter's 20 staff members were trained with specialties to care specifically for trafficking victims. The facility had the capacity to serve 60 male and female victims, including children, with a separate wing and entrance for male victims; it was the only shelter in the country that was accessible to men. The shelter was available to all potential trafficking victims referred by the attorney general's office or the anti-trafficking unit. Between September and January 2016, the shelter served 18 female victims of forced labor. The government also continued to provide protection services to trafficking victims in a shelter for gender-based violence victims, which could house up to 50 female victims of violence and offered medical, psycho-social, educational, and legal assistance. In addition, during the reporting period the government drafted bylaws to operate a shelter that would provide protection services specifically to domestic workers; however, the bylaws were not enacted at the end of the reporting period. At the end of the reporting period, the government was seeking additional funding to renovate and furnish the shelter building, which will have the capacity to serve as many as 300 women.

Though the government made progress in its efforts to identify, refer, and protect victims, some foreign trafficking victims—including domestic workers—remained vulnerable to financial penalties, arrest, and detention if found without valid residence documents if they left their place of employment, or if their employers or recruitment agencies filed false claims of theft against them. NGOs reported law enforcement and prison officials were not sufficiently trained to effectively screen for, identify, and refer victims among foreign migrant workers in administrative detention or those charged with crimes. To address this problem, the Public Security Directorate (PSD) signed an agreement with a local NGO in January 2016 to work in partnership to identify and assist victims at police stations and prison rehabilitation centers, as well as to train PSD personnel and assist in the repatriation of victims. Similarly in January 2016, the joint anti-trafficking unit signed an agreement with the Prison Directorate that grants the unit permission to screen all detainees for indicators of trafficking and refer victims to appropriate services; under this agreement, the unit will also provide anti-trafficking training to prison personnel. The fining of foreign workers—including identified trafficking victims—for

not maintaining valid residence documents served as a strong disincentive for victims to remain in Jordan and pursue legal action against their traffickers. Additionally, the government did not allow foreign trafficking victims to work while receiving shelter services, which led many victims to forego the litigation process altogether. Foreign female domestic workers continued to seek refuge at their respective embassies, which provided shelters for workers who fled abusive employers. Many of them were waiting for the return of their passports, back pay for unpaid salaries, or resolution of labor disputes or criminal charges. Following an amnesty period that ended in April 2015 for migrant domestic workers to rectify their immigration status in the country, the government continued to cooperate with foreign embassies to waive overstay fines for workers who wished to return to their home countries. Foreign embassies reported positive cooperation with the government in these efforts. However, an international organization reported that once the amnesty period ceased, it was difficult to obtain waivers for workers' overstay fines; as a result, the organization was unable to repatriate 80 domestic workers.

PREVENTION

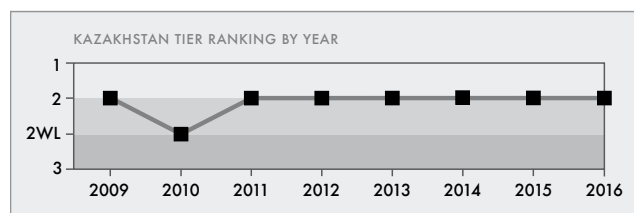
The government sustained strong prevention efforts. The inter-ministerial anti-trafficking committee and its technical committee continued to meet regularly during the reporting period. The government continued to draft a new national anti-trafficking action plan and strategy, but it was not finalized at the end of the reporting period. The government distributed anti-trafficking brochures to foreign migrants at border crossings, police stations, airports, in the garment sector, and at the MOL unit in charge of domestic worker issues. It conducted media interviews to raise awareness about trafficking and resources for victims. The government took measures to reduce the demand for commercial sex acts and forced labor. The government made efforts to address and prevent forced marriages among the Syrian refugee population, which put women and girls at risk of abuse and exploitation; it conducted awareness campaigns on the dangers of forced marriage, established Shariah courts in Syrian refugee camps, and required Ministry of Interior approval for all Syrian marriages to people of other nationalities, including Jordanians. In addition, in March 2016, the government announced a new policy that eased restrictions on Syrian refugees' legal work status and allowed them to receive work permits in most sectors. MOL hired 66 new labor inspectors in 2015, increasing the total number to 226 inspectors responsible for enforcing the labor code, including child labor violations; this continued a steady increase of inspectors over several years. In 2015, MOL conducted 94,136 labor inspections, found 13,908 labor violations, and closed 1,635 workplaces. MOL also inspected 65 recruitment agencies and closed four, including the agency allegedly responsible for the abuse and forced labor of a Bangladeshi domestic worker in December 2015. MOL continued to operate a hotline that received labor complaints and included interpretation services in some source-country languages; this hotline continued to provide referrals to the anti-trafficking unit for investigation of potential trafficking crimes. A 2011 decree issued by the labor minister, which required employers to pay their domestic workers by direct deposit to a bank account, was not fully implemented or enforced in 2015. In August 2015, the government prohibited the recruitment of Kenyan domestic workers due to significant numbers of labor disputes and trafficking cases. The government provided human rights training to junior diplomatic personnel, but it did not provide specific anti-trafficking training. The Ministry of Foreign Affairs continued to report its finance department directly paid locally-hired domestic staff of Jordanian diplomats posted

abroad, in accordance with labor laws and wage rates in the host country. The government did not provide specific anti-trafficking training for its peacekeepers before their deployment abroad.

KAZAKHSTAN: Tier 2

Kazakhstan is a destination and, to a lesser extent, a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Domestic trafficking is a consistent problem, accounting for most identified victims. Kazakhstani women and girls are subjected to sex trafficking in the Middle East, Europe, and the United States. Women and girls from neighboring Central Asian and Eastern European countries, as well as from rural areas in Kazakhstan, are subjected to sex trafficking in Kazakhstan; in most cases, traffickers target young girls and women, luring them with promises of employment as waitresses, models, or nannies in large cities. Some children are forced to beg and others may be coerced into criminal behavior. The relative economic prosperity in the government capital Astana, the financial capital Almaty, and the western oil cities Aktau and Atyrau, attract large numbers of Kazakhstanis from rural villages, some of whom become victims of labor trafficking and sexual exploitation. Chinese, Kazakhstani, and other Central Asian citizens, in particular Uzbekistani men and women, are subjected to forced labor in domestic service, construction, and agriculture in Kazakhstan. Many victims of trafficking in Kazakhstan indicate they were lured through fraud and deceit, sometimes by friends or acquaintances, and, at times, exploited by small organized criminal groups in Kazakhstan.

The Government of Kazakhstan 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 its funding for and implementation of awareness campaigns, as well as its victim identification and case investigation efforts. The government also significantly increased its funding for victim assistance and continued its robust partnership with international organizations and NGOs to protect victims and raise awareness of trafficking crimes. The government adopted legislation that will allow funding for long-term shelters, as well as standards for the provision of services to trafficking victims. However, convictions of traffickers decreased significantly, in part attributed to insufficient resources and high turnover rates for police. Media continued to report allegations of police officers' complicity in human trafficking, but the government reported no investigations or prosecutions of police or other government officials suspected of trafficking crimes.



RECOMMENDATIONS FOR KAZAKHSTAN:

Further improve efforts to identify trafficking victims—particularly foreign forced labor victims—among vulnerable populations and refer these victims for assistance; vigorously investigate, prosecute, and convict suspected trafficking cases, respecting due process, including allegedly complicit

government officials and police officers; update laws to align with international standards; ensure victim identification is not contingent on successful investigation and prosecution efforts; increase funding and resources for anti-trafficking police units; continue to increase the number of government-funded trafficking shelters and provide longer-term shelter, free legal assistance, and rehabilitation to trafficking victims; cease deporting victims and provide legal alternatives to forced repatriation; train labor inspectors to identify victims of forced labor and report potential trafficking cases to the police; and provide anti-trafficking training or guidance for diplomatic personnel to prevent their engagement or facilitation of trafficking crimes.

PROSECUTION

The government maintained progress in anti-trafficking law enforcement efforts. Articles 128, 135, 125(3b), 126(3b), 308, and 134-1 of the penal code prohibit all forms of sex and labor trafficking and prescribe penalties of up to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Updates to the penal code that entered into effect during the reporting period, however, did not include definitions of key terms that had been included in the old codes.

Police investigated 104 trafficking cases, compared to 82 in 2014. In 2015, law enforcement officials opened 97 new criminal cases for trafficking offenses, compared to 73 in 2014. Seven cases from previous years were continued, and seven additional cases were completed, resulting in 12 convictions, a decrease compared to 37 cases completed in 2014 with 32 convictions. While police attributed the decrease in convictions to the complexity and time-consuming nature of trafficking investigations, high turnover among police officers and inadequate staffing of anti-trafficking units also hindered the government's anti-trafficking efforts. Of the 12 convictions, 10 sex traffickers received sentences ranging from three to seven years' imprisonment and two labor traffickers received sentences of one to five years. In addition, the government opened 199 investigations of trafficking-related crimes, including pimping and brothel maintenance. NGOs continued to suspect traffickers bribed low-ranking police officials to avoid these charges. Media reported several cases in which police officers were accused of trafficking or sentenced for other offenses that may have been related to trafficking, such as the cases of police officers in Zhambyl allegedly holding a resident of Kyrgyzstan in slavery for 19 years, making him work in their households in exchange for food, and of a former police officer in Akmola Region who allegedly exploited a man in his household for 10 years. Yet the government reported no official investigations or prosecutions of allegedly complicit police or other government officials in human trafficking offenses.

The government continued to provide a variety of specialized training courses in the identification, investigation, and prosecution of trafficking crimes for police, prosecutors, and judges, and funded police participation in international anti-trafficking events. In 2015, the judicial institute conducted six training sessions for 300 judges on the protection of trafficking victims during the criminal process. The Ministry of Internal Affairs (MVD) conducted six training courses on victim identification and investigative techniques for 103 police officers. During the reporting period, the government jointly investigated 17 cases related to trafficking in cooperation with foreign governments, including Kyrgyzstan, Uzbekistan, Russia, and Tajikistan. The Supreme Court released an analysis

of criminal cases tried in Kazakhstani courts during 2013 and 2014, which included 36 criminal cases against 69 traffickers, and recommended best practices for applying appropriate charges and avoiding mistakes during prosecutions.

PROTECTION

The government maintained efforts to protect victims, finalized provisions that will allow for future funding of long-term shelters and set standards for the provision of services to trafficking victims. The first tranche of 44,000 Kazakhstani Tenge (KZT) (\$240,000) will be available for use in 2016. In 2015, the government identified 92 trafficking victims, an increase from 74 victims in 2014. Of those, 77 were sex trafficking victims and 15 forced labor victims. All but two of the identified victims were from Kazakhstan; 19 of the Kazakhstani victims were subjected to trafficking in Indonesia, Qatar, and United Arab Emirates, while the remaining were internal victims, recruited from rural to urban areas for both labor and sexual exploitation. All of the victims the government identified received assistance from government-funded programs.

Three NGO-operated trafficking shelters provide legal, psychological, and medical assistance and are accessible to all trafficking victims, regardless of citizenship, gender, or age. The government allocated approximately 4,700,000 KZT (\$25,700) for direct victim assistance, including 3,500,000 KZT (\$19,100) for shelter assistance to one NGO-run shelter for trafficking victims in Astana, which assisted 48 victims, and 1,200,000 KZT (\$6,600) for direct victim assistance during investigations. The government also allocated an additional 31,100,000 KZT (\$170,000) for funding NGO- and government-run shelters providing services to victims of crime, domestic violence, and trafficking. In 2015, NGOs reported assisting 162 trafficking victims, compared to 161 the previous year; among these, police referred 50 and international organizations, embassies, NGOs, and self-referrals were responsible for the additional 112. Of all trafficking victims assisted, 51 were Kazakhstani and 111 were foreigners; 49 were victims of sex trafficking, 113 of forced labor, 55 were female and 107 male.

In the previous reporting period, the government expanded the special social services law, to entitle trafficking victims to care as “victims of violence.” In 2015, the government finalized standard criteria for determining eligibility for a wide range of social services. However, the government did not implement the new standards, which will be used in the operation of shelters for trafficking victims. Amendments to the penal procedural code, made in the previous reporting period, came into force in January 2015, allowing victims to seek compensation from a government fund. However, the fund had not yet been established, as it requires the adoption of implementing regulations. NGOs reported effective victim referral and police cooperation with anti-trafficking units assigned to each region. Law enforcement units mandated to address migration or trafficking issues have a formal system to identify trafficking victims among at-risk persons, such as undocumented migrants or persons in prostitution. The government encouraged victims to participate in investigations and prosecutions by providing witness protection during court proceedings, access to pre-trial shelter services, and basic provisions such as food, clothing, and medical and legal assistance. The government provided foreign victims legal protection, including suspension of deportation proceedings, and special temporary residency throughout the criminal investigation; however, if a criminal case was not initiated, authorities did not recognize and give protective status to victims. NGOs reported foreign victims sometimes

experienced problems in accessing local medical care due to a lack of health insurance or residence permits. The government did not offer legal alternatives to removal of foreign victims and forcibly repatriated all victims after expiration of their temporary residency rights. In 2015, there were no reports of authorities criminally punishing victims for crimes as a direct result of being subjected to trafficking.

PREVENTION

The government increased prevention efforts, under the direction of the Interagency Trafficking in Person Working Group, which has been led by the MVD since 2014. The government approved a national action plan for 2015-2017, which includes activities to improve anti-trafficking legislation; investigation and prosecution of human trafficking cases; victim identification and assistance; cooperation with international and non-governmental organizations; and prevention. In May 2015, the National Commission for Human Rights publicly released a special report analyzing current legislation, existing prevention mechanisms, and stakeholders’ roles in addressing human trafficking. The report highlighted weaknesses in addressing corruption and victim identification and protection, along with recommendations for improvement. The government continued to fund anti-trafficking information and education campaigns targeting potential trafficking victims, including children. The Ministry of Culture and Information funded radio and television programs, as well as the publication of newspaper articles and web-publications, designed to prevent trafficking by raising public awareness. In July 2015, the MVD began a 25-day public information campaign in commemoration of International Day against Human Trafficking. During the campaign, police participated in TV and radio programs, conducted presentations at hospitals and tourist information and construction offices, and organized flash mobs at sporting events to raise public awareness of human trafficking. The MVD also distributed information in parks, shopping malls, rail stations, airports, hotels, and markets that included the number for the national anti-trafficking hotline. The hotline received more than 1,525 calls in 2015, which led to the investigation of five cases of human trafficking. The government also allocated approximately 9,800,000 KZT (\$51,800) to NGOs for prevention projects, including public awareness campaigns, compared to 7,492,500 KZT (\$41,100) during the previous year. The government did not take any action to reduce the demand for commercial sex or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel.

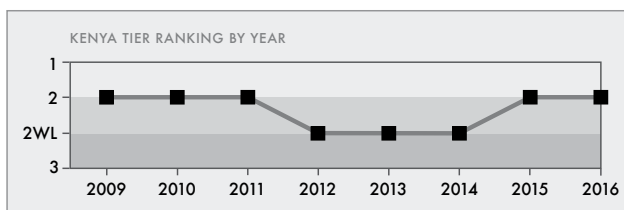
KENYA: Tier 2

Kenya is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Within the country, children are subjected to forced labor in domestic service, agriculture, fishing, cattle herding, street vending, and begging. Girls and boys are also exploited in prostitution throughout Kenya, including in sex tourism on the coast; at times, their exploitation is facilitated by women in prostitution, “beach boys,” or family members. Children are also exploited in sex trafficking by people working in *khat* (a mild narcotic) cultivation areas, near Nyanza’s gold mines, along the coast by truck drivers transporting stones from quarries, and by fishermen on Lake Victoria. Kenyans voluntarily migrate to other East African nations, South Sudan, Angola, Europe, the United States, and the Middle East—particularly Saudi Arabia, Lebanon, Kuwait, Qatar, United Arab Emirates

(UAE), and Oman—in search of employment, where at times they are exploited in domestic servitude, massage parlors and brothels, or forced manual labor. NGOs reported that internally displaced persons, particularly those who live close to a major highway or local trading center, are most vulnerable to trafficking. Gay and bisexual Kenyan men are deceptively recruited from universities with promises of overseas jobs, but are forced into prostitution in Qatar and UAE. Nairobi-based labor recruiters maintain networks in Uganda that recruit Rwandan and Ugandan workers through fraudulent offers of employment in the Middle East and Asia. Kenyan women are subjected to forced prostitution in Thailand by Ugandan and Nigerian traffickers.

Children from East Africa and South Sudan are subjected to forced labor and sex trafficking in Kenya; Kenyan children may endure similar exploitation in these countries. Kenya's largest refugee camp complex, Dadaab, hosts hundreds of thousands of refugees and asylum-seekers, and the security situation limits some humanitarian access, assistance, and protective services. A 2012 survey by a local NGO found fear of recruitment into terrorist organization al-Shabaab, especially of children, was a concern of a small percentage of respondents. Some children in Kenya-based refugee camps may endure sex trafficking, while others are taken from the camps and forced to work on tobacco farms. Trucks transporting goods from Kenya to Somalia returned to Kenya with girls and women subsequently placed into brothels in Nairobi or Mombasa. Indian women recruited to work in *mujra* dance clubs in Nairobi face debt bondage, which they are forced to pay off by dancing and performing sex acts.

The Government of Kenya does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Counter-Trafficking in Persons Advisory Committee (advisory committee) met regularly and began developing a data collection mechanism to improve tracking of anti-trafficking efforts across Kenya's 47 counties. The advisory committee established and implemented its annual work plan; its accomplishments in 2015 included developing standard operating procedures for prosecutors and training approximately 50 trainers from key anti-trafficking officials. The government reported substantially increased trafficking prosecutions and convictions. In 2015, the government identified 153 child trafficking victims in only three of Kenya's 47 counties. The government allocated seven million Kenyan shillings (approximately \$70,000) to the victim assistance fund for the first time during the reporting period. The government developed national referral mechanism (NRM) guidelines to assist stakeholders in referring potential victims of trafficking to services. The Ministry of Labor (MOL) developed new policies for Kenyans seeking employment opportunities abroad to ensure their work contracts comply with specific standards set within the ministry; however, the policies were not implemented by the end of the reporting period. The government did not provide adequate protective services to adult victims subjected to trafficking within the country or identified in situations of forced labor or prostitution overseas. In September 2015, an MOL taskforce provided a report to the cabinet secretary concluding that unskilled workers were the most vulnerable to exploitation and made recommendations for ways to address this issue as well as ways to regulate recruitment agencies, especially unregistered ones. Government funding and resource limitations remained a concern.



RECOMMENDATIONS FOR KENYA:

Increase protective services available to adult trafficking victims, particularly those identified in and returned from the Middle East; implement a formal process for law enforcement officials to refer trafficking victims for assistance, including adult trafficking victims and repatriated Kenyans; ensure data collection is obtained from all 47 counties for anti-trafficking efforts, including victim assistance; vigorously investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including government officials suspected of complicity in human trafficking; provide additional training to all levels of the government, particularly front-line responders, on identifying and handling trafficking crimes; allocate adequate resources to police, labor, and social services staff to ensure implementation of the prosecution and protection mandates within the Counter-Trafficking in Persons Act of 2010; allocate sufficient resources for anti-trafficking efforts throughout the country; increase oversight of and accountability for overseas recruitment agencies; establish the board of trustees to oversee the National Assistance Trust Fund for Victims of Trafficking; utilize formal procedures to encourage victims' cooperation in the investigation and prosecution of trafficking crimes; and conduct awareness campaigns throughout the country, including rural areas.

PROSECUTION

The government increased law enforcement efforts. Section 1 of the Counter-Trafficking in Persons Act of 2010, which came into force in September 2012, prohibits all forms of trafficking and section 3(5) prescribes a sufficiently stringent minimum punishment of 15 years' imprisonment, which is commensurate with that of other serious crimes, such as rape. Sections 14, 15, and 17 of the Sexual Offenses Act of 2006 prohibit the facilitation of child sex tourism, child prostitution, and forced prostitution, and prescribe penalties of six to 20 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious offenses. Prosecutors, however, rarely pursued cases under these provisions of the act.

The government reported prosecution of 762 suspected traffickers and 456 convictions during the reporting period, in comparison to 65 prosecutions and 33 convictions the previous reporting period. Eighty-one cases ended in an acquittal. For the first time, the government received law enforcement data from all 47 counties, partially contributing to the significant increase in reported prosecutions and convictions. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking; however, a federal district court in California issued a default judgment awarding damages to a domestic worker who sued her former employer, a Kenyan consular officer, for exploitation. Corruption at all levels of the government remained a serious concern. During the reporting period, the government cooperated with foreign governments in the investigation of potential trafficking crimes. In September 2015, the advisory committee provided

anti-trafficking training to 30 senior Directorate of Criminal Investigation officials. The advisory committee developed standard operating procedures, including on responding to and prosecuting trafficking cases, and mandatory training requirements. During the reporting period, the government trained an unspecified number of officials on anti-trafficking. Nonetheless, training provided by the government during the reporting period remained insufficient in light of Kenya's considerable human trafficking problem.

PROTECTION

The government made inconsistent efforts to protect child trafficking victims, and efforts to identify and assist adult victims remained weak. Authorities identified 153 internal child trafficking victims (44 for forced labor, 11 for sex trafficking, the remainder unidentified) and did not report how many adult victims it identified. While the number of children identified decreased compared to 658 the previous reporting period, it was unclear whether this reflected the government's reporting of data from only three of 47 counties. Immigration officials continued to arrest, without screening, potential trafficking victims for traveling with forged documents. Authorities sometimes identified victims at subsequent court hearings, when the detainees provided additional information about their status. Immigration officials often conflated smuggling with trafficking; authorities recognized the need to train officials on identification of trafficking victims.

The government and advisory committee developed and implemented NRM guidelines to assist all relevant stakeholders, including law enforcement and social service officials, in referring potential victims of trafficking to appropriate services. Department of Child Services (DCS) children's officers continued to participate in police investigations, identify child trafficking victims, and provide them with counseling and *ad hoc* referrals to service providers. DCS and a local NGO continued to jointly operate a national 24-hour toll-free hotline for reporting cases of child trafficking, labor, and abuse; the hotline's main call center was located in a government-owned building in Nairobi. During the reporting period, the hotline received 1,195 reports of child trafficking; however, the government did not report disaggregating the statistics between labor exploitation and sex trafficking. DCS continued to operate eight drop-in referral centers in Eldoret, Garissa, Malindi, Siaya, Kakamega, Nairobi, Nakuru, and Mombasa that provided counseling, guidance, and referrals to other centers for an unknown number of victimized children, including trafficking victims, who could not return to their homes. DCS also funded and operated four rescue centers in Garissa, Malindi, Thika, and Machakos where child victims of violence, including trafficking victims, could stay for three months before returning home or being referred to NGO facilities. The government reported its centers provided assistance to all child victims identified during the reporting period.

The government made efforts to implement the 2014 Victim Protection Act, which aimed to improve support provided to all trafficking victims, including accommodation, food, medical treatment, psycho-social care, police protection, and the establishment of a fund to assist victims. During the reporting period, the government allocated seven million Kenyan shillings (\$70,000) to the victim assistance fund for the first time. The government provided minimal services to adult trafficking victims identified within the country or abroad. Kenya's diplomatic missions made limited efforts to assist Kenyan trafficking victims, primarily by facilitating contact between

victims and their families. While the MOL initiated efforts to send labor attaches to Kenyan missions abroad, especially in the Middle East, it did not complete this process by the end of the reporting period due to resource limitations. The Ministry of Foreign Affairs (MFA) began developing a system to assist Kenyan trafficking victims abroad; however, it was not finalized by the end of the reporting period. The government continued to provide *ad hoc* access to medical aid, shelter, counseling, or financial assistance to repatriated adult trafficking victims. The MFA maintained the assignment of one additional immigration officer to its embassies in the UAE and Saudi Arabia to expand provision of consular services to assist trafficking victims.

The government reported it had formal procedures to encourage victims' cooperation in the investigation and prosecution of trafficking crimes; however, there were no reports such procedures were used during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking. The Department of Immigration implemented the Kenyan Immigration Border Procedure Manual (KIBPM), which included guidelines and procedures for immigration officials to identify traffickers and victims, mandatory actions for officials once a suspected case of trafficking is identified, and a procedure for conducting interviews with victims to gather evidence on recruitment and exploitation of the victim. The government did not report whether the KIBPM was provided to all officials, including police officers. Under the anti-trafficking act, officials may grant permission for foreign trafficking victims to remain indefinitely in Kenya if it is believed they would face hardship or retribution upon repatriation; the government did not report using this provision during the reporting period.

PREVENTION

The government increased efforts to prevent human trafficking. The advisory committee, the governing body for anti-trafficking efforts, met regularly during the reporting period and implemented Kenya's national action plan for 2015-2020. Additionally, the advisory committee is working with partners to develop a database to share relevant ministry information across all 47 counties; in the interim, information is shared through DCS. The advisory committee through the represented offices and DCS disseminated awareness materials and case studies in efforts to educate local communities on potential indicators of trafficking.

The MOL developed new policies for Kenyans seeking employment opportunities abroad to ensure their work contracts comply with specific standards set within the ministry; however, the policies were not implemented by the end of the reporting period due to a lack of capacity within the ministry. In September 2015, MOL's taskforce to review the existing framework for the management and regulation of recruitment agencies produced a report on labor migration issues. MOL continued requiring agencies sourcing jobs abroad in the hospitality and service sectors to obtain MOL approval of all contracts prior to prospective migrants signing the contracts and departing for employment. The contracts, if a labor ministry officer deems the contract credible, are required to be signed before a labor ministry officer and applicants must register with the Kenyan embassy in the host country.

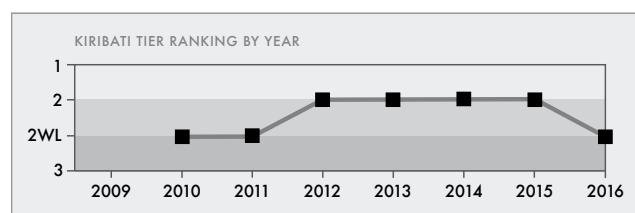
The government made efforts to reduce the demand for commercial sex acts, but did not report efforts to reduce demand for forced labor. The MFA provided anti-trafficking training for its diplomatic personnel and vetted employment

contracts between Kenyan foreign service officers posted abroad and their domestic workers to ensure that they were legally sufficient and provided for the interests of the domestic worker. The government's training for troops deployed overseas on international peacekeeping missions included a module on human rights, addressing human trafficking.

KIRIBATI: Tier 2 Watch List

Kiribati is a source country for girls subjected to sex trafficking within the country. Visiting ship crew members, mainly Asian men, exploit children and some women in commercial sex. A local NGO reported as many as 20 I-Kiribati girls, some as young as 15 years old, may be subject to child sex trafficking in local bars and hotels. Some I-Kiribati—including family members of potential victims, older women, and hotel and bar workers—may facilitate child sex trafficking by providing a venue for commercial sex with minors. Others fail to assist trafficking victims or alert authorities to situations of child sex trafficking. These girls generally receive financial support, food, alcohol, or goods in exchange for sexual services.

The Government of Kiribati 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 Kiribati is placed on Tier 2 Watch List. During the reporting period, the government conducted anti-trafficking training for police and welfare officials, conducted outreach programs on sexual violence and exploitation, and developed counselling guidelines for schools to enhance the protection of minors. While the government enacted the Employment and Industrial Relations Act, criminalizing the trafficking of children, it assigned penalties that were not sufficiently stringent for the crime. The government did not prosecute cases against potential traffickers or punish those who exploited or facilitated the commercial sexual exploitation of children. The government also did not employ procedures to proactively identify child sex trafficking victims, particularly among individuals in prostitution. It did not provide assistance to any victims or refer them to or support organizations that did so.



RECOMMENDATIONS FOR KIRIBATI:

Investigate and prosecute trafficking offenses, and convict and punish foreign crew members for the commercial sexual exploitation of children; ensure anti-trafficking laws criminalize the full scope of labor and sex trafficking, are not limited to cross-border movement, and prescribe penalties commensurate with other serious crimes; develop procedures for law enforcement officers and social service providers to interview women and children intercepted en route to or aboard international vessels, and at local bars and hotels, for evidence of trafficking; establish formal procedures for the identification of trafficking victims and their referral to domestic violence

and sexual offense officers for care; train front-line officers, including law enforcement, on victim identification techniques and interview procedures, and a victim-centered approach to facilitate increased trust between victims and officers; hold parents and guardians accountable—including under the 2013 Children, Young People and Family Welfare Act—for inducing children to engage in commercial sex acts; expand efforts to raise awareness about human trafficking in locations where perpetrators are known to seek potential victims; and focus on increasing public recognition that children in the commercial sex trade are trafficking victims rather than juvenile delinquents.

PROSECUTION

The government made limited law enforcement efforts to combat human trafficking. The Measures to Combat Terrorism and Transnational Organized Crime Act, as amended in 2008, criminalizes certain forms of human trafficking, prescribing penalties of up to 15 years' imprisonment for the trafficking of adults and 20 years' imprisonment for the trafficking of children. These penalties are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. The law defines trafficking as a transnational offense, requiring the entry of a person into Kiribati or any other State. Transnational trafficking is not known to occur in Kiribati or affect I-Kiribati. The government claimed internal trafficking could be prosecuted under this law; however, the statute does not appear to reach domestic crimes of exploitation, and there are no reports to indicate the government has ever attempted to prosecute a domestic trafficking case under the law. During the reporting period, the government passed and signed into law the Employment and Industrial Relations Act, which, for the first time, in parts XIII and XIV, specifically criminalizes the trafficking of children, including, respectively, both the use, procuring, or offering of a child for prostitution, the production of pornography and other similar offenses, and forced labor. For the prostitution and related offenses, the law imposes a \$5,000 fine, 10 years' imprisonment, or both; for forced labor, the penalty is a fine of \$100,000, a term of imprisonment of 25 years; or both. Although the law does criminalize both forms of child trafficking consistent with how those crimes are defined in international law, because the penalties include the possibility of a fine in lieu of prison time, they are not proportionate to the crime committed and not sufficiently stringent. In addition, the sanction for sex trafficking of children is not substantially similar to the sanction for other serious crimes, such as rape.

The government did not conduct any investigations in 2015, compared to zero investigations in 2014 and two investigations conducted against foreign fishing vessel owners in 2013. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government made no discernible efforts to protect trafficking victims, and did not identify or assist any victims in 2015. The government remained without procedures to identify trafficking victims proactively among vulnerable populations. Police may have encountered girls exploited by sex traffickers and clients in well-known meeting places, such as bars and hotels in Kiribati; however, officials did not formally screen this population and did not identify any trafficking victims among them or provide them with any protective or rehabilitative services. The government reported victims could be referred to religious organizations to access medical and psychological

services on an ad hoc basis; however, for the fourth consecutive year, it failed to refer any victims to such services or provide funding to these organizations. The Measures to Combat Terrorism and Transnational Organized Crime Act's victim protection provisions shield victims from prosecution for immigration crimes committed as a direct result of being subjected to trafficking; however, law enforcement efforts to combat prostitution potentially resulted in some trafficking victims being treated as law violators, for which the anti-trafficking act did not grant reprieve. Officials did not screen individuals detained for prostitution-related crimes to determine whether they were trafficking victims or verify their ages. The government did not develop or implement a referral process to transfer potential victims who are detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provide short- or long-term care. The Kiribati Immigration Ordinance gives the principal immigration officer the option to make exceptions or extensions to standard immigration rules in exigent circumstances, such as trafficking; given the lack of identified foreign victims, this provision remained unused.

PREVENTION

The government made limited efforts to prevent human trafficking. The government lacked a national action plan or a government agency to coordinate national anti-trafficking efforts. The Ministry of Women, Youth, and Social Affairs, in partnership with an international organization, continued to broadcast a radio show on child protection issues, including the commercial sexual exploitation of children. The police department's domestic violence and sexual offenses unit continued to operate two 24-hour hotlines for reporting exploitation and abuse, although no known allegations of human trafficking were received. The government did not make efforts to address child sex tourism in the country or reduce the demand for commercial sex or forced labor. While foreign fishing license regulations hold ship captains accountable for the presence of unauthorized persons on their vessels, the enforcement of these regulations did not result in the prosecution of traffickers or protection of victims. The Ministry of Labor reported reviewing the contracts of all I-Kiribati going overseas and conducting pre-departure briefings to ensure workers were aware of their rights and able to protect themselves from potential forced labor. The government did not provide anti-trafficking training to its diplomatic personnel.

KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF: Tier 3

The Democratic People's Republic of Korea (DPRK or North Korea) is a source country for men, women, and children who are subjected to forced labor and sex trafficking. Government oppression in the DPRK prompts many North Koreans to flee the country in ways that make them vulnerable to human trafficking in destination countries. Within North Korea, forced labor is part of an established system of political repression. The government subjects its nationals to forced labor through mass mobilizations and in North Korean prison camps. Many North Korean government-contracted laborers in foreign countries also face conditions of forced labor. North Korea holds an estimated 80,000 to 120,000 prisoners in political prison camps in remote areas of the country. In many cases, these prisoners have not been charged with a crime or prosecuted, convicted, or sentenced in a fair, judicial hearing. In prison

camps, all prisoners, including children, are subject to forced labor, including logging, mining, or farming for long hours under harsh conditions. Political prisoners are subjected to unhygienic living conditions, beatings, torture, rape, a lack of medical care, and insufficient food. Many prisoners do not survive. Furnaces and mass graves are used to dispose the bodies of those who die in these prison camps. The North Korean government operates regional, local, or sub-district level "labor training centers" and forces detainees to work for short periods doing hard labor, receiving little food, and subject to abuse, including regular beatings. Authorities reportedly send people to such centers if they are suspected of engaging in simple trading schemes or are unemployed.

The North Korean government sends laborers to work abroad under bilateral contracts with foreign governments. The majority work in Russia and China, but Middle Eastern, African, European, and Asian countries also host North Korean laborers. Credible reports show many North Korean workers under these contracts are subjected to conditions indicative of forced labor, such as working excessively long hours in hazardous temperatures with restricted pay, for up to three years. Their movement and communications are monitored and restricted by North Korean government "minders." North Koreans sent overseas do not have a choice in the work the government assigns them and are not free to change jobs. These workers face threats of government reprisals against them or their relatives in North Korea if they attempt to escape or complain to outside parties. Workers' salaries are appropriated and deposited into accounts controlled by the North Korean government, which justifies its retention of most of the money by claiming various "voluntary" contributions to government endeavors. Workers receive only a fraction of the money paid to the North Korean government for their work and face punishment if they fail to meet production or work targets. Wages of some North Korean workers employed abroad reportedly are withheld until the laborers return home, increasing their vulnerability to coercion and exploitation by authorities. Other reports note these laborers work on average between 12 and 16 hours a day, and sometimes up to 20 hours per day, and are allowed only one or two rest days per month.

The DPRK government system of harsh punishment through forced labor camps or the death penalty can fuel trafficking in neighboring China. Many of the estimated 10,000 North Korean women and girls who have migrated illegally to China to flee from abuse and human rights violations are particularly vulnerable to trafficking, and traffickers reportedly lure, drug, detain, or kidnap some North Korean women upon their arrival. Others offer jobs but subsequently force the women into prostitution, domestic service, or agricultural work through forced marriages. These women are subjected to sexual slavery by Chinese or Korean-Chinese men, forced prostitution in brothels or through Internet sex sites, or compelled service as hostesses in nightclubs or karaoke bars. If found by Chinese authorities, victims are often forcibly repatriated to North Korea where they are subject to harsh punishment, including forced labor in labor camps or death.

The Government of North Korea 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 demonstrate any efforts to address human trafficking through prosecution, protection, or prevention measures. The government participated in human trafficking through its use of forced labor in prison camps and labor training centers, and its provision of forced labor to foreign governments through

bilateral contracts. It failed to protect trafficking victims when they were forcibly repatriated from China or other countries.



RECOMMENDATIONS FOR THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA:

End the use of forced labor in prison camps and among North Korean workers abroad; end the use of the death penalty and other harsh sentences for victims who are forcibly repatriated from destination countries, and provide assistance to trafficking victims in North Korea and to North Koreans repatriated from abroad; criminalize human trafficking and recognize it as a distinct crime from human smuggling; investigate and prosecute trafficking cases, and convict trafficking offenders; establish transparent, bilateral work contracts used to deploy North Korean laborers to neighboring countries; eliminate coercion tactics used to monitor the movements and communications of workers in these contracts; forge partnerships with international organizations and NGOs to combat human trafficking; allow North Koreans to receive fair wages, choose their form of work, and leave their employment at will; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made no known anti-trafficking law enforcement efforts. DPRK laws do not prohibit all forms of trafficking in persons. Fair trials did not occur in North Korea, and the government did not provide transparent law enforcement data during the reporting period. The government did not explain what provisions of law, if any, were used to prosecute trafficking offenses or protect victims. During the reporting period, there were no known investigations or prosecutions of trafficking offenses, or convictions of traffickers. The government did not report whether it provided any anti-trafficking training to its officials. The government did not report any investigations or prosecutions of government officials for alleged complicity in human trafficking offenses.

PROTECTION

The government reported no efforts to identify or assist trafficking victims. Government authorities did not provide protective services to trafficking victims and did not permit NGOs to provide these services. The government did not exempt victims from being penalized for unlawful acts committed as a direct result of being subjected to trafficking, and there was no screening of forcibly repatriated North Koreans to determine if they were trafficking victims.

North Koreans forcibly repatriated by Chinese authorities, including women believed to be trafficking victims, were sent to prison camps, where they were subjected to forced labor, and possible torture and sexual abuse by prison guards. North Korean defectors reported instances of the government executing trafficking victims forcibly repatriated from China. Article 30 of the criminal code partially suspends civil rights of prison camp inmates; government officials used this provision to

abuse victims in prison camps. The government reportedly subjected some repatriated victims who were pregnant to forced abortions and reports indicate that infants born to repatriated victims while in prison were killed. An estimated 20,000 to 30,000 children born to women from the DPRK live in China and reports show some are unable to be registered upon birth, rendering them stateless and vulnerable to possible exploitation.

PREVENTION

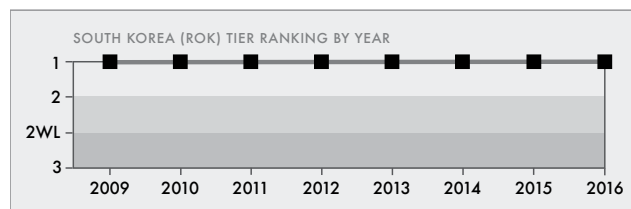
The government made no efforts to prevent human trafficking. Government oppression in the DPRK prompted many North Koreans to flee the country in ways that made them vulnerable to human trafficking in destination countries. The DPRK made no efforts to raise awareness of human trafficking, train government officials, or screen migrants along the border for signs of trafficking. DPRK authorities made no discernible efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel. North Korea is not a party to the 2000 UN TIP Protocol.

KOREA, REPUBLIC OF: Tier 1

The Republic of Korea (ROK or South Korea) is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. South Korean women are subjected to forced prostitution in South Korea and abroad. Some South Korean women enter destination countries on tourist, work, or student visas, and are forced into prostitution in massage parlors, salons, bars, restaurants, or through internet-advertised escort services. Some victims who owe debts to entertainment establishment owners or loan sharks are forced into prostitution. Some disabled or intellectually disabled Korean men are forced to work on salt farms where they experience verbal and physical abuse, non-payment of wages, long work hours, and poor working and living conditions. South Korean children are vulnerable to sex trafficking and commercial sexual exploitation through online recruitment. In need of money for living expenses and shelter, some runaway girls are subjected to sex trafficking.

Men and women from China, the Philippines, Vietnam, Indonesia, and other countries in Asia, the Middle East, and South America are subjected to forced labor in South Korea; some women from these regions are subjected to forced prostitution. Migrant workers, especially those from Vietnam, China, and Indonesia, can incur thousands of dollars in debt, contributing to their vulnerability to debt bondage. Approximately 500,000 low-skilled migrant workers, many employed under the government's employment permit system, work in fishing, agriculture, livestock, restaurants, and manufacturing; some of these workers face conditions indicative of forced labor. Some foreign women on E6-2 entertainment visas—mostly from the Philippines, China, and Kyrgyzstan—are subjected to forced prostitution in entertainment establishments near ports and U.S. military bases. Some women from China, Vietnam, Thailand, the Philippines, and Cambodia who are recruited for marriage to South Korean men through international marriage brokers are subjected to forced prostitution or forced labor after their arrival. South Korean men engage in child sex tourism in Vietnam, Cambodia, Mongolia, and the Philippines. The ROK is a transit point for Southeast Asian fishermen subjected to forced labor on fishing ships bound for Fiji and other ports in the Pacific.

The Government of the Republic of Korea fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government ratified the UN Convention against Transnational Organized Crime and the 2000 UN TIP Protocol. Authorities investigated 421 reported cases linked to human trafficking, indicted 146 cases involving 214 defendants, and obtained 64 trafficking convictions. The government conducted public awareness campaigns and maintained efforts to train public officials on anti-trafficking investigation procedures, victim identification, and victim protection. Despite the alignment of written law with anti-trafficking international standards, the government continued to narrowly define “trafficking” in practice, applying laws with lower penalties to trafficking crimes and failing to follow victim-centered procedures in law enforcement operations.



RECOMMENDATIONS FOR THE REPUBLIC OF KOREA:

Increase efforts to investigate, prosecute, and convict traffickers under the criminal code and ensure convicted offenders receive sufficiently stringent sentences; train law enforcement officers, prosecutors, and judicial officials to interpret “trafficking” as defined in the criminal code—not requiring kidnapping, buying and selling, force, or confinement; proactively identify trafficking victims among vulnerable populations—including individuals arrested for prostitution, disabled persons, and migrant workers in all visa categories—using standard victim identification guidelines; actively inspect industries with high potential for exploitation, such as salt farms, rather than relying on self-reporting of abuse by victims; proactively investigate and prosecute South Koreans engaging in sex acts with child sex trafficking victims in South Korea and abroad; increase monitoring of and establish measures to address trafficking vulnerabilities in South Korean government-issued entertainment visas, including verifying contracts and monitoring sponsoring establishments; and continue to investigate and prosecute those who use forced labor on South Korean-flagged fishing vessels.

PROSECUTION

The government sustained anti-trafficking law enforcement efforts. Chapter 31 of the criminal code prohibits all forms of trafficking and prescribes up to 15 years’ imprisonment for trafficking crimes; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government continued to use the less stringent 2004 Act on the Punishment of Acts of Arranging Sexual Traffic, the Labor Standards Act, and the Act on the Protection of Children and Juveniles against Sexual Abuse to prosecute and punish most trafficking offenses. The government investigated 421 reported human trafficking cases, indicted 214 suspects, and convicted 64 traffickers. Most of the convicted traffickers received sentences of less than three years’ imprisonment, with fines and community service, but many offenders received suspended sentences in practice. Prosecutors and police officers complained of inconsistent application of immigration regulations and

actual time served by those convicted. After a March 2014 case involving hundreds of disabled South Korean men exploited in salt farms, the government inspected over 800 salt farms and convicted 40 owners and brokers for various violations. However, more than half of those received suspended sentences, and employers subsequently began to evade inspection by having employees register as owner-operators of small plots of land. The Ministry of Justice and National Police Agency (NPA) held a series of training courses and seminars throughout the year for prosecutors, judges, and law enforcement officers on anti-trafficking issues, identification of victims, and victim protection. Prosecutors indicted two postal workers for running a prostitution ring and also indicted a police officer who attempted to assist them.

PROTECTION

The government sustained efforts to protect and assist trafficking victims. In 2015, NPA created a new victim protection division responsible for guiding crime victims, including trafficking victims, from the initial point of contact with law enforcement to protection and support systems. The government identified and assisted 58 foreign sex trafficking victims, compared with 58 in 2014; statistics for South Korean or foreign labor trafficking victims were unavailable. Although the government established sex trafficking victim identification guidelines in 2013 and implementation remained ongoing, many law enforcement officers reported not knowing about them, and the government continued to lack labor trafficking victim identification guidelines. Ministry of Gender Equality and Family (MOGEF) continued to support 91 facilities that provide services specifically to sex trafficking victims, and 8,410 persons used those facilities or services in 2015. Ministry of Employment and Labor (MOEL) operated 39 foreign workers’ support centers and funded NGOs that offered similar services; hundreds of workers, some of whom were trafficking victims, received counseling, education, job training, and lodging. NPA continued to work with social workers when screening women involved in prostitution to identify and assist potential trafficking victims. Although the law provides that trafficking victims would not be punished, women in prostitution caught during police raids or arrested migrant workers were fined, required to attend training, or deported, without being screened for indicators of trafficking. Police reportedly forced some victims to recreate incidents in bars and clubs, and allowed club owners suspected of trafficking crimes to meet with victims held in detention where they may have threatened victims. The government maintained an extensive network of support centers for foreign-born spouses and runaway teenagers, two groups vulnerable to trafficking. The government offered foreign victims legal alternatives to their removal to countries in which they may face hardship or retribution. As an incentive to encourage trafficking victims to participate in investigations and prosecutions, the government issued G-1 visas with permission to work for up to one year. Victims could file a civil suit to receive restitution, but it is unclear how many victims pursued this option.

PREVENTION

The government increased efforts to prevent trafficking. In November 2015, the government ratified the UN Convention against Transnational Organized Crime and the 2000 UN TIP Protocol. In partnership with 16 city and provincial offices and over 200 agencies, MOGEF sponsored the first “Sex Trafficking Prevention Week” through the promotion of ROK anti-prostitution policies, online materials, public service announcements, and events to raise awareness of the dangers

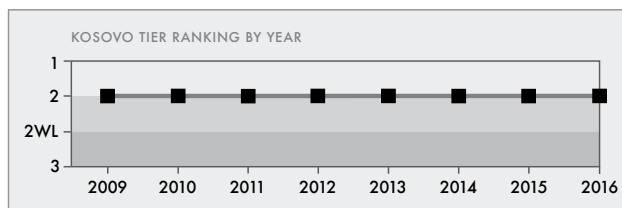
of sex trafficking. To mark the start of the campaign, MOGEF convened an international anti-sex trafficking symposium with participation from international experts. NPA conducted inspections to enforce laws prohibiting sex trafficking and labor trafficking in the fishing industry and sex trafficking and recruitment among tourists and tour groups. MOEL inspected 8,000 businesses employing minors, 506 businesses with at-risk female employees, and 3,000 businesses with foreign workers. MOGEF continued to operate hotlines in 13 languages accessible to trafficking victims, and the Ministry of Oceans and Fisheries continued to operate a hotline for foreign crew members. MOEL educated 4,552 persons on anti-labor trafficking laws and policies, and the government supported anti-sex trafficking programs in schools. The government lacked a trafficking-specific national plan of action, but included proposed anti-trafficking efforts in its human rights national action plan. To address demand for forced labor, the government continued to educate salt farm owners on labor rights and standards following the discovery of widespread abuses in 2014. To curb the demand for commercial sex acts, the government carried out awareness campaigns at airports, railroad stations, and with travel agencies. South Korean men remained a source of demand for child sex tourism in Southeast Asia and the Pacific Islands, traveling primarily on travel-agency-organized golf group tours or business trips. The government denied passport issuance to 15 South Koreans for engagement in sex tourism abroad; however, it did not prosecute or convict any South Korean sex tourists. The government continued to provide anti-trafficking training to troops prior to their deployment abroad on international peacekeeping missions and anti-trafficking training to its diplomatic personnel.

KOSOVO: Tier 2

Kosovo is a source and destination country for men, women, and children subjected to sex trafficking and forced labor, including in the restaurant industry. Most sex trafficking victims in Kosovo are girls, though Kosovo criminal groups also force women from Albania, Moldova, Romania, Serbia, and other European countries into prostitution. Women and girls are subjected to sex trafficking in private homes and apartments, night clubs, and massage parlors. Traffickers offer employment as dancers and singers in restaurants—and sometimes false marriage promises—but then force victims into sex trafficking. Traffickers increasingly use social media to recruit victims. Children from Kosovo and neighboring countries are forced to beg within the country. During the reporting period, authorities identified children exploited as dancers and escorts, who are also vulnerable to sex trafficking. Traffickers subject Kosovo citizens to forced prostitution and forced labor throughout Europe. Government corruption creates an environment that enables some trafficking crimes. Several police officers, labor ministry employees, and other government officials have been charged with or convicted of trafficking crimes.

The Government of Kosovo does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government licensed two NGO shelters to exclusively serve trafficking victims, increased funding for the shelters, and offered shelter and services to all victims identified in 2015. It implemented procedures to screen for trafficking among vulnerable populations, appointed a coordinator for national anti-trafficking efforts, and began implementation of its national action plan, including disbursing funds to support the plan's activities. However, the government

identified fewer victims and prosecuted fewer suspects than the previous year, convictions decreased to a five-year low, and judges imposed lenient sentences on convicted traffickers. Furthermore, while complicit officials faced administrative action for involvement in trafficking crimes, courts formally acquitted them of trafficking charges. The government continued to lack a victim compensation fund required by law, and the national anti-trafficking agency was inactive for much of the reporting period.



RECOMMENDATIONS FOR KOSOVO:

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose sufficiently stringent sentences, including imprisonment; fully implement the provisions of the 2015 Law on Crime Victims Compensation, including establishing a victim compensation fund and disbursing funds to trafficking victims; provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions; train officials on screening for trafficking among individuals in prostitution, migrants, and other at-risk populations, and uniformly implement such protocols; enhance efforts to identify and assist children subjected to forced begging; reduce the backlog of trafficking cases to ensure all cases of suspected trafficking are thoroughly investigated; establish shelters in the northern municipalities to assist trafficking victims in those regions; and allow trafficking victims freedom of movement in all shelters.

PROSECUTION

The government decreased its anti-trafficking law enforcement efforts. While it initiated slightly more trafficking investigations, it significantly decreased prosecutions and convictions and continued to impose inadequate sentences on traffickers. Article 171 of Kosovo's criminal code prohibits all forms of trafficking and prescribes punishments of five to 12 years' imprisonment and a fine of up to 500,000 euros (\$544,069). These punishments are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. When sex trafficking offenses involve minors or a group of victims subjected to sex trafficking, the penalties increase to 15-20 years' imprisonment and a fine. Other articles in the criminal code prohibit various types of trafficking: article 169 prohibits slavery, slavery-like conditions, and forced labor; article 231 prohibits taking sexual services from a trafficking victim; article 241 prohibits facilitating or compelling prostitution; and article 242 prohibits the provision of facilities for prostitution.

Authorities investigated 165 possible cases of trafficking during the reporting period, an increase from 155 cases in 2014. The government initiated 53 trafficking prosecutions, a decrease from prosecutions of 93 suspects in 33 cases in 2014. Courts convicted 13 traffickers, a significant decrease from 41 convictions in 2014, and Kosovo's lowest number of trafficking convictions since 2010. Judges continued to issue sentences far below the minimum penalty of five years' imprisonment; all sentences issued for trafficking offenses in 2015 were for less

than three-and-a-half years' imprisonment. The government did not disaggregate law enforcement statistics to demonstrate action against both sex and labor trafficking. As in previous years, the backlog of trafficking cases grew during the reporting period; 88 trafficking cases remained in the court system from previous years, and 95 cases remained open at the end of 2015.

Official complicity in trafficking offenses remained a significant concern. Though the government fired and retired several officials during the year for malfeasance, including some for human trafficking crimes, these same persons were acquitted of criminal charges, as in previous years. The government initiated one prosecution against a municipal official for the misuse of an official position and sexual exploitation of trafficking victims; the suspect remained under arrest at the end of the reporting period—receiving half of his salary—while the case was pending. In July 2014, police arrested a municipal official for alleged sexual exploitation of a trafficking victim; the government fired the suspect due to the allegation, but the judge acquitted him of all trafficking charges during the reporting period. Citing a lack of evidence, prosecutors dismissed a case initiated in 2014 involving a police officer suspected of abuse of official position and sexual exploitation; he resumed his official duties. In 2014, courts convicted two labor ministry officials for abuse of official position for issuing work permits to 22 foreign workers, later identified as trafficking victims, and fined each official 3,000 euros (\$3,650); however, the officials were acquitted of trafficking in persons and organized crime charges and allowed to resume their official duties. Prosecutors appealed the sentences, alleging the officials had knowledge the foreign workers were trafficking victims. The officials are being retried for trafficking in persons and organized crime; the appeal was ongoing at the end of 2015. The government funded and conducted 11 anti-trafficking workshops for 15 members of the anti-trafficking special police force, compared with 24 trainings held in 2014. The government exchanged information with foreign countries on 30 trafficking cases, engaged in joint trafficking investigations with four countries, and signed law enforcement cooperation agreements with two countries that include collaboration on anti-trafficking law enforcement efforts.

PROTECTION

The government identified fewer trafficking victims but modestly increased its victim protection efforts and its capacity to provide assistance. Specialized police units identified 28 trafficking victims in 2015, a continued decrease from 42 victims identified in 2014 and 51 in 2013. Of the 28 victims, 17 were adults and 11 were children; 17 were victims of sexual exploitation and 11 were subjected to forced labor, including one in forced begging, one in domestic servitude, and five children as dancers and escorts. The majority of victims identified were Kosovo citizens, and others came from Albania and Serbia.

The government provided 181,925 euros (\$197,959) to one government-run shelter and two NGO-run shelters for dedicated trafficking victim assistance in 2015, compared with 171,699 euros (\$186,832) in 2014. The government had provided an additional 344,994 euros (\$420,000) to NGO shelters in 2014 to assist victims of crime, including trafficking victims, but did not provide such funding in 2015. The government placed 18 of the 28 identified victims in government-run or NGO shelters. The remaining 10 victims declined government assistance and opted to return to their families. Victims had access to nine care facilities during the reporting period, though none were located in the country's four northern municipalities.

Authorities could place child trafficking victims in a shelter designated solely for child victims of violence, and foster care was available for long-term care. In May 2015, the government licensed two existing and government-funded NGO-run shelters serving victims of various crimes to provide services exclusively to trafficking victims; including the existing government-run trafficking shelter, this increased the total number of trafficking-specific victim shelters to three. The government maintained a high security shelter opened in 2013 that housed male and female victims separately. Victims determined to be at low risk of further exploitation typically stayed in NGO-run shelters, while those at medium or high risks were typically placed in the state-run shelter. Adult victims could not leave the high security shelter unchaperoned at will but could do so from the NGO-run shelters based on a risk assessment; one NGO shelter allowed victims to leave freely without assessment. The government had formal procedures to identify trafficking victims and refer them to government or NGO-run shelters for short-term and long-term care, and officials employed these procedures during the reporting period. The Ministry of Health and NGOs jointly funded NGO-conducted trainings for health-care professionals on identifying trafficking victims and the ministry's policies for the provision of services to trafficking victims and victims of domestic abuse.

The government encouraged victims to participate in investigative and judicial processes by providing protection at the high-security shelter, accommodation and care at other facilities, and participation in the witness protection program, if necessary. Victim advocates or social workers were present when police interviewed potential victims of trafficking, and they also informed victims of the rehabilitation services available and provided legal advice. All 28 victims provided statements to the police, prosecutors, and pre-trial judges. Kosovo law requires authorities to provide foreign victims a 30 to 90-day reflection period after identification in which victims can recover before deciding whether to cooperate with law enforcement. Victims who were witnesses in criminal proceedings could return to their countries of origin without waiting for the conclusion of the trial. The government was authorized to provide temporary residence permits to foreign victims for at least six months, but there are no reports any victims applied for a permit during the reporting period. A 2013 trafficking victim protection law required the government to establish and fund a victim compensation fund. The government adopted the Law on Crime Victims Compensation during the reporting period—which includes trafficking victims as beneficiaries—and allocated 500,000 euros (\$545,000) to the law's victim compensation fund. However, the law had not been implemented at the end of the reporting period; thus, payments could not be disbursed. During the reporting period, the Ministry of Interior implemented procedures for the proactive screening for trafficking among migrants, people in prostitution, and other vulnerable groups. The ministry trained law enforcement on such procedures, and they were employed in practice. There were no reports the government punished victims of trafficking for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government continued efforts to prevent trafficking. During the year, it formally adopted its 2015-2019 anti-trafficking national action plan, drafted with support from NGOs and international experts. The government began to implement the plan, including allocating resources and disbursing 288,000 euros (\$313,384) towards the plan's implementation. In

September, the government appointed a new national anti-trafficking coordinator, a position that had been vacant since December 2014. Because the coordinator was responsible for convening the national anti-trafficking agency, it was not until October 2015 that the agency held its first 2015 meeting and began to monitor member agencies' efforts to implement the national action plan. The government's awareness-raising efforts included a one-month campaign aimed at potential child trafficking victims, including artwork and essay contests in 12 schools on preventing trafficking; information sessions with school staff and parents on trafficking prevention; and the distribution of manuals to staff in 268 schools on combating trafficking. The government did not demonstrate efforts to reduce the demand for forced labor or commercial sex acts. The government provided anti-trafficking training for its diplomatic personnel and provided them a manual to aid in identifying trafficking victims.

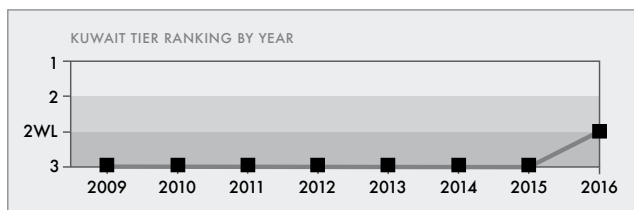
KUWAIT: Tier 2 Watch List

Kuwait is a destination country for men and women subjected to forced labor and, to a lesser degree, forced prostitution. Men and women migrate from South and Southeast Asia, Egypt, the Middle East, and increasingly throughout Africa to work in Kuwait, mainly in the domestic service, construction, hospitality, and sanitation sectors. Reports indicate the Democratic People's Republic of Korea (DPRK) has sent over 4,000 North Korean laborers to Kuwait for forced labor on construction projects through a North Korean company operated by the Workers' Party of Korea and the North Korean military. According to these reports, employees work 14 to 16 hours a day while the company retains 80 to 90 percent of the workers' wages, and monitors and confines the workers, who are in very poor health due to lack of adequate nutrition and health care. While Filipino, Indian, and Sri Lankan women continue to represent a significant percentage of Kuwait's domestic worker population, in the last few years there has been a continued increase in migrants from Ethiopia, Uganda, Kenya, Sierra Leone, Nigeria, Tanzania, The Gambia, Liberia, and Madagascar. Limitations imposed by Asian source-country governments on the recruitment of domestic workers led Kuwaiti labor agencies to recruit more migrant workers from Africa. Though most migrants enter Kuwait voluntarily, upon arrival some sponsors subject migrants to forced labor, including through non-payment of wages, long working hours without rest, deprivation of food, threats, physical or sexual abuse, and restrictions on movement, such as confinement to the workplace and the withholding of passports. Many of the migrant workers arriving in Kuwait have paid exorbitant fees to labor recruiters in their home countries or are coerced into paying labor broker fees in Kuwait which, according to Kuwaiti law, should be paid by the employer—a practice making workers highly vulnerable to forced labor, including debt bondage. Some labor recruiting companies have been complicit in trafficking with their use of deceptive recruiting techniques to bring in migrant workers on the basis of unenforceable contracts and nonexistent positions, while promising employers workers who are well-trained but turn out to be unskilled.

Kuwait's sponsorship law—which ties a migrant worker's legal residence and valid immigration status to an employer—restricts workers' movements and penalizes them for leaving abusive workplaces; as a result, domestic workers are particularly vulnerable to forced labor inside private homes. Many workers report experiencing work conditions substantially different from those described in the contract; some workers never see

the contract at all and others receive Arabic or English-language contracts they are unable to read. In addition, sources report runaway domestic workers are sometimes exploited in forced prostitution by agents or criminals, who manipulate their illegal status.

The Government of Kuwait does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government investigated six cases and prosecuted 20 traffickers during the reporting period in comparison to none the previous year. For the first time, it convicted eight traffickers under the 2013 anti-trafficking law. In 2015, the government established the anti-human trafficking department under the Ministry of the Interior (MOI) as the national coordinating body on human trafficking issues. The anti-human trafficking department functions as a law enforcement agency and conducted several raids per week during the reporting period. Additionally, it maintained a hotline for trafficking-related concerns in Arabic and English during the reporting period. In June 2015, the National Assembly passed law no.69, which improved protections for domestic workers. The government also created a centralized, government-sponsored domestic labor recruiting company to act as a single center for recruiting and managing the domestic labor force, as well as overseeing the implementation of the new domestic labor law and all recruiting companies that hire domestic workers. Nonetheless, it was not implemented, as the by-laws were not approved and the law had not been published in the official gazette by the end of the reporting period. The government continued its efforts to prevent trafficking during the reporting period by conducting investigations into illegal recruitment agencies, including those allegedly involving government officials, leading to the arrest and referral of 336 violators for prosecution out of 1,386 investigations. Nonetheless, it remained unclear how many of these cases were investigated under the 2013 anti-trafficking legislation. Existing laws do not provide adequate prosecutorial power or punishments for those operating labor recruiting firms. The government implemented formal procedures to identify or refer trafficking victims; however, it did not apply them in many cases and victims of trafficking continued to be arrested, detained, and deported. Emerging efforts to issue exit and travel documents to abused workers whose passports had been confiscated continued, but were not accompanied by any enforcement activities against the employers from whom the workers had fled.



RECOMMENDATIONS FOR KUWAIT:

Significantly increase law enforcement efforts to investigate, prosecute, and convict trafficking offenses, including those perpetrated by Kuwaiti citizens, under the 2013 anti-trafficking law; fully implement domestic labor law no.69 to ensure domestic workers receive appropriate rights and protections; prosecute and convict sponsors who subject domestic workers to involuntary servitude; enforce laws against sponsors and employers who illegally hold migrant workers' passports; establish standard operating procedures for investigations and prosecutions of trafficking crimes; coordinate with the

public prosecutor's office to amend current laws to allow for the prosecution of labor recruiting firms; establish formal procedures to proactively identify and refer to protection services all victims of human trafficking; train law enforcement officials and social workers to identify trafficking victims proactively among vulnerable populations, and screen for human trafficking victims during migrant round-ups; establish linkages between emerging victim care efforts and law enforcement activities; continue to train shelter staff in providing services to potential trafficking victims; ensure the availability of shelter and services to male victims, sex trafficking victims, and forced labor victims outside of the domestic worker context; increase effective coordination between ministries through the inter-ministerial anti-trafficking committee; develop and implement an updated multi-year national anti-trafficking strategy and action plan; and increase efforts to raise awareness and prevent trafficking.

PROSECUTION

The government improved its legal structure and increased its anti-trafficking law enforcement efforts during the reporting period. Anti-trafficking legislation enacted in 2013 prohibits all forms of trafficking and prescribes penalties ranging from 15 years' to life imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government enacted a labor law for the protection of domestic workers' rights; however, the law was not fully implemented by the end of reporting period. Law no.69 guarantees domestic workers one day off per week, 30 days of annual paid leave, a 12-hour work day and a one-time end-of-service award of one month's salary per year worked.

In 2015, the government investigated six cases involving 20 traffickers. It prosecuted all 20 traffickers during the reporting period, in comparison with none the previous year. The government convicted eight traffickers under the 2013 anti-trafficking law, in comparison with none the previous reporting period; five traffickers were acquitted and seven prosecutions remained pending at the end of the reporting period. In June 2015, the government established the anti-human trafficking department under MOI, which began investigating and referring trafficking cases. It also released a human trafficking handbook for its employees as a manual providing guidance on implementation of the anti-trafficking law. In November 2015, for the first time, MOI's anti-trafficking and public morals department investigated and referred a suspected forced labor case to the public prosecutor's office. The case involved a Syrian national who detained, coerced, and sexually abused six Filipino domestic workers. The government investigated visa fraud rings, allegedly involving complicit officials, including in MOI, the Ministry of Social Affairs and Labor (MOSAL), and the Ministry of Commerce and Industry, as well as members of the ruling Al-Sabah family; however, it did not provide any information on its efforts to prosecute and convict officials complicit in trafficking or trafficking-related offenses. The government remained reluctant to prosecute Kuwaiti citizens for trafficking offenses. Kuwaiti law enforcement treated cases of forced domestic labor as administrative infractions, and punishment was limited to assessing fines, shutting down employment firms, issuing orders for employers to return withheld passports, or requiring employers to pay back-wages. Although the withholding of workers' passports is prohibited under Kuwaiti law, this practice remained common among sponsors and employers of foreign workers; the government demonstrated no efforts to enforce this prohibition. It remained common to find domestic workers who took refuge in their home-country embassy shelters without their passports in

their possession. In 2015, the anti-human trafficking unit, in partnership with an international organization, held an anti-trafficking train-the-trainer program. The judicial institute continued its mandatory human trafficking course for all newly hired judicial officials, including prosecutors and judges.

PROTECTION

The government made notable efforts to protect victims of trafficking, though serious systemic issues continued to harm victims. It provided shelter to approximately 4,000 domestic workers, including a small percentage of potential forced labor victims, in its high-capacity shelter for runaway domestic workers, which opened in December 2014. The fully operational 700-bed facility served as a one-stop facility, providing medical and psychological care, assistance with repatriation, as well as access to officials from various ministries involved in filing cases against employers. The government allocated an annual budget of KD 260,000 (\$840,000) for shelter functions and resources. Victims were not permitted to leave the facility unescorted. While article 12 of the anti-trafficking law stipulates public prosecutors may refer a trafficking victim to an appropriate care facility during an ongoing trial until the time of repatriation, it was unclear whether government officials identified and referred any potential victims to the high-capacity shelter or other care providers. The government shelter received referrals from embassies, NGOs, international organizations, churches, private citizens, and migrant workers. The government did not conduct screenings to identify whether domestic and private sector workers were victims of trafficking. The anti-human trafficking unit published a manual to assist law enforcement officials in identifying sex trafficking, forced begging, and child trafficking crimes. Nonetheless, the government did not develop and implement formal procedures for all relevant officials to proactively identify trafficking victims among vulnerable populations, such as foreign migrants, domestic workers, and women in prostitution. During the government's migrant round-ups, the government did not have a systematic process in place to identify victims of trafficking among the thousands of foreign migrants who were arrested, detained, and deported.

There continued to be no shelter or other protective services for male trafficking victims. Domestic workers from the Philippines, Indonesia, Nepal, Sierra Leone, India, Sri Lanka, Ethiopia, and other countries continued to seek assistance at their embassies; some source-country embassies reported jointly providing shelter to more than 25 domestic workers who ran away from their employers. To assist embassies in repatriating trafficking victims, the government directly funded and coordinated with recruitment agencies to purchase airline tickets. MOI provided repatriation assistance to approximately 900 domestic workers; however, it was unclear whether authorities sought a refund of travel costs from the employers who sponsored the workers. The government did not offer foreign trafficking victims legal alternatives to removal to countries in which they may face hardship or retribution.

The 2013 anti-trafficking legislation does not stipulate providing protection from prosecution for victims who fled abusive employers. Workers who left their employer's residence without permission risked criminal penalties and arrest, detention, and deportation, even if they were fleeing from an abusive sponsor. The threat of these consequences discouraged workers from appealing to police or other government authorities for protection and from obtaining adequate legal redress for their exploitation. Embassy contacts reported that some personally motivated police officials helped to ensure trafficking victims

were not subjected to unwarranted incarceration. Trafficking victims rarely filed cases against their employers, as there were few incentives to report complaints and cooperate in investigations; however, some victims who alleged non-payment of wages received a monetary settlement for wages owed from their employers. If trafficking victims absconded and filed a grievance, it was common for their sponsors to file a counter-grievance against them, which often resulted in administrative deportation or detention of the employee. The government reported public prosecutors sometimes tried cases on victims' behalf if they were unable to afford legal counsel while pursuing cases against their employer or sponsor.

PREVENTION

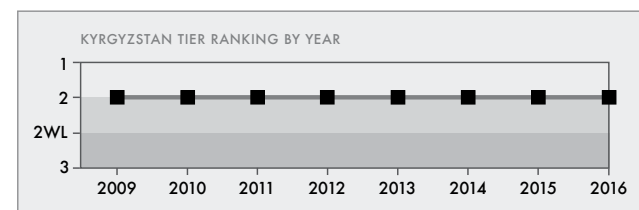
The government made increased efforts to prevent human trafficking. The government conducted awareness campaigns at Kuwait International Airport aimed at educating newly arriving domestic workers about the services offered at the domestic workers' shelter. In March 2015, MOI's public morals protection and anti-human trafficking department distributed brochures in English and Arabic informing workers of their rights and how to identify human trafficking to migrant workers at the airport, recruiting agencies, labor agencies, offices of the Public Authority for Manpower (PAM), and MOSAL. During the reporting period, media reports indicated that PAM referred over 3,900 files of companies that allegedly violated private sector employment law to the general administration of residence affairs for investigation. Allegations against these companies included: recruiting workers from abroad without giving them a job (831 cases); operating as a recruiting agency illegally (745 cases); violating the labor inspection law (1,191 cases); violating occupational safety and security conditions (1,133 cases); and violating or not ensuring appropriate worker accommodation conditions (36 cases). Most of the referred offenders would only be investigated and prosecuted under the general penal code and given inadequate sentences in the form of fines; of the thousands of people referred for investigation, it remained unclear how many would be considered for investigation and prosecution for violations under the anti-trafficking law. PAM continued to lack an adequate number of labor inspectors. The government reported efforts to reduce the demand for forced labor but did not make efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training for its diplomatic personnel.

KYRGYZSTAN: Tier 2

The Kyrgyz Republic (or Kyrgyzstan) is a source, transit, and destination country for men, women, and children subjected to forced labor, and for women and children subjected to sex trafficking. Adult male labor migrants working abroad are reportedly at the highest risk of trafficking. Kyrgyz men, women, and children are subjected to forced labor in Russia and Kazakhstan, and to a lesser extent in Turkey and other European countries, as well as within Kyrgyzstan, specifically in the agricultural, forestry, construction, and textile industries and in domestic service and forced childcare. Kyrgyz children are also subjected to forced labor in cotton, the selling and distribution of drugs within the country, and hauling cargo both in Kyrgyzstan and neighboring countries. Women and girls are subjected to sex trafficking abroad, reportedly in Turkey, the United Arab Emirates (UAE), India, Russia, Kazakhstan, South Korea, and within the country. Kyrgyz police officers allegedly exploit female trafficking victims, including some younger

than age 18, for sex both in saunas and on the street. Concerns persist about police misconduct and corruption, including allegations that police threaten and extort sex trafficking victims, including minors, and reports that police accept bribes from alleged traffickers to drop cases. Street children who engage in begging and children engaged in domestic work (often in the homes of extended family members) are vulnerable to human trafficking. Women and underage teenaged girls from Uzbekistan are increasingly subjected to sex trafficking in southern Kyrgyzstan. Some men and women from Uzbekistan, Tajikistan, and Turkmenistan transit the country as they migrate to Russia, the UAE, and Turkey, where they may become victims of sex and labor trafficking. International organizations and NGOs reported some Kyrgyz individuals who join extremist fighters in Syria are forced to remain against their will and recruiters may deceive others, including minors, promising jobs in Turkey, before extremist groups force them to fight, work, or suffer sexual servitude in Syria.

The Government of Kyrgyzstan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. A June 2015 parliamentary report provided the first evaluation of government anti-trafficking efforts in a decade and provided recommendations for improvements. As a result, ministries have formed an interagency platform to begin inter-ministerial communication on trafficking and initiated the development of victim identification guidelines for front-line officials. Additionally, in 2016, Parliament established a working group, which is focused on bringing anti-trafficking legislation in line with international standards. Further, the Ministry of Internal Affairs (MVD) has begun playing a significant role in publicly highlighting trafficking in persons problems and advocating government-wide changes to better address them. However, the government failed to address alleged complicity in trafficking and trafficking-related offenses, despite a 2013 report by the UN special rapporteur on the sale of children, child prostitution, and child pornography that concluded there was serious and endemic corruption of police officers, who allegedly participated themselves in the detention and rape of child sex trafficking victims. In addition, authorities reported fewer prosecutions and convictions of traffickers in 2015.



RECOMMENDATIONS FOR KYRGYZSTAN:

Vigorously investigate and prosecute government officials allegedly complicit in trafficking or who engage in abuse and exploitation of trafficking victims, and convict and punish those found guilty; investigate and prosecute suspected trafficking crimes, respecting due process, and convict and punish trafficking offenders, ensuring the majority of those convicted serve time in prison; increase efforts to identify trafficking victims proactively among vulnerable groups, particularly persons in prostitution, and refer victims to protection services; finalize guidelines on victim identification and train officials on their use; enact legislation consistent with international law to ensure prosecuting the prostitution of minors does not require proof of force, fraud, or coercion; develop and implement child-

sensitive investigation and prosecution procedures for cases in which children may be human trafficking victims; increase trafficking-specific training for law enforcement, including through contributing to efforts by international organizations to train police, prosecutors, and judges; amend the law to exempt identified trafficking victims from punishment for unlawful acts committed as a direct result of being subjected to trafficking; and continue to contribute to NGOs providing assistance to victims.

PROSECUTION

The government decreased law enforcement efforts and did not address serious allegations of official complicity. Article 124 of the criminal code, entitled "Trafficking in Persons," criminalizes both sex and labor trafficking of adults and children and covers a non-trafficking offense, "child adoption for commercial purposes." Contrary to international law, article 124 requires the prosecutor to prove the offender used force, blackmail, fraud, deception, or abduction for cases of sex trafficking regardless of whether the victim is a child or adult. Article 124 prescribes penalties of five to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Prosecutors may also charge traffickers using article 260 for engaging a person in prostitution through the use of force or the threat of force or fraud, which is punishable by a fine or imprisonment of three to five years, or longer in the presence of aggravating circumstances. When the victim is a child aged 14-17 years, the penalty is five to 10 years' imprisonment, and when the victim is younger than 14 years, the penalty is 10 to 15 years' imprisonment. Article 261 criminalizes organizing others into prostitution or maintaining a brothel without the use or threat of physical violence, and imposes the same penalties for child victims as are set forth in article 260. Article 15 of the code on children prohibits forced child labor.

The government initiated four trafficking investigations under Article 124 in 2015, three for sex trafficking and one for forced labor; authorities initiated 11 trafficking investigations in 2014. Authorities reported an additional 18 investigations under other articles that involved inducing minors into prostitution; the government did not report this number of investigations in 2014. The Prosecutor General's Office (PGO) reported initiating prosecutions of six criminal cases under article 124 involving an unknown number of suspects in 2015, compared with nine cases involving 21 suspects in 2014. The government convicted four offenders in two cases under article 124 in 2015, compared with 15 offenders convicted in 10 cases in 2014. The government did not report whether the convicted offenders were sentenced to prison.

Advocates for victims reported there was a general lack of proactive investigation. Such advocates indicate police generally will not pursue investigations unless victims make a specific, well-supported complaint, while many victims believed coming forward would be dangerous or futile. In 2015, the government elevated a criminal investigation unit specializing in trafficking and prostitution from the Bishkek city police to a national-level department in the MVD to oversee national anti-trafficking law enforcement efforts; the unit had six officers. Civil society actors reported the need for increased training for police, particularly in how to identify victims and work with them as witnesses. Authorities relied on civil society and foreign partners to provide training for police, prosecutors, and judges. An international organization reported that in 2016 the judges' training center and prosecutors' training

center signed memoranda of understanding calling for an introduction to trafficking issues to be integrated into training for these professionals.

Corruption is a systemic problem in Kyrgyzstan. NGOs and international organizations reported law enforcement officials often accepted bribes to drop cases and sometimes warned suspects prior to raids. Traffickers were reportedly also able to avoid punishment by offering victims small amounts of money to drop cases. The UN special rapporteur on the sale of children, child prostitution, and child pornography documented allegations of law enforcement officials' complicity in human trafficking in a 2013 report; police officers allegedly threatened, extorted, and raped child sex trafficking victims. However, the government has never investigated the allegations from this report, nor did it report the investigation, prosecution, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government increased efforts to identify victims but maintained minimal efforts to protect and assist trafficking victims. In 2015 and 2016, parliamentarians highlighted the need for the government to increase assistance to trafficking victims. The newly-established Ministry of Labor and Social Development has included in its mandate the responsibility for developing policy on and provision of assistance to victims of trafficking. The government remained without formal written procedures to guide officials in proactive identification of trafficking victims among high-risk populations; however, during the reporting period, the government began development of guidelines for officials to identify victims and refer them to care providers. In reporting on cases pursued in 2015 under article 124, the PGO reported 62 victims were involved, including six children. The government did not report a comprehensive count of identified victims in 2014, but it did report identifying 21 Kyrgyz labor trafficking victims in Russia and 23 Kyrgyz sex trafficking victims in Turkey and UAE. International organizations and NGOs reported assisting 192 victims in 2015, 162 of whom were subjected to forced labor, 26 to sex trafficking, and four to both labor and sex trafficking; two of the victims were children and 105 were male. The government continued to provide rent-free facilities used by three NGO-run shelters (two for adults and one for children) that provided services for trafficking victims. MVD's witness protection unit estimated assisting seven trafficking victims, who received physical protection for themselves and family members and help obtaining a state attorney. Consular officials assisted an unknown number of victims abroad by providing no-cost travel documents.

In 2015 and 2016, MVD was receptive to training on improving procedures for interviewing and protecting victims, but further work was needed. Police did not use child-sensitive procedures when dealing with child victims during case investigation and courts did not provide safeguards to ensure children's privacy and protection. The government required witnesses to attend multiple public hearings and sit next to their alleged traffickers at trial, which deterred victims from cooperating with police. Government-provided attorneys reportedly lacked knowledge on handling trafficking cases. While the law provides the opportunity to seize traffickers' assets and compensate victims, authorities did not report granting such restitution. A June 2015 parliamentary report highlighted the need to amend legislation to ensure trafficking victims are not punished for unlawful acts committed as a result of being subjected to

trafficking, and a new parliamentary working group focused on changes to legislation. According to the 2013 UN special rapporteur report, police officers allegedly detained child sex trafficking victims, releasing them only after they performed sexual acts. Police allegedly extorted bribes from child sex trafficking victims through threats of arrest for prostitution, even though prostitution was neither illegal nor an administrative offense. MVD conducted approximately 70 brothel raids in 2015. The police's increased interaction with international and local trafficking experts has reportedly led to officers' increased sensitivity toward children found in brothels. However, the continued lack of training and formal written procedures for the identification and protection of potential sex trafficking victims increased victims' vulnerability to arrest and penalization during brothel raids.

PREVENTION

The government increased efforts to prevent trafficking. In June 2015, a parliamentary commission publicized an evaluation of the government's overall anti-trafficking efforts, marking the first analysis of implementation of the 2005 national anti-trafficking law. The parliamentary report has reinvigorated efforts and directed reforms. In 2015, the government formed an interagency platform to initiate an interagency dialogue on trafficking, which had been lacking; agencies began holding these discussions in 2015. In late 2015, the government dissolved the ministry responsible for coordinating national anti-trafficking efforts and assigned this duty to the newly established State Migration Service. Civil society representatives noted a 2013-2016 national action plan remained unimplemented. Parliament established a working group in 2016 to ensure further monitoring of the government's implementation of its anti-trafficking obligations, and civil society and international organization representatives report it is working productively. The government, with the support of an international organization, continued to operate two employment centers that provided 16,552 people in 2015 employment services, vacancy advertisements, a list of licensed foreign labor recruitment agencies, and pre-departure orientation (which included trafficking prevention) for job seekers to ensure safer migration and employment. The government also continued to provide a national toll-free telephone line and office space to an NGO-run hotline that provided legal advice and assistance on working abroad; the hotline received 3,413 calls in 2015. In July 2015, the government passed a law to increase the penalties for private employment agencies found operating without a license. Officials lamented the law did not equip law enforcement to combat licensed but unscrupulous recruitment agencies that knowingly send Kyrgyz migrants to exploitative worksites abroad and began researching a legislative fix during the reporting period. MVD reported the government conducted 132 events and information campaigns aimed at raising awareness and preventing trafficking. The government provided anti-trafficking guidance for its diplomatic personnel. The government did not report efforts to reduce the demand for commercial sex acts or forced labor.

LAOS: Tier 2 Watch List

Laos is a source and, to a much lesser extent, a transit and destination country for women, children, and men subjected to sex trafficking and forced labor. Lao trafficking victims often are migrants seeking better opportunities outside the country who experience labor or sexual exploitation after

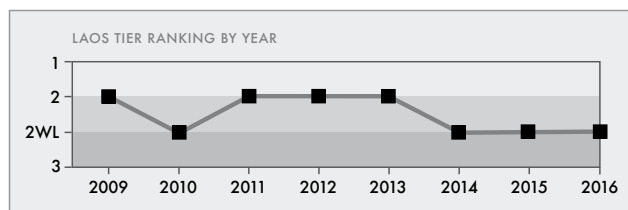
arriving in destination countries, most often Thailand, as well as Vietnam, Malaysia, China, Taiwan, and Japan. Some migrate with the assistance of brokers charging fees, but many also cross borders independently with valid travel documents. Traffickers, including victims' family members, are often known to those in the rural communities where they lure victims with false promises of legitimate work abroad. Many victims, particularly women and girls, many younger than 18 years old, are exploited in Thailand's commercial sex industry and in forced labor in domestic service, factories, or agriculture. Lao men and boys are victims of forced labor in Thailand's fishing, construction, and agricultural industries. Lao victims of forced labor in the Thai fishing industry have been identified in Indonesian waters. NGOs report individuals offering transportation services near the Thai border facilitate the placement of economic migrants into forced labor or sex trafficking in Thailand. The government reports foreign traffickers increasingly collaborate with local Lao middlemen to facilitate trafficking. Many trafficking victims may be among the more than 10,000 migrants deported or "pushed back" annually from Thailand without official notification, often sent back to Laos in boats across the Mekong River. Vehicle drivers sometimes intercept these migrants when they arrive back in Laos and facilitate their re-trafficking. A small, possibly increasing, number of women and girls from Laos are sold as brides in China and subjected to sex trafficking. Some local officials may contribute to trafficking by accepting payments to facilitate the immigration or transportation of girls to Thailand.

Laos is reportedly a transit country for some Vietnamese and Chinese women and girls who are subjected to sex trafficking and forced labor in neighboring countries, particularly Thailand. Local organizations reported concerns that some of the Vietnamese men and women working in or near (often illegal) logging and construction areas along the Laos-Vietnam border may be victims of trafficking. They reported similar concerns about Burmese nationals working as manual laborers or involved in the sex trade near the "golden triangle" tri-border area with Burma and Thailand.

There is little data on the scope of trafficking within Laos. Some Vietnamese, Chinese and Lao women and children are subjected to sex trafficking in the country, usually in larger cities or in close proximity to borders, casinos, or special economic zones, reportedly to meet the demand of Asian tourists and migrant workers. Some Lao adults and children are subjected to forced labor in the agricultural sector within Laos. Reports indicate child sex tourists from the United Kingdom, Australia, and the United States travel to Laos intending to exploit child sex trafficking victims.

The Government of Laos does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In December 2015, the Lao National Assembly approved the Law on Anti-Trafficking in Persons, which was promulgated in February 2016. The government completed its 2016-2020 national action plan. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Laos is placed on Tier 2 Watch List for a third consecutive year. Per the Trafficking Victims Protection Act, Laos 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 number of victims identified declined significantly, and prosecutions and convictions declined for a second consecutive year. The government investigated some

foreign tourists suspected of exploiting child sex trafficking victims, but did not initiate any prosecutions in these cases.



RECOMMENDATIONS FOR LAOS:

Disseminate and implement formal victim identification procedures and train police and border officials to identify trafficking victims; differentiate between different types of trafficking (i.e. labor and sex), and refer them to care systematically, particularly among migrants “pushed back” from Thailand and domestic victims; increase efforts to identify and combat internal trafficking—including children subjected to sex trafficking and adults and children subjected to forced labor in the commercial agricultural sector—by identifying and assisting Lao citizens subjected to trafficking within the country and prosecuting their traffickers, including complicit officials; implement the new anti-trafficking law and train government officials on its provisions and victim identification guidelines; provide incentives for victims to participate in formal legal proceedings, including through restitution awards from the courts; increase expenditures from the government anti-trafficking budget on service provisions and assistance programs for victims; work with civil society organizations to deliver assistance to victims; in partnership with local and international organizations, increase resources and vocational trainings to support victims, including male victims, to reintegrate into their home communities; increase efforts to prosecute and punish child sex tourists and public officials complicit in trafficking; improve transparency by collecting information on government anti-trafficking activities, including case details and financial allocations, and share this information among ministries and with nongovernmental stakeholders; and collaborate with civil society and across ministries to implement the 2016-2020 national action plan.

PROSECUTION

The government promulgated new anti-trafficking legislation but made decreased law enforcement efforts. Under article 134 of the penal code, Lao law generally prohibits all forms of human trafficking and prescribes penalties ranging from five years’ to life imprisonment, fines ranging from 10 to 100 million kip (\$1,230 to \$12,300), and confiscation of assets; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In December 2015, the National Assembly approved Laos’ first trafficking-specific law, which was promulgated in February 2016. In 2015, authorities reported investigating 41 individuals and prosecuting nine for suspected trafficking offenses, and convicting 13 traffickers, a decrease from 31 prosecutions and 21 convictions in 2014 and 24 prosecutions and 35 convictions in 2013. Officials reported convicted traffickers received punishments from five to 15 years’ imprisonment and fines ranging from 10 to 100 million kip (\$1,230 to \$12,300). The government did not provide specific details about these cases, but reported all convictions were achieved under article 134 of its penal code. Foreign donors provided trainings that reached immigration officers, police, and justice officials. Many individuals still relied on out-of-court mediation due to a limited number of trained lawyers or investigative tools necessary to prosecute cases through the

courts. Anti-trafficking organizations reported some low-level local officials may have contributed to trafficking by accepting payments to facilitate the immigration or transportation of girls to Thailand. The government did not report any prosecutions or convictions of officials for complicity in human trafficking or trafficking-related activities during the year.

PROTECTION

The government maintained inadequate victim identification efforts among those exploited within the country and deported from other countries, and it assisted fewer victims than the previous year. The government did not follow standard procedures for the identification of victims among vulnerable groups. During the reporting period, the government partnered with an international organization to complete nationwide victim identification guidelines for authorities, though these were not implemented. Authorities did not systematically screen deportees from Thailand, leaving some victims unidentified, and front-line officers’ lack of awareness often led to conflation between trafficking and involuntary migration, which may have resulted in victim penalization. Local experts reported provincial authorities did not employ victim identification procedures, leaving victims of internal trafficking largely unidentified. The government continued to provide modest support to some victims, primarily those identified by the Thai government and repatriated to Laos. It reported receiving 143 victims returned from abroad and identifying 46 victims within the country; of these, it provided assistance to all 189 victims, a decrease from 253 victims identified and assisted in 2014.

Victim assistance could include temporary accommodation, legal advice, health care, education, or job training, with most of these services provided and funded by NGOs and international organizations. The government cooperated with several international organizations to run transit centers in Vientiane, where victims returned from Thailand could stay for approximately one week before being returned to their home communities, and a quasi-governmental women’s union operated a short-term shelter for victims of abuse; authorities conducted victim interviews to identify trafficking victims among those referred to these facilities, although an unknown number of victims received services from these centers. In addition, the government referred an unknown number of victims to non-governmental shelters or other providers of medical care, counseling services, and vocational training. The government reported training health professionals on providing assistance to human trafficking victims. A lack of adequate long-term support due to limited resources available made victims vulnerable to re-trafficking. A significant number of identified victims in 2015 were male, but the vast majority of services were only available for women. Several international organizations operate a male and female vocational training and rehabilitation center in southern Laos without support from the government. There are no shelters in northern Laos, where many victims originate.

Central government officials instructed provincial authorities they could not fine repatriated victims for immigration violations. However, a lack of proactive victim identification may have resulted in authorities treating some unidentified victims as law violators. Lawyers did not always have formal training and victims were not always made sufficiently aware of their legal rights. The government reported encouraging victims to cooperate with prosecutions, and the Lao Women’s Union made efforts to familiarize individual victims with the court process. However, an overall lack of incentives, resources, and lawyers

made it difficult to fully participate in formal legal proceedings, which can be lengthy and unlikely to include restitution awards. This situation led some victims to choose traditional out-of-court mediation for quicker and more lucrative redress. The government did not establish formal legal alternatives to the removal of foreign trafficking victims to countries where they may face retribution or hardship, but reported it would consider such options on a case-by-case basis.

PREVENTION

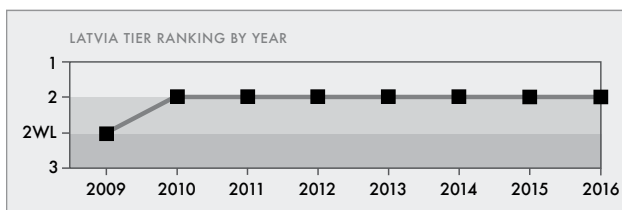
The government continued prevention efforts. Government-controlled print, television, and radio media continued to promote anti-trafficking awareness, and public officials distributed materials to provincial leaders and local community members on the dangers of human trafficking. The government continued implementation of its 2012-2015 national action plan. It completed an action plan for 2016-2020 to which it designated personnel resources and for which ministries will use their funding to support their required tasks. The government reported increasing funding for anti-trafficking activities. The government's national steering committee for anti-trafficking efforts continued to coordinate activities; however, the lack of transparency, active planning, and resources, made it difficult to coordinate activities with all ministries and international partners. Civil society organizations with trafficking expertise report a lack of transparency from the government; at times, authorities may have impeded the work of NGOs by requiring prior government approval of all anti-trafficking activities. The government organized training sessions to raise awareness of human trafficking for the tourism sector and investigated several cases, but did not prosecute or convict any sex tourists. The government did not provide anti-trafficking training for its diplomatic personnel. The government took no discernible measures to reduce the demand for forced labor or commercial sex acts.

LATVIA: Tier 2

Latvia is a source and destination country for men, women, and children subjected to sex and labor trafficking. Latvian women and girls are subjected to sex trafficking within Latvia, as well as in other parts of Europe. Latvian men, women, and children are subjected to forced labor within Latvia, as well as in other parts of Europe, particularly in the construction and agricultural sectors. Latvian women recruited for brokered marriages in Western Europe, particularly Ireland, are vulnerable to sex trafficking, domestic servitude, and forced labor. To a lesser extent, Latvia is a source and destination country for exploitation in forced criminality.

The Government of Latvia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Latvia continued to be a regional leader in identifying and preventing sham marriages that put women in highly vulnerable situations, including some cases of trafficking. The government raised awareness of the dangers of sham marriages in Latvia and across Europe, and Latvian courts convicted organizers of these schemes. These robust efforts, however, were not matched in the government's fight against other forms of trafficking. Authorities have not initiated a labor trafficking investigation since 2009, and a Latvian court has never convicted a criminal defendant of labor trafficking. While prosecutors indicted significantly more sex trafficking suspects in 2015, there were no convictions under

the trafficking statute in 2015 versus one conviction in 2014. In victim protection, notably fewer victims received government-funded services in 2015.



RECOMMENDATIONS FOR LATVIA:

Increase efforts to investigate and prosecute trafficking cases under the trafficking statute (section 154-1 of the Latvian criminal law); increase efforts to proactively identify victims, particularly Latvian and foreign victims exploited within the country; increase training for police, prosecutors, and judges on all forms of trafficking beyond those related to sham marriages; encourage more victims to assist law enforcement by training officials on how to provide appropriate protections to all victims, such as witness protection, and how to minimize the trauma victims face when testifying against their traffickers in courtrooms; provide police investigators sufficient resources to conduct investigations; improve collaboration between the state labor inspectorate and the police to ensure credible referrals result in police investigations; provide prosecutors and judges with clarity on the use of section 154-1 versus section 164, and consider amending section 164 if too much overlap exists; provide more victims with compensation from their traffickers and from the State Agency for Judicial Assistance; and fully fund and implement the 2014-2020 National Anti-Trafficking Program (national action plan).

PROSECUTION

The government maintained weak law enforcement efforts. Latvia prohibits all forms of trafficking through sections 154-1 and 154-2 of its criminal law, 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. Judges and prosecutors have the power to reclassify cases from section 154-1 to lesser crimes. For instance, trafficking crimes could be charged under section 164, which criminalizes exploiting individuals' vulnerability or using deceit to involve them in prostitution—a scenario very similar to sex trafficking—but prescribes punishments as lenient as community service or a fine.

Authorities have not initiated a labor trafficking investigation since 2009, despite the government certifying at least 25 labor trafficking victims in the last three years. The country's first labor trafficking investigation, which began in 2008, remained ongoing. A Latvian court has never convicted a criminal defendant of labor trafficking. Local media raised concerns that domestic and international labor exploitation was underreported. On sex trafficking, the government investigated nine suspects in three new cases under section 154-1 in 2015, compared with one new case involving 10 suspects in 2014 (which was finalized in 2015). The government initiated prosecutions of eight sex trafficking suspects under section 154-1 in 2015, which was more than the combined total of prosecutions in the five years preceding 2015. Courts, however, did not secure any convictions under section 154-1 in 2015. In the past five years, only three traffickers have been subject to final convictions under section 154-1.

In 2015, authorities began a trial process involving two Riga police representatives charged with facilitating pimping. In a second case, the prosecution of a former anti-trafficking police officer accused of extortion and other crimes was pending enforcement of an appeals trial ruling that provided for a four-year imprisonment term and a five-year bar from government employment. Authorities continued to prosecute a sworn attorney for withholding evidence in a trafficking-related prosecution.

A 19-officer unit of the state police specialized in investigating trafficking, sham marriages, money laundering, and related crimes. Authorities collaborated with several foreign governments on transnational trafficking investigations. Observers reported the need for more training for law enforcement, particularly on working with victims, evidence collection, and understanding psychological coercion. Law enforcement reportedly had more capacity and was more inclined to investigate and charge suspected traffickers for crimes other than trafficking, such as money laundering, pimping, and transfer for sexual exploitation, rather than doing so under trafficking provisions. Charging traffickers with these lesser crimes, particularly those that often result in suspended sentences, permits traffickers to commit a serious crime with impunity, endangers the victims they exploited, diminishes the deterrence effect, and prevents policymakers from effectively evaluating the trafficking situation and calibrating policies and resources to fight this crime. The government partnered with international and non-governmental partners to provide training for police, prosecutors, and judges. The State Police College and State Border Guard College each developed a trafficking-specific training course during the reporting period.

PROTECTION

The government demonstrated mixed victim protection efforts. The government's NGO-run rehabilitation program offered victims psychological assistance, medical aid, legal representation, housing, and reintegration services. The government certified victims for enrollment in the state-funded assistance program based on decisions by either law enforcement or an NGO-led commission of professionals. For victim certification, the commission had the authority to use Skype or other technology instead of an in-person interview with the victim in front of the commission. The welfare ministry's budget for this program was 162,562 euros (\$176,890) in 2015, which was sufficient to cover the number of victims enrolled in the program.

In 2015, the government enrolled eight new victims into its assistance program, a sharp decline from 27 victims in 2014; the decrease may be due in part to fewer outreach activities by the government and the state-contracted NGO. The government established a working group to improve the current referral mechanism based on NGOs' concerns about officials' inconsistent application. Seven of the newly enrolled victims were Latvian and had been exploited abroad. Two victims were children, including one foreign citizen exploited in Latvia. In one case, the NGO commission enrolled a minor who may have been trafficked to commit armed robbery; Latvian law enforcement and prosecutors later found the minor was a voluntary participant. The minor continued to receive state-funded assistance and remained in pre-trial imprisonment at the close of the reporting period. Only two of the eight registered victims cooperated with law enforcement in 2015, amid reports that officials did not gain victims' trust or take sufficient efforts to encourage victims to cooperate. Civil

society reported authorities pressured trafficking victims into serving as witnesses in criminal trials. Local victim advocates reported the number of victims certified by the state did not accurately reflect the scope of trafficking in Latvia because of victims' inability to report abuses or hesitation to do so given concerns noted above. All Latvian courts had video conference and audio recording capabilities; nevertheless, observers noted instances in which victims facing their traffickers during trial caused re-victimization. In the last six years, only three victims have received court-ordered restitution payments from their traffickers; the last was in 2013. In 2015, one trafficking victim received compensation from the State Agency for Judicial Assistance, which administers a crime victims' compensation program.

PREVENTION

The government demonstrated strong prevention activities. Latvian authorities continued to use section 165-1, which prohibits the transfer of individuals for the purpose of sexual exploitation, to prevent potential cases of trafficking. In 2015, the government began prosecutions of five defendants under section 165-1 and convicted nine suspects, although only two convicted offenders received a prison sentence. An anti-trafficking working group comprised of 33 representatives across government ministries and NGOs coordinated inter-ministerial activities and implemented the 2014 to 2020 national action plan. Authorities reported the national budget did not allocate funding for several of the action plan's activities, including training and state police activities. Various ministries contributed to a number of awareness-raising activities, including programs for schools and potential migrants. The government continued to maintain information and emergency hotlines that received calls on potential trafficking situations. The government provided anti-trafficking training for Latvian diplomatic personnel. The government did not report any specific measures to reduce the demand for commercial sex acts or forced labor.

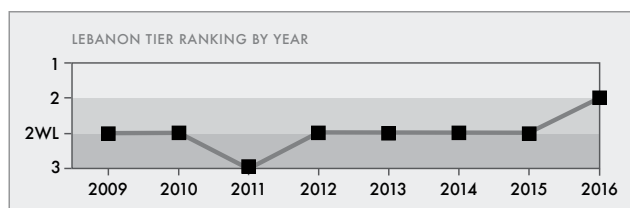
LEBANON: Tier 2

Lebanon is a source and destination country for women and children subjected to forced labor and sex trafficking, and it is a transit point for Eastern European women and children subjected to sex trafficking in other Middle Eastern countries. Women and girls from South and Southeast Asia and an increasing number from East and West Africa endure domestic servitude in Lebanon, facilitated by recruitment agencies that at times engage in fraudulent recruitment. Under Lebanon's sponsorship system, workers who leave their employers' houses without permission forfeit their legal status, putting them at risk of re-trafficking. Lebanese government officials and NGOs report most employers withhold their workers' passports, putting workers at risk of trafficking. Women from Eastern Europe, North Africa, and Dominican Republic enter Lebanon to work in the adult entertainment industry through Lebanon's *artiste* visa program, which sustains a significant commercial sex industry and enables sex trafficking; 5,120 women entered Lebanon under this program in 2015, a substantially higher number than in 2014. The terms of the *artiste* visa prohibit foreign women working in adult nightclubs to leave the hotel where they reside, except to "perform," and nightclub owners withhold the women's passports and control their movement; these women also experience physical and sexual abuse, withheld wages, and domestic servitude. Some women from East and West Africa also endure sex trafficking in Lebanon. Lebanese children are

victims of forced labor in street begging and sex trafficking facilitated by male pimps, husbands, and boyfriends, and, at times, through early marriage. Small numbers of Lebanese girls may be subjected to sex trafficking in other Arab countries.

Men, women, and children among the 1.1 million registered Syrian refugees in Lebanon are at risk of sex trafficking and forced labor. Restrictions on Syrians' ability to work legally in Lebanon, as well as strict enforcement of visas and residence permits, increase this population's vulnerability to trafficking. The Lebanese government and media reported in late March 2016 an extensive sex trafficking ring exploiting primarily Syrian women and girls in Beirut; the majority of the women and girls were fraudulently recruited from Syria with false promises of work and subjected to commercial sexual exploitation where they experienced mental, physical, and sexual abuse and forced abortions. In 2015, reports indicated a sharp increase in forced begging among Syrian children, some of whom are also forced or coerced to conduct criminal activity. An international organization reported in 2015 evidence of bonded labor within refugee communities where child labor is used in exchange for living in informal tented settlements. Syrian girls are brought to Lebanon for sex trafficking, sometimes through the guise of early marriage. Lebanese pimps may force or coerce some Syrian women and Syrian LGBTI refugees into prostitution. Syrian gangs force Syrian refugee men, women, and children to work in the agricultural sector in the Beqaa Valley.

The Government of Lebanon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Internal political instability, insufficient funding, and threats of violent extremism continued to limit the government's ability to effectively address trafficking. Moreover, Lebanon's sponsorship system, which places a significant amount of power in the hands of employers, remained a significant impediment to authorities identifying and protecting trafficking victims. Despite these challenges, the government investigated and prosecuted trafficking offenders, including breaking up an extensive sex trafficking ring that exploited women and girls, and it convicted 30 traffickers in 2015—a significantly higher number of convictions in comparison to the previous reporting period. The government continued to identify trafficking victims, including 45 primarily Syrian sex trafficking victims, and partnered with NGOs and international organizations to provide victims appropriate protection services; however, the government did not implement victim identification procedures or directly protect victims. Additionally, authorities continued to arrest, detain, deport, and—in some cases—prosecute trafficking victims among vulnerable groups, such as illegal foreign migrants, children, and women in prostitution, for crimes committed as a direct result of being subjected to trafficking. The government reinvigorated its anti-trafficking steering committee in 2015 and implemented anti-trafficking awareness campaigns.



RECOMMENDATIONS FOR LEBANON:

Increase investigations, prosecutions, and convictions of

offenders under the anti-trafficking law, including officials complicit in human trafficking; investigate employers and recruitment agents who withhold workers' passports, travel documents, or wages for potential trafficking crimes; increase training for judges, prosecutors, law enforcement officials, and diplomatic personnel about the crime of trafficking and application of the anti-trafficking law; legally prohibit the withholding of workers' passports and travel documents, including for persons under the *artiste* visa program; reform the sponsorship system to ensure workers are not bound to abusive employers and to allow workers, including those under the *artiste* visa program, freedom of movement; enact the labor law amendment extending legal protections to foreign workers and the draft law providing increased labor protections to domestic workers; ensure identified trafficking victims are not detained, deported, or prosecuted for unlawful acts committed as a direct result of being subjected to trafficking; implement standard procedures to identify trafficking victims among vulnerable populations, such as illegal migrants, women holding *artiste* visas, domestic workers, and Syrian refugees; continue to work in partnership with NGOs to identify and provide protection services to victims; and increase efforts to coordinate inter-ministerial anti-trafficking activities effectively.

PROSECUTION

The government demonstrated progress in its law enforcement efforts, but resource constraints, security challenges, and a lack of capacity continued to hinder prosecution efforts. Lebanon's 2011 anti-trafficking law prohibits all forms of human trafficking. Prescribed penalties for sex trafficking and forced labor range from five to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Nevertheless, government and NGO officials reported the law was applied unevenly, as most judges lacked understanding of the crime and knowledge of best practices to handle trafficking cases appropriately. Likewise, some judges gave convicted traffickers weak sentences. The continuing lack of a law to prohibit and punish employers or labor agents from confiscating workers' passports or travel documents remained a concern.

The Internal Security Forces (ISF) Anti-Trafficking Unit continued to conduct anti-trafficking investigations, although it suffered from inadequate staffing. In 2015, it investigated 14 suspected trafficking cases, while the Directorate of General Security (DGS) investigated 52 potential trafficking cases. In late March 2016, ISF investigated and broke up an extensive sex trafficking ring, which exploited primarily Syrian women and girls in Beirut, and arrested 16 perpetrators involved in the ring, including a doctor who performed over 200 abortions on the victims; authorities immediately revoked the doctor's license and closed his medical clinic. This investigation was ongoing at the end of the reporting period. After reports of complicity by some ISF officers regarding the trafficking ring, the Minister of Interior opened an investigation into the claims; however, the investigation began after the end of the reporting period. The Ministry of Justice (MOJ) reported investigating 93 suspected traffickers, of which the government charged and prosecuted 71 under the anti-trafficking law, on par with the 72 prosecutions in 2014. Thirty-three of these offenders were referred to the courts for trial; these cases involved forced labor, forced child street begging, and sex trafficking. The government obtained convictions for four of the 33 cases initiated in the reporting period; three offenders were convicted of child sex trafficking and sentenced to 10 years' imprisonment, a fine, and loss of civil rights, and the fourth offender was convicted of forced labor

and subject to the same penalties. Despite these efforts, officials generally sought to resolve trafficking cases involving foreign workers through mediation between the employer and worker, rather than refer them for criminal prosecution. Government officials continued to report security forces were reluctant to arrest parents for trafficking their children due to a lack of social services available should the child be removed from the family. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period; however, NGOs continued to report a common perception that DGS officers accepted bribes to protect adult nightclubs or issue *artiste* visas. The government provided some anti-trafficking training for officials, but the breadth and scope was inadequate to fully address the problem in Lebanon; the government encouraged officials to participate in trainings provided by NGOs. In 2015, DGS conducted weekly awareness-raising sessions on human trafficking for its staff, and the ISF included a trafficking component in human rights trainings for officers. The army continued to require anti-trafficking training for soldiers, while widely distributed military publications featured articles on human trafficking to raise awareness among military officers.

PROTECTION

The government made some efforts to identify and protect trafficking victims, yet victims remained vulnerable to punishment for crimes committed as a direct result of being subjected to trafficking. The government did not have formal procedures for officials to identify trafficking victims appropriately, and the cabinet did not formally adopt draft procedures for the referral of victims to NGO services; in practice, officials continued to identify and refer trafficking victims to care on an ad hoc basis. The ISF anti-trafficking bureau identified 33 potential victims of sexual exploitation in cases officials referred to the judiciary in 2015. Additionally, in March 2016 ISF identified and referred to NGO protection services 30 to 45 women and child sex trafficking victims, who were rescued during an investigation of a sex trafficking ring in Beirut; at the end of the reporting period, the Ministry of Social Affairs (MOSA) continued to coordinate with an international organization to assist the victims, including providing them with resettlement to a third country. This demonstrated an increase in victims identified by officials, in comparison to the previous reporting period. The government did not directly provide protection services to trafficking victims, and it continued to rely on an NGO-run safe house to provide some services to female trafficking victims. A 2013 memorandum of understanding (MOU) between an NGO and the government required DGS to refer victims to the safe house and provide security for the location. In October 2015, the government renewed the MOU for another three years. In 2015, the safe house assisted 34 trafficking victims, six of whom the government referred. ISF also referred four victims to another NGO. The government punished victims for crimes committed as a direct result of being subjected to human trafficking, such as domestic workers who fled abusive employers, out-of-status migrant workers, women holding *artiste* visas, and persons in prostitution, whom authorities often arrested, detained, and deported without screening for trafficking. Women holding *artiste* visas were subject to immediate deportation upon arrest for prostitution violations, while foreign workers without valid residence and work permits were subject to detention for one to two months—or longer in some instances—followed by deportation. Some children involved in criminal activity—some of whom may have been trafficking victims—faced arrest and prosecution. For example, MOJ reported in 2015 the investigation, prosecution,

and conviction of Syrian and Lebanese children for committing illicit activity; such cases involving Syrian children had notably increased. DGS maintained a 500-person detention center in Beirut for illegal foreign migrants, many of whom were unidentified trafficking victims. While DGS did not proactively identify victims within the detention center, an NGO permitted to screen for victims identified four trafficking victims in the detention center; the NGO also reported an increased level of professionalism and sensitivity among DGS officials and investigators. The government did not adopt the labor law amendment extending legal protections to foreign workers nor the law providing increased labor protections to domestic workers.

Government officials did not encourage victims to file criminal charges against their traffickers, although victims were permitted to file civil suits. The government did not provide legal redress for victims who chose voluntary repatriation because they were not present in the country to testify against their traffickers. NGOs reported foreign victims prefer quick administrative settlements followed by repatriation rather than long criminal prosecutions because of the lack of protection services during the criminal proceedings. The government did not provide temporary or permanent residency status or other relief from deportation for foreign trafficking victims who faced retribution or hardship in the countries to which they would be deported.

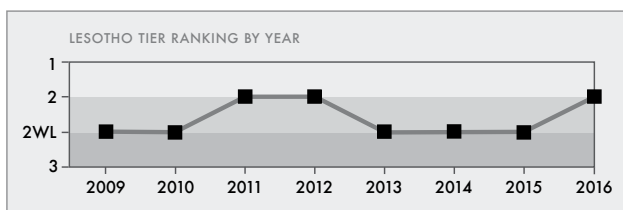
PREVENTION

The government made modest efforts to prevent trafficking. The national anti-trafficking steering committee resumed its monthly meetings in 2015, after many years during which the committee did not meet. The government did not formally adopt a national anti-trafficking action plan, yet relevant ministries continued to take efforts to implement the draft plan. The Ministry of Labor (MOL) launched anti-trafficking public awareness campaigns focused on forced labor and exploitation of migrant workers, in cooperation with NGOs in July and October 2015. DGS officers at Beirut International Airport continued to return passports directly to migrant domestic workers upon their arrival. DGS and MOL continued to operate hotlines to receive complaints, including for trafficking crimes, but it was unclear how many trafficking victims were identified through these hotlines. DGS continued a program to inform *artiste* visa holders about restrictions and obligations of their visa status upon arrival to Beirut International Airport. Under the program, if the visa holder objects to the visa's terms, she is free to return to her home country; in 2015, DGS repatriated two foreign women upon their request. The government made efforts to reduce the demand for forced labor. DGS continued to periodically issue circulars calling on Lebanese employers to abide by guest worker regulations. MOL closed 18 employment agencies for employment violations against foreign workers in 2015, and maintained a blacklist of recruitment agencies for committing fraudulent recruitment practices; however, the government did not report prosecuting any recruitment or employment agencies for potential trafficking crimes, nor did MOL report the number of blacklisted recruitment agencies. Nevertheless, MOL and ISF continued to require Syrian nationals to hold work permits in specific sectors where they were not previously required, which increased Syrian refugees' vulnerability to trafficking by legally binding them to their employers under the sponsorship system. The government did not take steps to reduce the demand for commercial sex acts or address child sex tourism by Lebanese nationals abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

LESOTHO: Tier 2

Lesotho is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking, and for men subjected to forced labor. In Lesotho, Basotho children are subjected to domestic servitude and forced labor in animal herding; children, especially orphans who migrate to urban areas, increasingly are subjected to sex trafficking. Basotho women and girls seeking work in domestic service voluntarily migrate to South Africa, where some are detained in prison-like conditions or exploited in sex trafficking. Some Basotho men who migrate voluntarily, although illegally and often without identity documents, to South Africa for work in agriculture and mining become victims of forced labor; many work for weeks or months before their employers turn them over to South African authorities for deportation on immigration violations to avoid paying them. Basotho are also coerced into committing crimes in South Africa, including theft, drug dealing, and smuggling under threat of violence or through forced drug use. Foreign nationals, including Chinese, subject their compatriots to sex trafficking in Lesotho.

The Government of Lesotho does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made progress in prosecution and protection, including instituting new systems to build capacity for improvement in these areas. The government convicted a sex trafficker and sentenced him to 15 years' imprisonment (10 years suspended), identified more potential trafficking victims, issued implementing regulations for the 2011 anti-trafficking act, signed an agreement with South Africa aimed at increasing protections for Basotho workers employed there, and established a multi-agency taskforce to coordinate the investigation of trafficking cases. Despite these measures, the anti-trafficking law still does not comply with international law, and the government did not provide funding for the Victims of Trafficking Trust Fund or sufficient resources for anti-trafficking law enforcement and protection efforts. It continued to rely on NGOs to assist victims. Jurisdictional issues in the courts continued to impede trafficking prosecutions.



RECOMMENDATIONS FOR LESOTHO:

Address jurisdictional issues impeding the adjudication of trafficking cases and increase efforts to investigate and prosecute trafficking crimes, including complicit officials; provide financial support for the Victims of Trafficking Trust Fund and implement procedures for administering the funds; develop and implement guidelines for proactive victim identification and standard operating procedures for referring identified victims to care, in line with the anti-trafficking act regulations; allocate funding to support operation of the multi-agency anti-trafficking taskforce; expand efforts to provide trafficking-specific training to investigators, prosecutors, judges, and social service personnel; complete renovations and continue to work with NGOs to ensure the availability of a suitable facility for the care of victims of trafficking; amend the anti-trafficking and child welfare laws so that force, fraud, or coercion are not

required for cases involving children younger than age 18 to be considered trafficking crimes and penalties for trafficking crimes are sufficiently stringent to deter potential traffickers; provide anti-trafficking training to diplomatic personnel; increase efforts to systematically collect and analyze anti-trafficking law enforcement and victim protection data; and increase oversight of labor recruitment agencies licensed in Lesotho.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The legal framework for addressing human trafficking, however, still includes definitions that are not in line with the 2000 UN TIP Protocol and penalties that are not sufficiently stringent to deter the crime. The 2011 Anti-Trafficking in Persons Act prohibits and punishes all forms of trafficking in persons; however, inconsistent with international law, the use of deception, threat, force, or other means of coercion is required for a child to be considered a trafficking victim. The law prescribes penalties of up to 25 years' imprisonment or a fine of one million maloti (\$64,284) under section 5(1) for the trafficking of adults and up to life imprisonment or a fine of two million maloti (\$128,568) under section 5(2) for the trafficking of children. While these penalties include provisions that are sufficiently stringent and commensurate with penalties prescribed for other serious crimes such as rape, a provision allowing a sentence in which offenders pay a fine in lieu of serving prison time allows for a penalty that is not proportionate to the crime and does not provide an adequate deterrent to potential perpetrators of trafficking offenses. The definition of trafficking in the 2011 children's protection and welfare act also requires the use of deception, threat, force, or other means of coercion for a child to be considered a trafficking victim. Section 67 of this act provides penalties of life imprisonment and a fine of up to one million maloti (\$64,284) for child trafficking by false pretenses, fraud, or deceit. However, section 77 of the children's welfare act prescribes penalties of a fine not to exceed 30,000 maloti (\$1,929) or 30 months' imprisonment or both. Allowing a fine in lieu of imprisonment does not provide an adequate deterrent to potential perpetrators of child sex trafficking. Labor recruiters who knowingly recruit workers for forced labor are liable for the same penalties as those who hold them in servitude. Persons who knowingly and unlawfully buy or engage the services of a trafficking victim are considered to have committed a trafficking offense with the same penalties. The government provided an increased penalty when a member of the police or military is convicted of engaging a person subjected to trafficking for the purposes of prostitution. In November 2015, the government issued implementing regulations for the 2011 anti-trafficking act that outline the roles and responsibilities of each ministry in combating trafficking in persons and provide guidelines for police interviews with potential victims and screening procedures.

The government convicted a Chinese national for the sex trafficking of a Chinese woman. The trafficker was sentenced to 15 years' imprisonment, with 10 years suspended; the conviction was under appeal and the trafficker remained in prison at the close of the reporting period. A prosecution for domestic servitude ended in acquittal. Five prosecutions were pending at the end of the reporting period; some of these were accepted for prosecution more than a year earlier and in some cases the accused remains in jail. In addition, two cases of alleged labor exploitation were under investigation at the end of the reporting period. In the previous year, the government investigated four cases but did not prosecute or convict any

offenders. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government provided trafficking-specific training for police recruits as part of their basic legal training and trained police, immigration officers, and judicial officials on the anti-trafficking law and implementing regulations in Maseru, rural townships, and at border posts during the reporting period. Nonetheless, many law enforcement officials reportedly had limited understanding of trafficking and how to protect victims from potential intimidation. Near the end of the reporting period, the government established an anti-trafficking taskforce under the Ministry of Home Affairs with investigative and logistical support from the Lesotho Mounted Police Service (LMPS). The taskforce, comprised of representatives from the Ministry of Home Affairs, Ministry of Police, Ministry of Justice, and Ministry of Social Development, coordinates the investigation of trafficking cases. The government did not address a jurisdictional issue impeding efforts to hold traffickers accountable: the magistrate courts, which are the court of first instance for trafficking cases, lack authority to impose the maximum penalties allowed in trafficking crimes.

PROTECTION

The government made uneven efforts to protect victims. It identified more potential victims of human trafficking, but did not allocate funding for the Victims of Trafficking Trust Fund or provide financial support for protective services for victims. The Child and Gender Protection Unit (CGPU) within the LMPS identified 18 potential trafficking victims, compared with 11 the previous reporting period. CGPU referred six potential victims to an NGO that provided counseling and assistance to trafficking victims and referred one child victim to a local charity that specialized in rehabilitation for abused children, compared with five referrals during the previous period. The government continued to rely on NGOs to assist victims and did not provide financial support to the NGOs. In March 2016, the government signed an agreement with an NGO to facilitate the NGO's re-establishment of a crisis care shelter for female victims of trafficking. Under the agreement the government committed to provide a facility for the shelter and utilities, and to permit the NGO staff to operate the shelter and provide counseling and other rehabilitative services for female victims of trafficking and their children. The anti-trafficking act regulations issued during the reporting period outlined the roles and responsibilities of each ministry in combating trafficking in persons, defined the rights of victims of trafficking, and also established procedures and standardized forms for screening and identifying victims of trafficking and for applying for funds from the victims of trafficking trust fund. Government hospitals and clinics offered free medical, psychological, legal, and life skills services to victims of crime, including trafficking; it is unknown whether trafficking victims received such services in 2015. The anti-trafficking act and its implementing regulations protect victims from prosecution for unlawful acts committed as a direct result of being subjected to trafficking, provide foreign victims with permanent residency as a legal alternative to their removal, and encourage victims to assist in the investigation of traffickers; however, it was unclear whether the government implemented these provisions.

PREVENTION

The government increased its efforts to prevent trafficking through public awareness activities and measures to protect Basotho workers in South Africa. The multi-sectoral committee met three times, and its member ministries conducted public

awareness activities, including a national event to honor world anti-trafficking day, radio spots, public rallies, posting and distribution of printed material in public areas, presentations for primary school students, and outreach at border posts.

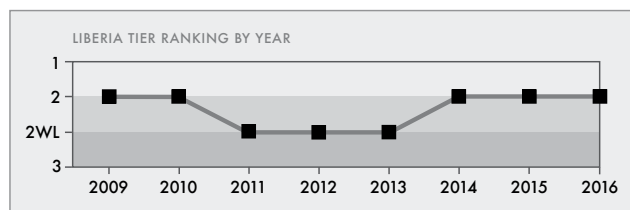
As of October 2015, the Ministry of Labor and Employment had conducted approximately 1,794 inspections of formal sector work sites; however, it did not inspect informal work settings, where forced labor is more prevalent. Only three of 38 labor inspectors received specialized training on child labor inspections; labor inspectors did not identify any child labor violations in 2015. In 2015, the government signed an agreement with the Government of South Africa that increases protections for Basotho workers, including domestic workers, employed in South Africa, by authorizing the issuance of long-term work permits, requiring signed employment contracts, and allowing Basotho to register for unemployment insurance in South Africa. During the reporting period, the government conducted a campaign to raise awareness of this program and thousands of Basotho registered in Lesotho, the first step in obtaining a long-term work permit in South Africa. The government also initiated a program to facilitate issuance of identity cards to more than 2,500 Basotho who transit informal border crossings frequently as day laborers or herders. The government made efforts to reduce the demand for commercial sex by posting flyers in public places. The regulations for the anti-trafficking act directed the Ministry of Foreign Affairs to provide anti-trafficking training to diplomatic personnel, but it did not conduct such training during the reporting period.

LIBERIA: Tier 2

Liberia is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Trafficking within the country from rural to urban areas is more prevalent than transnational trafficking, and the majority of victims are children. Most trafficking victims originate from and are exploited within the country's borders, where they are subjected to domestic servitude, forced begging, sex trafficking, or forced labor in street vending, alluvial diamond mines, and on rubber plantations. Traffickers typically operate independently and are commonly family members who promise poorer relatives a better life for their children. Children sent to work as domestic servants for their wealthier relatives are vulnerable to forced labor or, to a lesser extent, sexual exploitation. Orphaned children remain susceptible to exploitation, including in street selling and child sex trafficking. A small number of Liberian men, women, and children are subjected to human trafficking in other West African countries, including Cote d'Ivoire, Guinea, Sierra Leone, and Nigeria. Women from Tunisia and Morocco have been subjected to sex trafficking in Liberia. During the previous reporting period, Liberian women were subjected to forced labor in Lebanon. Capacity constraints and generalized corruption within the judiciary continued to hamper efforts to investigate and prosecute crimes, including human trafficking.

The Government of Liberia 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 Ebola outbreak and subsequent recovery efforts continued to severely affect the country and overwhelm the government's resources and capacity to address trafficking in persons effectively. Nevertheless, the government's trafficking in persons taskforce adopted a national referral mechanism and facilitated the repatriation of six Liberian women subjected to

trafficking in Lebanon during the previous reporting period. In total, 16 women were exploited in a trafficking ring first uncovered in September 2014. The government also provided \$50,000 for the care and protection of the 16 women. However, the government did not convict any trafficking offenders and continued to make insufficient efforts to investigate cases of internal trafficking, despite this being the predominant form of trafficking in the country. The government also did not implement fully its standard operating procedures for trafficking victim support.



RECOMMENDATIONS FOR LIBERIA:

Increase efforts to investigate, prosecute, and convict trafficking offenses, with an increased focus on cases involving Liberian nationals; vigorously investigate, prosecute, and convict government officials complicit in trafficking offenses; finalize and implement the national referral mechanism adopted by the trafficking in persons taskforce and educate NGOs, law enforcement personnel, magistrates, and other relevant officials on the mechanism and on the "Direct Assistance and Support to Trafficked Victims Standard Operating Procedures;" provide additional training to law enforcement officials and magistrates on the application of the anti-trafficking law and differentiation of trafficking crimes from cases of human smuggling or kidnapping; establish and adequately fund a shelter specifically for trafficking victims; and increase efforts to educate the public, particularly in Liberia's rural areas, about the dangers of human trafficking.

PROSECUTION

The government maintained its minimal anti-trafficking law enforcement efforts during the reporting period. Liberia's 2005 Act to Ban Trafficking in Persons prohibits all forms of trafficking. It prescribes a minimum sentence of one year's imprisonment for the trafficking of adults and six years' imprisonment for the trafficking of children, but does not include a maximum sentence for the trafficking of adults. The prescribed penalties for the sex and labor trafficking of children are sufficiently stringent, but the prescribed penalties for sex and labor trafficking of adults are not, nor are they commensurate with those prescribed for other serious offenses, such as rape.

The government reported one investigation of a potential internal trafficking case, one prosecution, and no convictions during the reporting period, compared with three investigations and no prosecutions or convictions in the previous reporting period. The one prosecution initiated during the reporting period followed from an investigation during the previous reporting period involving an alleged trafficker residing in Liberia and responsible for the exploitation of 16 Liberian women in Lebanon. The trial began in September 2015 and resulted in a hung jury in January 2016; by March 2016, officials had begun a re-trial. The government also initiated an investigation of one suspect in a potential internal trafficking case. No Liberian trafficking offenders have been convicted under Liberia's anti-trafficking law. All section heads of the

Liberia National Police (LNP) received basic training on how to report suspected trafficking cases to the Women and Children Protection Section (WACPS), which had the lead in investigating such crimes; however, LNP staff did not receive specialized training in investigating human trafficking crimes. Anti-trafficking training is a component of WACPS' mandatory three-week orientation course for all of its new officers. WACPS was unable to provide an estimate of the number of officers trained on anti-trafficking during the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government maintained modest efforts to identify and protect victims of human trafficking. It identified two potential internal trafficking victims. The government also repatriated six additional forced labor victims identified in a 2014 case, building upon the repatriation of 10 victims from the same case discovered in the previous reporting period. The government provided \$50,000 to the Ministry of Gender, Children, and Social Protection for the care and protection of the 16 women. The 2013 "Direct Assistance and Support to Trafficked Victims Standard Operating Procedures" were not fully implemented during the reporting period. The standard operating procedures provide guidance for the care and protection of victims and special considerations for child victims of trafficking. The trafficking in persons taskforce developed a national referral mechanism to accompany the standard operating procedures, which was sent to the Minister of Justice in December 2015 for approval necessary prior to its implementation; it remained pending approval at the conclusion of the reporting period. Government efforts largely focused on a few transnational human trafficking cases. There remained no government-run shelters or safe homes specifically for trafficking victims in Liberia, and the government continued to rely on NGOs and civil society groups to provide basic assistance and psycho-social support to victims. Government resources continued to be insufficient to provide specialized care for male victims or victims with disabilities. The government offers legal alternatives to removal to countries in which victims would face retribution or hardship, such as temporary residency, on a case-by-case basis. No victims were identified during the reporting period that were eligible to receive this type of benefit. The 2005 Act to Ban Trafficking in Persons absolves victims from responsibility for unlawful acts committed as a result of being subjected to trafficking; there were no reports that victims were punished during the year.

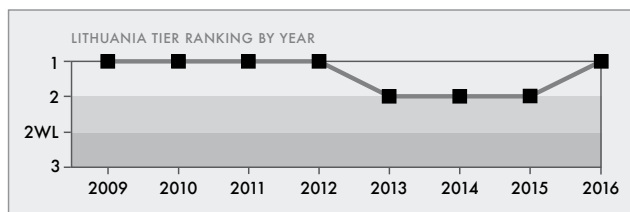
PREVENTION

The government made minimal efforts to prevent trafficking in persons. The trafficking in persons taskforce did not hold regular meetings and remained without an operating budget. The country's five-year trafficking in persons national action plan, launched in March 2014, was only partially implemented during the reporting period. Nevertheless, there were sometimes greater coordination efforts amongst government ministries through the taskforce. The Ministry of Labor continued to support anti-trafficking awareness campaigns, mainly through existing billboards; however, the government did not sponsor outreach or awareness activities during the reporting period. The government did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. The government provided anti-trafficking training for its diplomatic personnel.

LITHUANIA: Tier 1

Lithuania is a source, transit, and destination country for women and girls subjected to sex trafficking, as well as a source and destination country for men subjected to labor trafficking. Observers estimate 40 percent of identified Lithuanian trafficking victims are women and girls subjected to sex trafficking within the country. Lithuanian women are also trafficking victims in Western Europe and Scandinavia. Lithuanian children and adults are increasingly forced to engage in criminal activities, such as shoplifting, theft, and drug selling, in Nordic countries and Western Europe. Some Lithuanian men are subjected to forced labor in Ireland, the United Kingdom, and the United States, including in agriculture. Men from neighboring countries, as well as China, may be subjected to labor trafficking in Lithuania. Vietnamese adults and children transiting through Lithuania may be trafficking victims. The approximately 4,000 boys and girls institutionalized in more than 90 orphanages are especially vulnerable to trafficking. In early 2015, the government initiated investigations into official complicity and negligence related to allegations of sex trafficking of girls and boys at state-run orphanages.

The Government of Lithuania fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government greatly increased the available training for police, prosecutors, and judges. Officials identified more victims, particularly among exploited children. A working group established by the General Prosecutor's Office completed recommendations for best practices for law enforcement and public officials on victim identification, investigations, and interagency coordination; the relevant government agencies endorsed those recommendations and began implementation in December 2015. The interior ministry drafted a government resolution in December 2015 to create an inter-ministerial body with NGO representation to coordinate national efforts. The national audit office published a self-critical review of its efforts as a means to guide future progress. The government began to phase out state-run orphanages, where children are vulnerable to exploitation, in favor of the foster care system; however, some police officers failed to recognize sex trafficking among women coerced into prostitution and children exploited for commercial sex. Additionally, public funding for care providers did not sufficiently cover victim assistance costs, and the government lacked a system to deliver specialized care to child victims.



RECOMMENDATIONS FOR LITHUANIA:

Increase funding for NGOs to provide sustainable victim protection; provide systematic, effective training for all police officers on the identification, referral, and appropriate treatment of victims, including by integrating an anti-trafficking module into the basic training for the police; establish a formal inter-ministerial committee with NGO representation to coordinate whole-of-government anti-trafficking efforts; prevent the sex trafficking of children in state-run orphanages by prosecuting complicit or negligent orphanage authorities and ensuring ongoing reforms to the orphanage system to improve protection of vulnerable children; further improve training of investigators

and prosecutors on building trafficking cases, including developing evidence beyond victim testimony; further improve judicial understanding of trafficking and sensitivity toward victims of sex trafficking; equip courtrooms with the capacity to allow victims to provide testimony outside the presence of their alleged traffickers; intensify efforts to identify victims proactively, particularly children exploited for commercial sex and adults coerced to be in prostitution; and provide all victims access to shelter and trafficking-specific assistance, particularly adult male and child victims.

PROSECUTION

The government demonstrated progress in law enforcement efforts. Lithuania prohibits all forms of trafficking through articles 147 and 157 of its criminal code, which prescribe penalties ranging from two to 12 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Lithuanian authorities initiated investigations of 25 cases in 2015, compared with 24 in 2014. Authorities initiated prosecutions of 27 suspected traffickers, compared to 40 with 2014 and 18 in 2013. The government convicted 17 traffickers under articles 147 and 157, compared with 18 in 2014. All 17 traffickers convicted in 2015 were sentenced to time in prison, with terms ranging from three to eight years' imprisonment. The government collaborated with foreign counterparts in 17 international trafficking investigations, compared with two in 2014 and five in 2013. In March 2015, prosecutors announced an investigation into the director of an orphanage who had allegedly operated a sex trafficking ring inside the institution, offering young boys to pedophiles. In January 2015, prosecutors announced the investigation of a state-run residential institution for children with special needs; teenage residents allegedly had been subjecting girl residents to sex trafficking. In the latter case, the orphanage's director defended her institution by saying such activity is common at all Lithuanian orphanages. The investigations remained ongoing at the close of the reporting period.

The government increased its training of personnel during this reporting period. Although the basic training for police cadets continued to exclude trafficking, the national police organized eight anti-trafficking sessions at the police academy, which were attended by 160 police officers. In April, the national police and an NGO jointly organized a seminar for police, prosecutors, and judges. In September, a Supreme Court judge conducted a specialized training for 40 judges. In October, 20 police officers participated in a trafficking-specific two-day course organized by the Criminal Police Bureau. In November and December, the state labor inspectorate organized trainings on victim identification guidelines approved during the reporting period; 34 labor inspectors participated. The national police force continued to designate eight officers to lead trafficking investigations, and the General Prosecutor's Office designated six prosecutors. A Supreme Court justice with specialized knowledge of trafficking crimes received most of the trafficking cases that reached the Supreme Court. Observers reported prosecutors were reliant on victims' testimony to prove a trafficking case.

PROTECTION

The government demonstrated progress in efforts to assist victims, although funding for services remained insufficient. Lithuanian law enforcement identified 79 victims and potential victims in 2015, compared with 47 in 2014. Authorities identified more child victims: from three in 2014 to 18 in 2015. NGOs

receiving a mix of public and private funding provided support to 139 trafficking victims and at-risk individuals, including 39 victims of labor trafficking; NGOs assisted 133 victims in 2014. The central government provided NGOs approximately 43,000 euros (\$48,000) for victim assistance programs, compared to approximately 149,000 litas (\$52,600) in 2014. Experts reported the funding provided by the state was not sufficient to cover the actual expenses incurred by care providers for victim assistance. Five publicly funded men's crisis centers had the capacity to provide assistance, to include finding shelter, though not all police officers were aware of this service. Authorities placed child trafficking victims in foster homes and mixed-use shelters, which may not have provided specialized care needed by child victims. The government had a formal procedure to refer identified victims to care facilities for assistance, although it was underutilized in some parts of the country.

Law enforcement could offer foreign victims of trafficking a 30-day reflection period to decide whether to cooperate with law enforcement. Foreign victims cooperating with law enforcement could receive temporary residency. Authorities did not identify any foreign victims in 2014 or 2015. The Lithuanian criminal code requires victims to testify. Lithuanian law permits authorities to use video conferencing and other technologies in the courtroom, which could prevent re-traumatization of trafficking victims, but courts continued to have limited technical capabilities. The government provided legal representation to victims; however, observers reported the attorneys were not trained on trafficking issues, so NGOs often hired private attorneys for victims. In most cases in 2015, victims received compensation. Observers reported shortcomings in police recognition of trafficking victimization among individuals in prostitution; as a result, authorities subjected sex trafficking victims to administrative sanctions for prostitution, and authorities treated child sex trafficking victims as criminals rather than victims.

PREVENTION

The government demonstrated progress in prevention efforts. In December 2015, the interior ministry drafted a government resolution to create a national inter-ministerial coordination commission with NGO representation. A working group established by the General Prosecutor's Office completed recommendations for law enforcement and public officials on best practices in victim identification, investigations, and interagency coordination; the relevant government agencies endorsed and began implementation of those recommendations in December 2015. The National Audit Office evaluated the government's anti-trafficking efforts and called for improvements in victim assistance, coordination, training for officials, and prevention activities, as well as the creation of an independent national rapporteur. The interior ministry continued to publish an annual report covering the government's anti-trafficking law efforts. Following concerns that many Lithuanian children were unnecessarily institutionalized and at an increased risk of sex trafficking, the government worked to phase out large institutions and increase support for foster care. Public officials participated in NGO-organized prevention activities, and law enforcement authorities raised awareness in the media. In addition, the police advertised and managed an e-mail account that the public could use to report potential human trafficking situations and ask for advice. The government provided anti-trafficking training for its diplomatic personnel. The Lithuanian government made efforts to reduce the demand for commercial sex, but not for forced labor.

LUXEMBOURG: Tier 2

Luxembourg is a destination country for men, women, and children subjected to sex trafficking and forced labor. Victims of sex trafficking from Europe, Africa, Asia, and South America are exploited in prostitution in cabarets, private apartments, and on the street. Forced labor, sometimes involving Chinese or Eastern or Southern European men, women, and children, occurs in various sectors, including restaurants and construction. Traffickers reportedly transport an unknown number of Romani children from neighboring countries for forced begging in Luxembourg. Groups vulnerable to trafficking include migrant workers in domestic work, catering, construction, and begging, as well as unaccompanied foreign children, and people in Luxembourg's legal and illegal commercial sex industry.

The Government of Luxembourg 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 maintained the number of cases investigated and traffickers convicted, funded an anti-trafficking conference, allocated 100,000 euros (\$114,000) for an awareness campaign, and continued to provide strong protections to identified trafficking victims. However, the government only concluded two prosecutions, continued to issue short and suspended sentences, did not provide adequate resources to its anti-trafficking police unit, and failed to finalize a national referral mechanism for victim identification and protection or a national action plan.



RECOMMENDATIONS FOR LUXEMBOURG:

Vigorously prosecute, convict, and sentence labor and sex traffickers, including complicit officials, with sufficiently stringent prison sentences; finalize the national referral mechanism to guide front-line responders on how to proactively identify all types of trafficking victims and refer them to available services and protection; revise the trafficking law, including article 382-1, to clarify that force, fraud, or coercion are core elements of the crime of trafficking of adults; train law enforcement that subjecting a child to prostitution constitutes a trafficking crime; allow non-EU trafficking victims access to Luxembourg's labor market; increase resources available to law enforcement and government officials to proactively assist victims, identify and investigate labor and sex trafficking cases; continue to work collaboratively with, and increase resources available to, the national rapporteur to critically assess efforts and make recommendations to improve the government's response to human trafficking; and finalize a national action plan.

PROSECUTION

The government demonstrated a slight decrease in law enforcement efforts. Luxembourg prohibits all forms of sex and labor trafficking through articles 382-1 and 382-2 of the criminal code, although article 382-1 is broader than the international definition and could be used to prosecute non-trafficking cases, as force, fraud, and coercion are aggravating

factors that increase penalties rather than a means to commit the offense. The prescribed penalties for trafficking offenses range from three to 10 years' imprisonment for adult trafficking and 10 to 20 years' imprisonment for child trafficking. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the government reported 10 investigations and two prosecutions, compared to 10 investigations and six prosecutions in the previous reporting period. The government convicted five traffickers for sex trafficking in 2015, the same number as in 2014. Unlike in 2014, when all traffickers received prison sentences, the courts suspended the majority of prison sentences in 2015. Three traffickers received fully suspended sentences and fines ranging from 1,000 to 2,000 euros (\$1,140 to \$2,280). Two traffickers were ordered to serve between 18 and 48 months in prison, plus fines, compared to maximum sentences of 12 and 36 months in 2014 and 2013 respectively. The reported statistics reveal that convicted traffickers continued to frequently avoid imprisonment, resulting in penalties that are insufficiently stringent, as well as weakening deterrence of trafficking offenses. The police unit responsible for investigating trafficking cases continued to lack resources. In November 2015, the government, in collaboration with a regional organization, organized and funded a conference on law enforcement challenges concerning trafficking activities by African organized crime groups; 50 government officials and NGO representatives attended. The government also funded five judges' participation in anti-trafficking training at a foreign magistrate's school. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government maintained modest efforts to protect trafficking victims. Authorities identified two female sex trafficking victims, compared with 11 victims of labor and sex trafficking in the previous reporting period. Authorities did not finalize a written national referral mechanism for front-line responders; as a result, the management of victim referral and services occurred on an ad hoc basis. The government provided shelter and services to one of the victims identified during the reporting period, and it continued to provide assistance to five victims identified in the previous reporting period. The government increased funding for victim services generally by 500,000 euros (\$569,000); however, it is unclear how much of this funding was dedicated to victims of trafficking. The government had policies in place to encourage trafficking victims to assist in the prosecution of trafficking offenders, including legal alternatives to removal to countries in which victims would face retribution or hardship. Trafficking victims were entitled to a 90-day reflection period to decide whether they wanted to testify, during which EU citizens could work. Upon expiration of the reflection period, the government could issue a foreign victim either temporary or permanent residency status, depending upon the victim's willingness to cooperate with law enforcement and whether the victim was an EU national. The government provided four trafficking victims with permanent residence permits in 2015. Victims were also entitled to participation in a witness protection program to ensure their security before, during, and after a trial. There were no reports authorities penalized victims for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

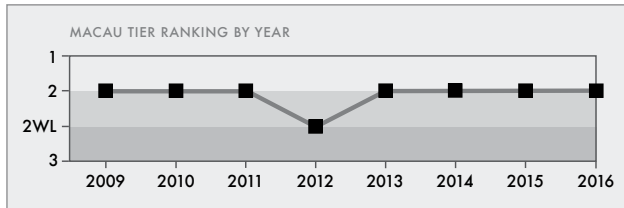
The government did not demonstrate an increase in anti-trafficking prevention efforts. The inter-ministerial committee

met three times and continued drafting a national action plan; the plan was not finalized at the close of the reporting period. The government did not conduct a national awareness campaign. The government allocated 100,000 euros (\$92,000) for a public awareness campaign in 2016, although the campaign had not been launched at the close of the reporting period. The government collaborated with regional partners to publish a brochure to raise awareness among first-responders, as well as a manual to strengthen cooperation among regional partners. The government also provided funding and technical support for an NGO-run website focused on the prevention of child sex tourism. The national rapporteur on trafficking in persons began the development of a centralized data collection system and began drafting the first bi-annual report; however, neither the database nor the report were finalized during the reporting period and the rapporteur lacked adequate resources. Authorities did not undertake any measures to reduce demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel; however, it distributed an anti-trafficking brochure to all diplomats prior to their deployment abroad.

MACAU: Tier 2

The Macau Special Administrative Region (MSAR) of the People's Republic of China is primarily a destination and, to a much lesser extent, a transit territory for women and children subjected to sex trafficking and forced labor. Sex trafficking victims originate primarily from mainland China; many are from inland Chinese provinces and travel to the border province of Guangdong in search of better employment. Some are from Asia, Russia, Africa, and South America. Many trafficking victims respond to false advertisements for jobs, including in casinos in Macau, but upon arrival are forced into prostitution. Traffickers sometimes confine victims in massage parlors and illegal brothels, where they are closely monitored, threatened with violence, forced to work long hours, and have their identity documents confiscated. Children are reportedly subjected to sex trafficking in connection with the gambling and entertainment industry in Macau. Some brokers who bring foreign men and women to Macau to renew work visas to other countries restrict these workers' movements and withhold their passports in conditions indicative of debt bondage and forced labor.

The Government of Macau does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government set up a communication mechanism with hotel employees to report potential trafficking situations directly to police and conducted a two-day training on combating trafficking crimes and protection of trafficking victims for 170 front-line government officials. The government allocated 3.2 million patacas (\$400,000) for preventing and countering trafficking. Macau's Judicial Police set up a new anti-trafficking taskforce within the organized crime division. However, there were no trafficking convictions in 2015, and the government identified only six sex trafficking victims. While it investigated three cases of potential labor trafficking, the government concluded that the individuals in question were not trafficking victims.



RECOMMENDATIONS FOR MACAU:

Increase efforts to investigate, prosecute, and convict sex and labor traffickers; institute a minimum wage for foreign domestic workers; continue to improve and consistently implement proactive victim identification methods, especially among vulnerable populations such as migrant workers and children exploited in commercial sex; continue to educate law enforcement and other officials and the public on forced labor and sex trafficking; conduct sex trafficking awareness campaigns so visitors in Macau understand soliciting or engaging in prostitution with children is a crime; and conduct a survey of the migrant labor population to identify its vulnerabilities to trafficking.

PROSECUTION

Authorities decreased anti-trafficking law enforcement efforts during the reporting period. The anti-trafficking law, Law Number 6/2008 within the penal code, prohibits all forms of trafficking in persons and prescribes penalties of three to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The relatively small population of Macau (600,000) in comparison to its over 30 million yearly visitors exacerbated law enforcement and judicial capacity constraints, which continued to pose major challenges in addressing trafficking crimes.

Authorities conducted investigations of five sex trafficking cases and three labor trafficking cases, compared with five sex trafficking cases in 2014. Police found the cases of alleged labor trafficking did not reach the level of criminal labor trafficking and did not refer them for criminal prosecution. Of the five sex trafficking investigations, prosecutors dropped one case and initiated prosecution of the other four cases; however, three of those cases were tried under charges other than sex trafficking. One case, involving one defendant, was tried under the anti-trafficking law, but the defendant was found not guilty. The government obtained no trafficking convictions in 2015, compared with six in 2014. Prosecutors continued to use the "procuring of prostitution" provision for many cases with elements of trafficking. This crime has simpler evidentiary standards but carries lighter penalties than the trafficking law. Authorities reported screening for potential victims of labor trafficking and investigating three suspected cases, but did not report any prosecutions or convictions for labor trafficking.

In addition to providing standard trafficking awareness training to all judiciary police and public security police officers, authorities organized and attended numerous anti-trafficking trainings during the year. In January 2016, Macau's anti-trafficking committee co-hosted with another government a two-day workshop on combating trafficking crimes and protecting trafficking victims for 170 front-line government officials. Authorities reported cooperating with mainland Chinese and Hong Kong authorities on anti-trafficking efforts through intelligence exchanges and joint investigations. Authorities did

not report any investigations, prosecutions, or convictions of officials complicit in human trafficking offenses.

PROTECTION

Authorities sustained efforts to protect trafficking victims. Authorities identified six victims of sex trafficking, an increase from five in 2014 but continuing the decline from 38 in 2013. Four victims were children; five were from mainland China and one was from South America. Authorities did not identify victims of forced labor in 2015, although three suspected cases were referred to police for investigation. The Social Welfare Bureau (SWB) reported assisting and offering shelter to all identified victims in cooperation with local NGOs. Authorities designated 21 beds for female trafficking victims at a shelter managed by SWB. An NGO-run home housed child victims. SWB continued to operate a shelter for male victims, although authorities did not identify any male victims during the reporting period. The government spent 1.5 million pataca (\$187,500) on victim protection services, including allocations to NGOs for service provision at shelters. Authorities had a formal victim identification process, operational referral process, and standardized screening questionnaire that guided law enforcement, immigration, and social services personnel. Authorities sustained an existing partnership with local NGOs to provide interpreters to assist in interviewing foreign trafficking victims and to operate a 24-hour general hotline that could be used by trafficking victims. Authorities encouraged victims to assist in the investigation and prosecution of trafficking crimes by providing temporary shelter and assistance, but reported difficulty persuading victims to cooperate. Authorities had a policy of offering foreign crime victims legal alternatives to removal to countries in which they would face retribution or hardship; however, no trafficking victims were known to have sought this immigration relief during the reporting period. The legal system allows for civil remedies, but no victim was known to have pursued this option in 2015.

PREVENTION

Authorities sustained efforts to prevent forced labor and sex trafficking. The Labor Affairs Bureau (LAB) and law enforcement agencies continued to disseminate thousands of leaflets, pamphlets, video clips, radio and television advertisements, and posters to raise awareness of labor trafficking. LAB continued a trafficking awareness education project in high schools, and held four seminars on labor rights and obligations for domestic workers and employment agency workers. Authorities also inspected construction sites, employment agencies, and companies with gaming licenses for labor trafficking, but despite these efforts did not identify any labor trafficking victims. The government worked with local hotels to promote awareness of trafficking crimes to hotel staff and set up a mechanism that required hotel employees to report any suspected case of trafficking immediately to police; one trafficking victim was identified during the reporting period through this mechanism. In an attempt to reduce demand for commercial sex acts, law enforcement authorities continued to combat the distribution of prostitution-related advertisements and increased the number of inspections of illegal brothels. Despite the majority of identified trafficking victims being child sex trafficking victims (four of six), authorities did not report any investigations or prosecutions for child sex tourism.

MACEDONIA: Tier 2

Macedonia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and girls in Macedonia are subjected to sex trafficking and forced labor within the country in restaurants, bars, and nightclubs. Children, primarily Roma, are subjected to forced begging and sex trafficking through forced marriages. Foreign victims subjected to sex trafficking in Macedonia typically originate from Eastern Europe, particularly Albania, Bosnia and Herzegovina, Kosovo, Romania, Serbia, and Ukraine. Citizens of Macedonia and foreign victims transiting Macedonia are subjected to sex trafficking and forced labor in construction and agricultural sectors in Southern, Central, and Western Europe. Migrants and refugees traveling through Macedonia are vulnerable to trafficking, particularly women and unaccompanied minors. Traffickers frequently bribe police and labor inspectors. Police have been investigated and convicted for complicity in human trafficking.

The Government of Macedonia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the influx of refugees and migrants to the country placed a significant strain on government resources, government efforts to protect victims and prevent trafficking declined markedly. Overall government funding dedicated to anti-trafficking efforts decreased in 2015 to 4.1 million denars (\$75,600) from 32.45 million denars (\$601,108) in 2014. The government convicted more traffickers compared to 2014, but identified just four victims—the fewest ever reported—despite an increase in vulnerable populations due to increased migration. The government continued to screen children engaged in street selling and begging for trafficking, yet discontinued its partnership with NGOs to operate mobile outreach teams to identify all types of victims of trafficking proactively. Victims had difficulty accessing compensation, and the government did not offer specialized services for male victims. In contrast to previous years, the government did not fund or coordinate any public awareness campaigns.



RECOMMENDATIONS FOR MACEDONIA:

Dedicate increased resources for the protection of victims; increase screening for trafficking among refugees and asylum-seekers; vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose sufficiently stringent sentences; regularly train law enforcement officials, labor inspectors, diplomatic personnel, and other officials on proactive victim identification, particularly among child beggars, irregular migrants, and asylum-seekers; train law enforcement, judges, and prosecutors on a victim-centered approach; provide accommodation to foreign trafficking victims in safe and appropriately rehabilitative settings and allow victims to leave shelters at will; provide specialized services for male trafficking victims; improve compensation mechanisms for victims and inform them of their right to seek restitution; adequately protect victims and witnesses to prevent intimidation and re-traumatization during court proceedings; develop a

comprehensive national action plan for implementation beyond 2016; make public government anti-trafficking efforts; and raise public awareness of all forms of trafficking.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The government prohibits all forms of trafficking, including forced begging and forced criminality, in articles 418(a) and (d) of its criminal code, which prescribe a minimum penalty of four years' imprisonment for trafficking adults and 12 years' imprisonment for trafficking children. This is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In December 2015, the government deleted article 191(a) on child prostitution, which could have enabled prosecutors to convict traffickers of a lesser offense rather than child sex trafficking, and amended article 418(d), explicitly criminalizing forced begging of minors and increasing the minimum sentence for child trafficking to 12 years' imprisonment. The government did not report any trafficking investigations in 2015, compared with three in 2014. Prosecutions were initiated against seven alleged traffickers, compared with five in 2014. In 2015, courts convicted and issued prison sentences to seven traffickers, compared with two convictions in 2014. Three were convicted for trafficking children for labor exploitation and four for trafficking children for sexual exploitation. In addition, courts convicted four traffickers for forced marriage involving domestic servitude, but issued the traffickers suspended sentences. Some police and labor inspectors allegedly accepted bribes related to trafficking crimes. Three police officers remained under investigation since 2014 for suspected involvement in organizations engaged in trafficking during the reporting period. Police cadets received specialized training, and 13 judges and six prosecutors attended trafficking trainings during the reporting period.

PROTECTION

The government decreased victim protection efforts. Police officers, labor inspectors, immigration officers, social workers, and NGOs used a national referral mechanism to refer potential victims and received training on victim identification. During the reporting period, the government discontinued its partnership with NGOs to operate six joint mobile units that identified and referred victims to services. The government formally identified four victims of sex and labor trafficking—including one adult and three children—in 2015, compared with seven in 2014. Authorities referred all four victims to a shelter for trafficking victims and later repatriated one foreign victim. In 2015, NGOs identified 94 potential victims of trafficking among the migrant and refugee population transiting Macedonia. Authorities did not investigate any of these cases further, and the anti-trafficking unit did not screen for trafficking victims. However, the government identified and provided assistance to three female migrants who were victims of trafficking prior to arriving in Macedonia. Social workers and police identified 78 potential forced labor victims among predominantly Romani children engaged in street begging and street vending. The government placed them in daycare centers and warned, fined, or jailed their parents; in cases where courts deemed parents unfit to care for their children, the state placed the children in orphanages.

Overall government funding dedicated to anti-trafficking efforts decreased in 2015 to 4.1 million denars (\$75,600) from 32.45 million denars (\$601,108) in 2014. Approximately 801,036 denars (\$15,000) went directly to victim assistance

and management of a shelter for trafficking victims, compared to 663,036 denars (\$13,500) in 2014. Unlike previous years, the government did not award NGOs any grants for the 2016 fiscal year, although NGOs reported their reliance on these grants to assist victims and thus must reduce their services. Foreign and domestic victims were entitled to accommodation, psychological and medical assistance, and legal representation. Domestic victims could receive reintegration support, including education and job placement. Specialized assistance was not available for male victims, and the government did not provide services accessible for victims with disabilities. The government and NGOs jointly ran a shelter for trafficking victims, as well as a transit center for irregular migrants that offered separate facilities for foreign trafficking victims; both facilities could house male, female, and child victims. The shelter allowed victims freedom of movement, but the migrant facility did not permit foreign victims to leave without a temporary residence permit. Due to the lack of funding, the government's partnership with NGOs to run the shelter was discontinued in 2016. Victims who chose not to or were unable to stay in a shelter needed greater assistance with finding alternative lodging and follow-up care.

The law permits foreign victims a two-month reflection period to decide whether to testify against their traffickers followed by a six-month temporary residence permit, regardless of whether they testify; authorities granted one victim a residence permit in 2015, as in 2014. Foreign victims do not have the right to obtain employment in the country until granted a temporary residence permit. A court ordered compensation for one victim in a criminal trial in 2015. While victims can claim restitution through civil proceedings, no victims have ever successfully completed a claim due to the complexity of the legal process. Although there were no reports of trafficking victims being penalized for unlawful acts committed as a direct result of being subjected to human trafficking, police did not contact the anti-trafficking unit to screen for potential victims of trafficking among dancers and other individuals when conducting operations in nightclubs, where sex trafficking was prevalent.

PREVENTION

The government decreased prevention efforts. Unlike previous years, the government did not fund or coordinate public awareness campaigns. The national anti-trafficking commission, comprised of government agencies, international organizations, and NGOs, met regularly to coordinate the government's anti-trafficking efforts and implement the 2013-2016 national action plan. Observers indicated the government did not provide sufficient funding to implement the plan and had not initiated development of a new action plan for implementation beyond 2016. The national commission worked with the local anti-trafficking commissions and provided training to improve local coordination. The government monitored its anti-trafficking efforts but did not make its assessment available to the public. In partnership with NGOs, the government conducted seminars for Romani students, teachers, and NGOs on the risks of forced marriages of minors. In 2015, a legal change allowed migrants and refugees who expressed intent to file for asylum to pass freely through the country, including access to public transportation and other services that reduced their vulnerability to exploitation. However, after the government restricted the asylum process in November 2015 to citizens of Syria, Iraq, and Afghanistan, authorities indicated an increase in migrant smuggling, which subsequently increased migrants' vulnerability to exploitation. The government partnered with a university in Skopje and an NGO to organize seminars focused on reducing

the demand for commercial sex, but did not report tangible efforts to reduce the demand for forced labor. The government provided diplomats basic training on human trafficking and distributed a handbook on preventing trafficking for domestic servitude in diplomatic households.

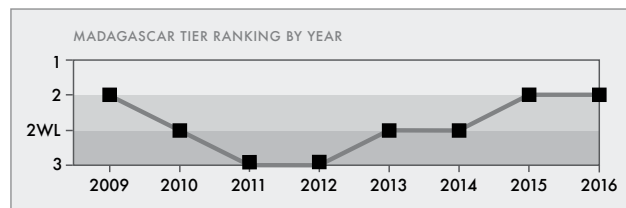
MADAGASCAR: Tier 2

Madagascar is a source country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Malagasy children, mostly from rural and coastal regions, and from impoverished families in urban areas, are exploited in prostitution, domestic servitude, and forced labor in mining, fishing, and agriculture across the country. Most child sex trafficking occurs with the involvement of family members, but tourist operators, taxi drivers, and local adults in prostitution also facilitate this crime. Informal employment agencies recruit child domestic workers who are subsequently subjected to forced labor. Some children are fraudulently recruited for work in Antananarivo as waitresses and masseuses before being exploited in prostitution. Reports suggest child sexual exploitation is most prevalent in tourist destinations and surrounding formal and informal mining sites. Previous reports indicated prostitution of boys was becoming more prevalent. Malagasy men exploit child sex trafficking victims, while most child sex tourists are French and Italian nationals, and to a lesser extent, other Westerners and Comorians.

It is estimated that thousands of Malagasy women are employed as domestic workers in Lebanon, Kuwait, and Saudi Arabia; these women circumvent a 2013 ban on work in Gulf countries by transiting Mauritius, Kenya, Comoros, and South Africa. Many of the women migrating are illiterate and vulnerable to fraud and abuse by recruitment agencies and employers. Reports suggest Malagasy men in the Middle East also endure forced labor in the service and construction sectors. Malagasy women are sent by persons acting as informal placement agents to China with falsified identity cards and exploited in forced labor and sold as brides. Malagasy men were subjected to forced labor aboard Chinese-flagged fishing vessels in South Africa's territorial waters in the previous reporting period, and increasingly are subjected to domestic servitude in China. NGOs previously reported government officials' complicity in obtaining falsified national identity cards, which facilitates the sexual exploitation of children for commercial sex in Madagascar and the domestic servitude of Malagasy women abroad. Past reports indicated public officials purchase sexual services from children in Antananarivo and Nosy Be, primary child sex tourism destinations. Police encourage financial arrangements between victims and their offenders, rather than pursuing charges; this perpetuates impunity.

The Government of Madagascar does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. It formally established the National Office to Combat Trafficking, and its members met several times during the reporting period. The government did not take adequate measures to operationalize its five-year national action plan, which came into effect in 2015, or allocate sufficient funding to support the effective work of the national office. Although the government reported 10 convictions in 2015, a slight increase from six in 2014, authorities reported only eight trafficking-related investigations, a significant decrease from 187 cases investigated the previous year. It continued to lack formal procedures to proactively identify trafficking victims

among vulnerable populations and did not systematically provide services. Although the government began to draft a bilateral agreement with Saudi Arabia in 2015, it did not make tangible progress with other destination country governments on protection and legal remedies for exploited Malagasy workers.



RECOMMENDATIONS FOR MADAGASCAR:

Increase efforts to prosecute and convict suspected trafficking offenders, including allegedly complicit officials, using the updated anti-trafficking legislation; adequately fund the National Office to Combat Trafficking; develop formal procedures for, and provide training to officials on, proactive measures to identify victims, investigate cases, and refer victims to appropriate services; implement the five-year national action plan to combat trafficking; monitor and regulate recruitment agencies sending migrant workers to the Middle East; operationalize the training center for prospective migrant workers and recruiters; collaborate with destination country governments to protect Malagasy migrant workers and jointly address cases of abuse; increase efforts to raise public awareness of labor trafficking, including of adults subjected to forced labor; and improve data collection on law enforcement efforts to combat trafficking, including the number of victims identified, cases investigated and prosecuted, and the number of convictions of trafficking offenders.

PROSECUTION

The government demonstrated uneven anti-trafficking law enforcement efforts. Anti-Trafficking Law No. 2007-038 prescribes punishments for sex trafficking, ranging from two years' to life imprisonment, which is sufficiently stringent and commensurate with those prescribed for other serious crimes such as rape. Law No. 2014-040 broadened the scope of the 2007 anti-trafficking law to cover sexual exploitation, labor trafficking, forced labor, forced begging, and debt bondage. The updated law imposes sufficiently stringent penalties for trafficking offenses, ranging from two to five years' imprisonment and a one to 10 million ariary (\$315-3,130) fine, and stiffer penalties of five to 10 years' imprisonment and fines ranging from two to 10 million ariary (\$625-3,130) for trafficking crimes committed against children. During the reporting year, justice officials facilitated workshops in Nosy Be and Toliary to familiarize law enforcement personnel with the 2014 anti-trafficking law.

National statistics on prosecutions and convictions remained difficult to obtain and verify, due to a lack of coordination between law enforcement and the courts and inadequate record keeping. During the reporting period, the national police's Morals and Minors Brigade investigated two potential trafficking cases and six trafficking-related cases, a stark decrease from the 187 cases of child sexual exploitation it investigated the year prior. Media reported the arrest of 14 alleged traffickers for the illicit recruitment of migrant workers; all 14 were referred for prosecution, a slight increase from the 11 prosecutions for illicit recruitment the year prior. Officials reported 10 trafficking convictions under the updated anti-trafficking law in 2015, compared with six in 2014. The government did not report

any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, there were widespread corruption and allegations of complicity.

PROTECTION

The government sustained minimal efforts to protect victims. It continued to lack formal procedures to proactively identify trafficking victims among vulnerable populations and did not systematically provide services or refer victims for care. The Ministry of Population and Social Affairs, in collaboration with an international organization, continued to coordinate approximately 450 child protection networks across the country. These networks are mandated to protect children from various forms of abuse and exploitation, as well as ensure access to medical and psycho-social services for victims. However, the networks' protective services were at times inadequate, the standard of care was inconsistent across regions, and it was not clear whether any of the networks provided services to trafficking victims during the reporting year. The government continued to operate and fund the Manjary Soa Center in Antananarivo, which housed 35 children who had been removed from situations of forced labor and sex trafficking. This center provided vocational training or reintegration into the public school system. There were no reports the government arrested or punished trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. The government remained without formal procedures to encourage victims to assist law enforcement in the prosecution of their traffickers; however, the police reported victims were generally willing participants in the investigations of their alleged traffickers. Under the 2014 anti-trafficking law, victims are entitled to compensation for reintegration and medical care; however, this provision was not implemented for the second consecutive year.

In 2015, officials assisted, through diplomatic facilitation, with the repatriation of 60 Malagasy citizens who were subjected to trafficking in China, Comoros, Kuwait, Saudi Arabia, and Thailand. The government did not engage with foreign governments regarding the protection of and legal remedies for exploited Malagasy workers; however, it did complete an initial draft of a bilateral agreement with Saudi Arabia during the reporting year. During the reporting period, many trafficking victims continued to return from the Middle East, where they had been subjected to various forms of abuse while working in domestic service. Upon repatriation, the vast majority of Malagasy trafficking victims arrived destitute and in need of psychological and medical services; however, the government did not provide victims with financial support or assistance but referred them to NGOs and international organizations for immediate care.

PREVENTION

The government demonstrated modest efforts to prevent trafficking. During the reporting year, the government formally established the National Office to Combat Trafficking, as called for in its five-year national action plan, which came into effect in early 2015. Although members of the new national office convened seven meetings during the reporting year to draft staff duties and develop internal organizational structure, the government did not take additional steps to operationalize the national action plan and reduced funding for its implementation to eight million ariary (\$2,500); during the previous reporting year, the government allotted 38.95 million ariary (\$12,000). A 2013 ban on domestic worker travel to Gulf countries remained in place; however, illicit recruitment agencies circumvented the

ban by sending workers through Comoros, Kenya, Mauritius, and South Africa. In October 2015, the government signed an agreement with an international organization to commence construction of a training center for prospective migrant workers and recruitment agencies; however, progress on this effort was unknown.

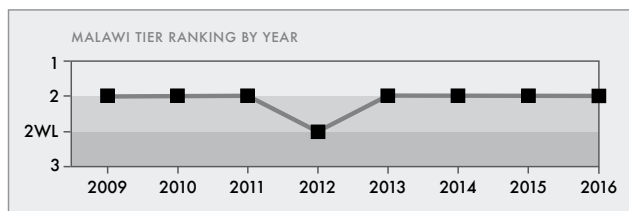
In November 2015, the government established a new tourist police branch in Ranohira Isalo to protect vulnerable populations against commercial sexual exploitation of children. However, officials did not disseminate the code of conduct to combat the commercial exploitation of children in the Nosy Be and Toliara tourism industry for the second consecutive year, although they did disseminate it in four additional regions with support from international organizations. Although authorities continued to operate the national hotline to document cases of child exploitation, no call statistics were available at the end of the reporting period. The prime minister launched an anti-trafficking awareness campaign, conducted and financially supported by an international organization, and justice ministers organized two national radio broadcasts to educate the public on the 2014 anti-trafficking law. During the reporting year, Malagasy officials, with donor funding, organized training on the identification and prevention of trafficking in the context of national disasters for an unknown number of humanitarian actors. The government did not make significant efforts to reduce the demand for forced labor during the reporting period. The government provided general guidance to diplomatic personnel on preventing trafficking based on respective local laws.

MALAWI: Tier 2

Malawi is a source country for men, women, and children subjected to forced labor and sex trafficking. To a lesser extent, it is a destination country for men, women, and children from Zambia, Mozambique, the Great Lakes region, and the Horn of Africa who are subjected to labor and sex trafficking, and a transit country for people from these countries exploited in South Africa. Most Malawian trafficking victims are exploited within the country, generally transported from the southern part of the country to the central and northern regions for forced labor in agriculture (predominantly the tobacco industry), goat and cattle herding, and brickmaking. Many cases of child labor external to the family involve fraudulent recruitment and physical or sexual abuse, indicative of forced labor. Traffickers—primarily facilitators or brothel owners—typically lure children from their families in rural areas under pretenses of employment opportunities, clothing, or lodging for which they are sometimes charged exorbitant fees, resulting in prostitution coerced through debts. Traffickers subject teenage boys to forced labor on farms and young girls to sexual exploitation in nightclubs or bars. Children are also subjected to forced labor in begging, small businesses, and potentially in the fishing industry; in past years, some were coerced to commit crimes. Adult tenant farmers are also vulnerable to exploitation, as they incur debts to landowners and may not receive payment during poor harvests. Malawian victims of sex and labor trafficking have been identified in Mozambique, South Africa, Zambia, and Tanzania. Reports from previous years suggest young girls are drugged, gang-raped, and exploited in commercial sex. Some girls recruited for domestic service are instead forced to marry and subsequently subjected to child sex trafficking by their “husbands.”

The Government of Malawi does not fully meet the minimum

standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities retained anti-trafficking training in the police academy curricula and worked with foreign governments to repatriate 23 trafficking victims during the year. The government enacted the anti-trafficking legislation passed in the previous reporting period but did not use it to prosecute traffickers in 2015. Delays in enacting and training officials on the new anti-trafficking law inhibited its full enforcement until late in the year, resulting in an ineffective deterrence. Although Malawian authorities reported more than twice as many trafficking convictions in 2015 (58) compared with 2014 (25), the administered punishments were uneven with some receiving weak and poorly deterring sentences. The government identified approximately 197 trafficking victims, a decrease from 242 the previous year, but it did refer approximately 150 potential victims for protective services in 2015; it referred 100 in 2014. It continued to lack standardized procedures to effectively identify victims and provide them adequate protection and to rely on international organizations and NGOs to fund and implement most anti-trafficking programs.



RECOMMENDATIONS FOR MALAWI:

Raise public awareness of the key provisions and fully implement the prosecution and protection provisions in the 2015 anti-trafficking legislation; vigorously prosecute and sentence both sex and labor trafficking offenses under the new law; sentence convicted traffickers to sufficiently stringent punishments, including by increasing prison sentences; support training and increase funding for judges, prosecutors, labor inspectors, and police to identify, investigate, and prosecute trafficking crimes; develop formal guidelines to identify trafficking victims, especially among vulnerable populations, and to refer them to available services; increase the availability of shelters and protection services for victims, including through in-kind or material support to NGOs for expansion of direct service provisions; improve and expand the collection of national prosecution and protection data; increase awareness and monitoring of trafficking crimes, as well as efforts to identify traffickers and victims at border crossings and internal police checkpoints; adopt a national strategy to combat trafficking that focuses on improving national-level coordination of anti-trafficking efforts across all districts; and develop and launch anti-trafficking public awareness campaigns.

PROSECUTION

The government demonstrated uneven anti-trafficking law enforcement efforts. Although Parliament enacted anti-trafficking legislation passed during the previous reporting period, it was not in official force until late in the year which, coupled with limited funding available for judicial and police training, partly prevented its use in prosecutions during the reporting period. The new anti-trafficking law, if fully implemented, would prohibit all forms of trafficking and prescribe punishments of up to life imprisonment, without the option of fines. During the year, the government punished traffickers with sentences of up to 16 years' imprisonment. Fines remained an alternative punishment and an ineffective deterrent against trafficking crimes. The penalties prescribed under the various statutes

that were in force prior to the November 2015 enactment of the Trafficking in Persons Act range from small fines to 14 years' imprisonment; because of the alternative of a fine, these penalties are insufficiently stringent and not commensurate with punishments prescribed for other serious crimes, such as rape. The Child Care, Protection, and Justice Act of 2010 prohibits child trafficking and prescribes sufficiently stringent penalties of up to life imprisonment for convicted traffickers.

In 2015, the Malawi Police Service (MPS) reported anti-trafficking law enforcement data from five of Malawi's 34 district-level police stations. Nonetheless, poor record management and a lack of government direction contributed to inadequate tracking of investigation, prosecution, and conviction statistics nationwide. MPS reported it arrested and prosecuted at least 68 alleged traffickers and convicted 58, an increase from 25 traffickers convicted during the previous reporting period. However, given the late 2015 enactment of the anti-trafficking law, judges were limited to the provisions of laws in effect at the time. The Ministry of Home Affairs, which includes MPS and immigration officials, maintained primary responsibility for the prosecution of trafficking crimes and enforcement of trafficking laws; it did not provide complete information on prosecutions in 2015. Police from Phalombe district provided supplemental law enforcement data, including the arrest of 35 potential offenders, five of whom authorities released. Phalombe police also reported attaining five convictions, although they subsequently acquitted four of these traffickers, a reduction from 11 it achieved in total in 2014. Prison sentences in Phalombe district ranged from 18 to 24 months' imprisonment.

The MPS retained anti-trafficking training in its curricula for the Limbe Police Training School, Mtakata Police Training School, and Police College. During the year, Malawian officials worked with the South African and Mozambican governments to repatriate 23 labor trafficking victims to their countries of origin. Despite allegations of corruption and anecdotal reports of police abusing sex trafficking victims in previous years, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government sustained inadequate efforts to protect victims and identified fewer victims than the previous reporting period. The government continued to lack systematic procedures for the proactive identification of victims and their referral to care. Given severe resource constraints, the government relied largely on NGOs to identify victims and provide long-term care and did not provide in-kind or financial support for most NGO services, including those offered at the only dedicated shelter for trafficking victims in the country operated by an international NGO. The national government lacked comprehensive data on the number of victims it identified, referred, or assisted during the reporting period; however, MPS reported it identified at least 197 trafficking victims, a decrease from 242 identified during the previous reporting period. The government ran one social rehabilitation center in Lilongwe for vulnerable children, orphans, and child trafficking and gender-based violence victims, providing counseling and rehabilitation services. The government reported referring more than 150 potential trafficking victims to the center in 2015 compared with 100 victims in 2014. Individuals familiar with the facility described the center as chronically underfunded and unsuitable for trafficking victims, especially children; conditions at the center were so dire some child sex trafficking victims reportedly

chose to leave the shelter and return to the brothels from which they had been removed. The lack of adequate and sustained assistance left victims vulnerable to re-trafficking.

Around 300 police stations at the sub-district level housed victim support units (VSUs) to respond to gender-based violence and trafficking crimes; however, the VSUs lacked capacity to respond adequately and the quality of services remained variable throughout the country. Some foreign victims avoided these centers due to fear of deportation. There was no alternative of providing foreign victims with temporary residency or other legal alternatives to their removal to their countries of origin; foreign victims faced deportation unless they challenged their immigration status in court. In 2015, there were no credible reports of trafficking victims being detained, fined, or jailed for unlawful acts committed as a direct result of their being subjected to trafficking; however, due to a lack of formal victim identification procedures during the reporting period, and the absence of alternatives to deportation for trafficking victims, some unidentified trafficking victims may have remained in the criminal justice system or been deported.

PREVENTION

The government's efforts to prevent trafficking waned due in part to an ineffective interagency process. Malawi continued to lack an anti-trafficking national action plan, as the board established to provide nationwide guidance on such efforts under the anti-trafficking legislation, which came into force in November 2015, has not yet convened. During the reporting year, the Malawi Network Against Child Trafficking, comprised of government officials, NGOs, and international stakeholders, did not hold regional-area meetings and convened only one meeting at the national level, compared with eight total meetings it held during the previous year. Most public awareness campaigns continued to be spearheaded by NGOs. During the reporting year, officials did not report conducting any labor inspections; in 2014, however, the government facilitated at least 215 child labor inspections. Due to a withdrawal of most direct budget support from bilateral and multilateral donors and lack of government funding resulting in poorly paid staff, more than 60 percent of positions within the Ministry of Labor were vacant, impeding efforts to identify and penalize fraudulent labor recruitment during the year. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor. Malawi did not provide anti-trafficking training for its diplomatic personnel. With support and assistance from foreign entities, the government ensured Malawian troops received anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

MALAYSIA: Tier 2 Watch List

Malaysia is a destination and, to a much lesser extent, source and transit country for men, women, and children subjected to forced labor and women and a small number of children subjected to sex trafficking. The majority of trafficking victims are among the estimated two million documented and an even greater number of undocumented migrant laborers in Malaysia. Foreign workers—primarily from Indonesia, Bangladesh, the Philippines, Nepal, India, Burma, and other Southeast Asian countries—typically migrate voluntarily to Malaysia to pursue better economic opportunities. Some of these migrants are subjected to forced labor or debt bondage by their employers, employment agents, or informal labor recruiters when they are

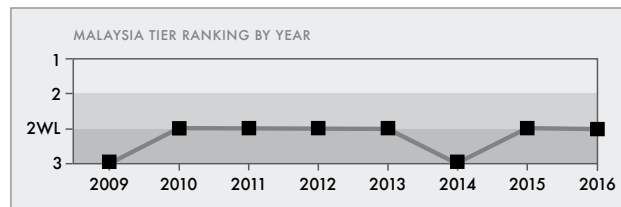
unable to pay the fees for recruitment and associated travel. Foreign workers employed by outsourcing or contract labor companies, which may or may not have oversight of personnel issues or day-to-day working conditions, have heightened vulnerabilities to exploitative labor conditions and a reduced ability to resolve disputes. Agents in labor source countries may impose onerous fees on workers before they arrive in Malaysia, in some cases causing debt bondage. Foreign workers in Malaysia and the companies which employ them are subject to a range of government fees for immigration processing, foreign worker levies, and other administrative processes. The law allows many of the fees, which are initially paid by employers, to be deducted from workers' wages, incentivizing employers to prevent workers from ending their employment before fees are recouped. Government regulations placed the burden of paying some immigration and employment authorization fees on foreign workers; this practice makes workers more susceptible to debt bondage. Authorities report organized crime syndicates are responsible for some instances of trafficking. Corruption among immigration and police officers remains a problem and impedes efforts to address trafficking.

Some migrant workers on palm oil and agricultural plantations, at construction sites, in the electronics industry, and in homes as domestic workers are subjected to practices that can indicate forced labor, such as passport retention—both authorized and unauthorized—and contract violations, restricted movement, wage fraud, and imposition of significant debts by recruitment agents or employers. Discoveries of migrant camps and mass graves along the border with Thailand in 2015 generated reports some officials were complicit in facilitating migrant smuggling, which may have included trafficking crimes. In previous years, some forced labor victims—such as Cambodian and Burmese men on Thai fishing boats in Malaysian waters—escaped their traffickers in Malaysian territory. After reports of abuse, the Cambodian government instituted a ban in 2011 on its citizens becoming maids in Malaysia. The ban was lifted in December 2015 after the signing of two memoranda of understanding between the Governments of Cambodia and Malaysia to improve regulation of foreign worker contracts and protect workers' rights; some Cambodian women remain subjected to domestic servitude. In efforts to circumvent anti-trafficking protections established by the Indonesian government, there are reports that some Indonesian workers may transit Malaysia legally en route to Middle Eastern countries, where some may be subjected to domestic servitude. Although significantly fewer than the number of forced laborers, some young foreign women—mainly from Southeast Asia, and to a much lesser extent Africa—are recruited ostensibly for legal work in Malaysian restaurants, hotels, and beauty salons, but are instead forced into prostitution. Some Vietnamese women and girls enter into brokered marriages in Malaysia and are forced into prostitution.

The more than 150,000 registered refugees and asylum-seekers in Malaysia lack formal status or the ability to obtain legal work permits, leaving them vulnerable to trafficking. Many refugees incur large smuggling debts, which traffickers use to subject some refugees to debt bondage. Children from refugee communities in Peninsular Malaysia are reportedly subjected to forced begging. A large population of Filipino Muslims resides illegally in Sabah, some of whom are vulnerable to trafficking. Few Malaysian citizens are subjected to trafficking internally and abroad.

The Government of Malaysia 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, Malaysia is placed on Tier 2 Watch List for the second consecutive year. In July 2015, Parliament passed amendments to the existing anti-trafficking law to reform its victim protection system; these amendments legally came into force in November. The government co-chaired, with an internationally recognized trafficking expert, a consultation session with civil society stakeholders to develop implementing regulations for the amendments, focusing on legal changes allowing trafficking victims to live and work outside of government facilities; it then hosted two subsequent consultation sessions with civil society. In unparalleled form, the government shared the full text of draft implementing regulations with more than 40 invited participants in advance of each consultation session and collaborated with NGOs and international organization representatives to make line by line edits to the drafts during the last two sessions. The regulations were completed in March 2016 but awaited formal adoption at the close of the reporting period. In an effort to allow victims to move freely and work outside government facilities, the government collaborated with an international hotel chain to identify employment opportunities, advertised the positions to more than 100 trafficking victims, issued work permits to four trafficking victims, and arranged medical screenings as part of the work permit approval process for an additional five victims during the year. However, two of the first four workers subsequently left their jobs, and many victims declined to participate in the program, citing a desire to return home instead. Malaysia initiated fewer trafficking investigations and prosecutions compared to last year, but increased convictions from three to seven. Sentences for convicted traffickers varied, but some were insufficiently stringent. The government questioned several officials after the discovery of mass graves on the Thai border, but did not prosecute any officials during the reporting period for complicity in trafficking crimes. The government maintained a dedicated anti-trafficking police force, doubled the number of specialized anti-trafficking labor inspectors, and increased the number of specialized trafficking prosecutors. The government did not convict any employers for unauthorized retention of passports, despite pervasive passport retention and the inherent difficulty in determining if an employee has willingly allowed his or her employer to safeguard the passport. This marks a decrease from one such conviction in 2014. Malaysia continued its government-sponsored trafficking prevention efforts, including public awareness campaigns and the signing of nine bilateral memoranda of understanding with labor source countries to improve regulation of foreign worker contracts and protect workers' rights.



RECOMMENDATIONS FOR MALAYSIA:

Adopt, publicly gazette, and fully implement the regulations for the 2015 amendments to the anti-trafficking law and allow trafficking victims to obtain employment and move freely in and out of government and NGO facilities; increase the number and effectiveness of trafficking prosecutions and convictions,

including of complicit officials, through improved collaboration across law enforcement agencies, stronger cooperation between law enforcement officers and prosecutors, more effective investigations, reduced court delays, and increased judicial familiarity with the full range of trafficking crimes, particularly forced labor; increase the capacity of labor inspectors to identify trafficking victims among vulnerable groups, such as migrant workers, and to effectively investigate labor trafficking; readjust the foreign worker levy schedule to make employers, not employees, responsible for government-imposed fees; improve case management and communication with trafficking victims, including through increased prosecutor-victim interaction at least two weeks prior to trial in compliance with the attorney general's directive; increase collaboration with and allocate additional funding to credible and effective NGOs that house and counsel victims, including in respective native languages; ensure that workers, including domestic workers, are fully informed of their rights to maintain access to their passports at any time, without delay or approval, and without consequence to their status and relationship with their employer, and include language explicitly stating that passports will remain in the employee's possession in model contracts and future bilateral memoranda of understanding with labor source countries; effectively enforce the law prohibiting employers from retaining passports without employees' consent, educate workers and employers on foreign worker rights, including legal recourses and remedies against traffickers, and ensure employers provide lockers or other secure passport storage facilities; expand labor protections for domestic workers, continue investigating allegations of domestic worker abuse, and educate employers about domestic workers' rights; and fully implement the 2016-2020 national plan to combat trafficking.

PROSECUTION

The government demonstrated uneven anti-trafficking law enforcement efforts. These efforts resulted in a decreased number of investigations and prosecutions, but an increase in trafficking convictions from three to seven. Malaysia's 2007 Anti-Trafficking in Persons Act—amended in 2010 and again in 2015—prohibits all forms of human trafficking and prescribes punishments of up to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. In 2015, the government completed 158 investigations of potential trafficking cases—a decrease from 186 in 2014—and reported 247 arrests for suspected trafficking crimes, a figure that was unavailable in the previous year. Officials continued to rely on labor inspections and reports from workers to initiate labor trafficking investigations. The government initiated prosecutions against 38 alleged trafficking offenders—including 24 for sex trafficking and 14 for forced labor—down from 54 prosecutions initiated the previous year. The government convicted seven traffickers—five for sex trafficking and two for labor trafficking—marking an increase from three traffickers convicted in 2014. Sentences for convicted traffickers varied; the average was five years in prison. However, the majority of sentences were weak and incommensurate with those prescribed for other serious offenses, including a trafficker who was administered one day in prison plus a fine of RM 20,000 (\$5,000), and three others who given sentences of one to three and one-half years' imprisonment. The Attorney General's Chambers reported a majority of prosecutors were complying with the 2014 written directive requiring them to engage with victims at least two weeks prior to trial to better understand and address victims' concerns about the process and duration of trials. However, the limited availability of certified interpreters and Malaysia's decentralized jurisdictions remained challenges.

The government continued to pursue cases that could not meet the evidentiary standard for the anti-trafficking law, re-classifying them under the Employment Act, the Immigration Act, and other related laws for prosecution. However, accountability for traffickers remained disproportionately low compared to the scale of the human trafficking problem in the country.

The Royal Malaysia Police maintained a specialized anti-trafficking unit, and the labor department doubled its specialized trafficking enforcement team to approximately 30 during the reporting period. The Attorney General's Chamber appointed 13 additional trafficking-specialist deputy public prosecutors throughout Malaysia, raising the total to 42, an increase from the 29 on staff in 2014. The government's enforcement of the prohibition on unauthorized passport retention by employers remained limited. The government did not prosecute any employers for this crime in 2015; in 2014, it convicted one defendant for unlawfully withholding 29 employees' passports and fined him RM 5,000 (\$1,400). The practice of passport retention remained widespread and problematic; Malaysian law allows employers to hold workers' passports with the workers' permission, but it is difficult to determine if workers have freely given permission and some employers may retain the passports in order to preclude workers from changing jobs.

Each of Malaysia's five enforcement agencies continued to conduct anti-trafficking trainings for an unknown number of officials, focusing on victim protection, law enforcement, and prosecution, among other topics. The government facilitated 10 national briefing sessions at state levels to inform relevant agencies on critical aspects of the 2015 amendments to the anti-trafficking law. Government representatives organized a course for the judicial sector during which the Attorney General's Chamber briefed sitting judges on elements of human trafficking. During the year, Malaysian officials participated in a specialized course and bilateral meeting facilitated by the Philippine regional police on cross-border trafficking issues. The May and August 2015 discoveries of migrant camps and mass graves along the border with Thailand fueled reports corrupt officials facilitated migrant smuggling, which may have included trafficking crimes. Although Malaysian authorities detained an unknown number of police and forestry officials for questioning, the government did not report any prosecutions or convictions of government officials complicit in trafficking.

PROTECTION

The government made some efforts to protect victims. The government continued to reform its victim protection system, including some progress on a regulatory framework to allow victims' freedom of movement and right to work. In July 2015, Parliament passed amendments to the anti-trafficking law, which officially went into force in November 2015. The revised law allows victims to work and to move freely in and out of government facilities; allows the court to order convicted traffickers to pay restitution to trafficking victims and provides an avenue for trafficking victims to bring civil suits against their abusers; expands interim protection orders from 14 to 21 days to allow for more thorough investigations; allows NGOs to house victims legally as designated protection officers; and institutionalizes a high level anti-trafficking committee. With some international funding, the government and an internationally recognized trafficking expert co-chaired a consultation session with civil society stakeholders to solicit feedback and recommendations on the development of implementing regulations for the amendments to the anti-trafficking law, focusing on legal changes allowing trafficking

victims to live and work outside of government facilities. The government then hosted two subsequent consultation sessions with civil society. In an unprecedented effort, the government shared the full text of draft implementing regulations with more than 40 invited participants in advance of each consultation session and collaborated with NGOs and international organization representatives to make edits to the drafts during the last two sessions.

The Ministry of Home Affairs completed the implementing regulations in March 2016; however, they were not officially in effect at the close of the reporting period, as they awaited formal adoption and publication in the official gazette. The final version of the draft regulations reflected some international best practices and NGO input. Additional consultations with civil society stakeholders are required to address remaining operational issues, including limitations on certain nationalities working in specific sectors, accountability for providing medical screenings and risk assessments, and the role of NGO protection officers. If fully implemented, the 2015 amendments to the anti-trafficking law would allow all trafficking victims—including foreigners—who received a protection order to stay at a government facility in Malaysia, to work, and to come and go freely from government or NGO facilities, pending a medical screening and risk assessment.

During the reporting period, the government collaborated with an international hotel chain to identify employment opportunities for trafficking victims and advertised the positions to more than 100 trafficking victims in government facilities. Nine accepted the offer during the reporting period. Many who declined participation cited preferences to return to their respective countries of origin or dissatisfaction with the salary offered by the hotel chain, which was nearly double the Malaysian minimum wage. The government issued work permits for four trafficking victims and arranged medical screenings for the remaining five, who awaited the issuance of their work permits at the end of the reporting period. In these cases, the government identified and removed administrative obstacles that make hiring a foreign worker a complicated and protracted process. Two of the four newly employed trafficking victims left their jobs a few weeks after beginning work. The government presented this employment offer to newly identified trafficking victims and other shelter residents on a regular basis, yet many women continued to decline the opportunity.

The government reported independent law enforcement agencies followed standardized procedures to identify trafficking victims. Officials initiated labor trafficking investigations after labor inspections and workers' reports of non-payment of wages. In 2015, the government identified 1,386 potential trafficking victims, of which it confirmed 305 as trafficking victims, on par with 303 identified victims in 2014. The victims were mainly Vietnamese and Indonesian, followed by Filipino and Thai nationals. The government did not always proactively screen the vulnerable migrant worker population for indicators of trafficking, which left an unknown number of potential victims unidentified and without proper care. The anti-trafficking law provides trafficking victims immunity from immigration offenses. Potential trafficking victims who denied they had been subjected to trafficking or whose employers confiscated their documents were sometimes detained, deported, or charged with immigration offenses.

During the year, most trafficking victims were housed in government facilities as part of a court-ordered 21-day interim protection order (for suspected trafficking victims) or

a subsequent 90-day protection order (for certified trafficking victims). The longest recorded stay during the year was seven months. Many victims preferred to immediately return to their home countries and, in a few cases, some foreign embassies sheltered victims in order to expedite their repatriation and provide an alternative to being housed in Malaysian government facilities. Although the law permits victims to testify remotely, authorities generally expected victims to remain in-country pending trial proceedings. In an effort to avoid protracted criminal proceedings and return home more quickly, many victims were unwilling to testify against their traffickers. Reports alleged traffickers threatened victims or bribed them with out-of-court settlements.

The Ministry of Women, Family, and Community Development maintained seven facilities to house trafficking victims—four for women, one for men, and two for child trafficking victims. The government provided basic services to those staying in its facilities, including food, medical care, social and religious activities, and security; NGOs provided some victim rehabilitation and counseling services in most shelters, typically without government-allocated funding. During the reporting period, Malaysian officials negotiated a cooperative agreement to provide a local NGO service provider with RM 44,000 (\$11,000) to conduct therapeutic activities at the government's trafficking shelter in Kuala Lumpur. Victims could make phone calls at least once per month and more often when shelter capacity was not maximized. The government maintained its allocation of RM 4,000,000 (\$1,000,000) to the Ministry of Home Affairs and RM 4,600,000 (\$1,150,000) to the Ministry of Women, Family, and Community Development to operate government facilities for trafficking victims in 2015.

PREVENTION

The government modestly increased efforts to prevent trafficking. Malaysia's anti-trafficking council (MAPO) was headed by the home affairs ministry and included representation from five enforcement bodies, other government entities, and two NGO representatives. It met monthly and was active in coordinating interagency anti-trafficking efforts. The cabinet convened one meeting to discuss human trafficking issues during the reporting period and separately approved the implementing regulations for the anti-trafficking law; it held four meetings during the previous year. The government drafted a national action plan spanning 2016-2020 to supersede its 2010-2015 plan. The government's anti-trafficking awareness campaigns continued to highlight criminal penalties associated with commercial sexual exploitation. The government produced and aired 6,447 public service radio broadcasts and 1,347 television segments during the reporting period, an increase from 3,947 and 1,179 announcements, respectively, in 2014. It also disseminated 50,000 informational booklets on trafficking via 139 information centers around the country. Public statements on flights arriving from source countries warned of severe punishments under the anti-trafficking law. Media frequently covered trafficking-related news, although often conflating it with migrant smuggling. The home affairs ministry continued outreach to electronics companies and other Malaysian employers on trafficking issues, including at the Malaysian Employer's Federation Academy Symposium in October 2015; in 2014, it targeted 100 companies in the electronics industry in Penang, Shah Alam, and Johor to sensitize strategic public fora on forced labor indicators, such as passport retention. The government co-organized with international anti-trafficking organizations a regional workshop in Kuala Lumpur in December 2015, wherein participants from the

Association of Southeast Asian Nations member states and civil society worked together to develop common indicators for practitioners to more effectively identify trafficking victims.

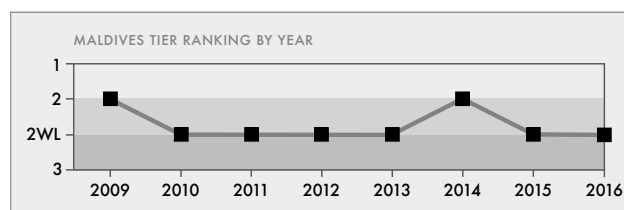
The government signed memoranda of understanding with the governments of Sri Lanka, Vietnam, Thailand, China, Pakistan, Bangladesh, India, Cambodia, and Indonesia to improve regulation of foreign worker contracts and rights. In December 2015, the government signed two memoranda of understanding to govern the employment of Cambodian domestic workers in Malaysia, which prompted the Cambodian government to rescind its 2011 ban on its nationals traveling to Malaysia to work as household maids; however, some women remained subjected to domestic servitude. Employment law continued to exclude domestic workers from a number of protections, including the country's minimum wage. Labor inspectorates conducted more than 47,000 labor inspections, issued 6,500 citations for contraventions of the Employment Act, and referred seven cases of exploitative labor for criminal proceedings, a relatively low number given the extent of labor trafficking in the country; results of the seven referrals were unavailable at the close of the reporting period. The Labor Court also resolved more than 16,000 cases of non-payment of wages and compelled employers to pay more than RM 35.4 million (\$8.85 million) in back pay and approximately RM 2.2 million (\$550,000) in fines. The government provided anti-trafficking training for its diplomatic personnel and its troops prior to their deployment abroad on international peacekeeping missions.

MALDIVES: Tier 2 Watch List

Maldives is a destination country for men, women, and children subjected to forced labor and sex trafficking, and a source country for women and children subjected to labor and sex trafficking. An unknown number of the approximately 130,000 and 60,000 documented and undocumented foreign workers in Maldives, respectively—primarily Bangladeshi and Indian men in the construction and service sectors—experience indicators of forced labor, including fraudulent recruitment, confiscation of identity and travel documents, withholding or non-payment of wages, and debt bondage. Migrant workers pay approximately \$400 to \$4,000 in recruitment fees to work in Maldives, contributing to their risk of debt bondage upon arrival. In addition to Bangladeshis and Indians, some workers from Sri Lanka, Pakistan, and Nepal reportedly experience recruitment fraud before arriving in Maldives; recruitment agents in source countries collude with employers and agents in Maldives to facilitate fraudulent recruitment and forced labor of migrant workers. NGOs allege officials may warn businesses in advance of planned raids for suspected trafficking offenses or other labor abuses and be involved in labor recruiting practices that can lead to trafficking. A small number of women from Asia, Eastern Europe, and former Soviet countries, as well as girls from Bangladesh and Maldives, are subjected to sex trafficking in Maldives. Maldivian children are transported to the capital, Male, from other islands for domestic service; some of these children are also reportedly subjected to sexual abuse and may be victims of forced labor. Maldivian women may be subjected to sex trafficking in Sri Lanka.

The Government of Maldives does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government launched its national action plan, a training curriculum on trafficking for new immigration officials, and a reporting hotline. Despite

these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Maldives is placed on Tier 2 Watch List for the second consecutive year. The government did not initiate any new prosecutions; police stated they lacked training on evidence gathering. Victim protection was inadequate and inconsistent—victims lacked regular access to medical and psycho-social support. At the end of the reporting period, the government formally adopted victim identification guidelines but had not yet adopted standard operating procedures (SOPs) for victim identification, protection, and referral, thereby preventing proactive identification of victims.



RECOMMENDATIONS FOR MALDIVES:

Increase efforts to investigate and prosecute suspected trafficking offenses, respecting due process; formally adopt standard operating procedures for proactive identification of trafficking victims and referral to protection services, and train officials on their use; re-establish the state-run shelter and consistent rehabilitation services; finalize and implement the standard operating procedures for shelter operations and victim services; increase efforts to monitor and punish labor recruitment agents and firms engaging in fraudulent practices; enforce prohibitions against passport retention by employers and government agencies; continue to raise public awareness of human trafficking through media campaigns; provide translators to law enforcement and labor authorities to ensure foreign workers are able to participate in inspections, investigations, and prosecutions against their alleged traffickers; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained weak anti-trafficking law enforcement efforts. The Prevention of Human Trafficking Act (PHTA) prohibits many, but not all, forms of sex and labor trafficking under articles 12, 13, 14, and 16. The law prohibits internal and transnational trafficking. However, in a departure from the 2000 UN TIP Protocol definition, it generally requires the acts of exploitation be predicated on movement and does not criminalize child sex trafficking in the absence of coercion. The law does prohibit debt bondage and some forms of child trafficking without requiring movement. Article 13 is also beyond the scope of the 2000 UN TIP Protocol definition, in defining as a form of trafficking in persons the compelling of a person to undergo a medical test after being transported. The law prescribes penalties of up to 10 years' imprisonment, which are sufficiently stringent, but are not commensurate with those prescribed for other serious crimes, such as rape.

The government reported investigating six trafficking cases during the reporting period, compared with five in 2014; for the third consecutive year, authorities did not initiate any new prosecutions. The police referred two cases to the Prosecutor General's Office (PGO), but prosecution was not initiated due to lack of evidence. Police reported they lacked adequate training on gathering evidence for trafficking cases. The PGO

continued prosecuting one sex trafficking case against three foreign nationals from the previous reporting period. The government did not convict any trafficking offenders in 2014 and 2015, compared with one conviction in 2013. Government ministries and others frequently held the passports of foreign workers they employed, as well as those of foreign victims in trafficking cases, despite the PHTA defining the destruction or withholding of a person's passport or identity documents as an act of "exploitative conduct." The government reported Maldives immigration investigated 30 cases of withholding of passports; however it is unclear what action the government took to penalize the retention of migrant workers' passports.

Officials continued to conflate human trafficking with human smuggling and the presence of undocumented migrants in Maldives. Despite reports of a need for trafficking-specific training—especially for investigators, prosecutors, and judges—the government did not provide such training to personnel. An international organization, supported with foreign funding, conducted training for 235 officials from various agencies. During the reporting period, Maldives immigration launched a mandatory training curriculum on trafficking for new recruits and conducted training for 150 police and immigration officials. Authorities did not report collaborating on transnational investigations with foreign counterparts, despite the identification of foreign victims who were referred to law enforcement by foreign high commissions during the reporting period. Law enforcement efforts continued to be hampered by the absence of dedicated foreign language interpreters for victim-witnesses. NGOs reported some officials warn businesses in advance of planned raids for suspected trafficking offenses or other labor abuses. Despite these reports and others that officials may have been involved in labor recruiting practices that can lead to trafficking, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government demonstrated limited progress in victim protection; while victim identification guidelines were formally adopted, victim care services remained limited. The anti-trafficking law stipulates a 90-day reflection period, during which victims are eligible to receive services while deciding whether to assist authorities in a criminal case. Victims are entitled to receive rehabilitative services, including shelter, health care, counseling, translation services, and police protection; however, in practice, victim care services are limited. Victims lacked regular access to medical and psycho-social support. Since the closure of the state-run shelter in 2014, the government rented apartments for identified victims and provided a monetary stipend on an as-needed basis. PGO's victim support officer, assigned to ensure victims' needs were met, was only available to trafficking victims whose cases would be prosecuted. Maldives immigration maintained a shelter for undocumented male migrant workers, but this shelter did not provide trafficking-specific services. There were no local NGOs providing services to trafficking victims during the reporting period.

The government identified nine victims during the reporting period, the same number identified in 2014. All nine of the victims were male foreign nationals and subjected to forced labor. The government provided eight of the victims with apartments and the ninth victim secured accommodation through his government's diplomatic representation in Maldives. Victim identification guidelines were endorsed by the anti-trafficking national steering committee (NSC) in December

2015 and formally adopted in February 2016. In January 2016, NSC finalized SOPs for victim identification, protection, and referral and sent the SOPs to the president's office; however, the procedures had not been formally adopted at the end of the reporting period. In the absence of SOPs, Maldives police reported officials used international victim identification guidelines but acknowledged these procedures were often ill-suited for the Maldivian context. Immigration officials reported they screened all foreign workers detained for deportation for trafficking indicators and referred three suspected cases to the police; however, officials also stated some potential victims may have been deported. Foreign victims assisting an investigation or prosecution could receive a renewable visa; however, identified victims who voluntarily entered Maldives illegally were subject to deportation. Maldives immigration funded the repatriation of nine trafficking victims, five of whom were identified in a previous reporting period.

PREVENTION

The government demonstrated limited progress in preventing trafficking. The government launched a national action plan in May 2015 but did not formally adopt it, thereby limiting its implementation; officials noted they had failed to meet several deadlines and would have to amend the plan. The Ministry of Economic Development remained in charge of coordinating government and NGO anti-trafficking efforts through NSC and, in November 2015, convened a new interagency advisory committee to advise this body and monitor the government's implementation of national anti-trafficking efforts. The Ministry of Law and Gender, a former chair of the steering committee, was largely excluded from the government's anti-trafficking infrastructure, subsequently increasing coordination challenges.

In March 2016, the government formally revised employment agency regulations to restrict, among other requirements for an operating license, recruitment of migrant workers only from registered and regulated employment agencies in source countries. Maldives immigration conducted 21 one-hour interactive radio programs focused on human trafficking and hosted other programs on television and radio where trafficking was discussed. Immigration officials reported blacklisting 157 labor-recruiting companies and individuals for various labor-related infractions; however, officials noted blacklisting was ineffective as companies could register under a new name to continue operations. Maldives immigration launched a program allowing undocumented victims of labor law violations to be employed by a local company and given legal status to remain in the country; 400 foreign workers have utilized this program. The police launched a dedicated human trafficking reporting hotline and the government advertised the hotline in the media and informed foreign embassies. The government provided written guidance, but did not provide anti-trafficking training for its diplomatic personnel. The government did not report any efforts to reduce the demand for commercial sex acts or forced labor. Maldives is not a party to the 2000 UN TIP Protocol.

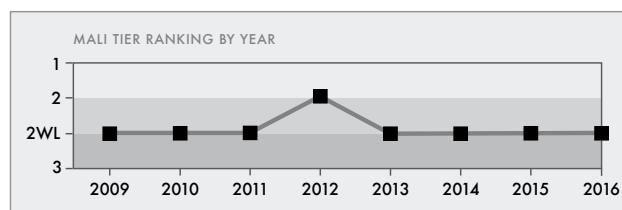
MALI: Tier 2 Watch List

Mali is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking; however, boys from Guinea and Burkina Faso are subjected to forced labor in artisanal gold mines, and women and girls from other West African countries,

particularly Nigeria, are exploited in prostitution throughout Mali. Women and girls are forced into domestic servitude, agricultural labor, and support roles in artisanal gold mines and subjected to sex trafficking. Boys are subjected to forced labor in agriculture, artisanal gold mines, domestic work, transportation, and the informal commercial sector. Men and boys, primarily of Songhai ethnicity, are subjected to debt bondage in the salt mines of Taoudenni in northern Mali. Some members of Mali's black Tuareg community are subjected to slavery practices rooted in traditional relationships of hereditary servitude. Malian boys and other West African nationals are forced into begging by unscrupulous *marabouts* (religious teachers) in Mali and neighboring countries. NGO reports indicate Malian children endure forced begging in Senegal and Guinea and forced labor on cotton and cocoa farms in Cote d'Ivoire. Other Africans transiting Mali to Europe, primarily via Algeria and Libya and less so Mauritania, are vulnerable to trafficking. Malian women and girls are victims of sex trafficking in Gabon, Libya, Lebanon, and Tunisia. Reports allege corruption is pervasive throughout the security forces and judiciary, which impedes government efforts to prosecute crimes in general, including trafficking.

In early 2012, rebel and Islamic extremist groups invaded and occupied northern Mali. During their 2012-2013 occupation of the north, these terrorist organizations and armed groups recruited and used children, mostly boys, in combat, requiring children to carry weapons, staff checkpoints, guard prisoners, and conduct patrols. These groups reportedly used girls for sexual exploitation, including sex slavery through forced marriages to members of these militias. These armed groups purportedly forced some families to sell their children to the groups. Although the number of child soldiers continued to decrease during the reporting year, NGOs and international organizations reported some children remain involved with armed groups. Although there is no evidence the Malian military recruits or uses child soldiers, poor military recordkeeping systems and the ready availability of fraudulent birth certificates impeded the government's ability to verify the precise age of all Malian soldiers. The unstable security environment in and extremely restricted access to northern Mali, where the government exercises limited territorial control, limited the availability of comprehensive reporting.

The Government of Mali 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, Mali is placed on Tier 2 Watch List for the fourth consecutive year. Per the Trafficking Victims Protection Act, Mali 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. While the government, in partnership with NGOs, identified and referred 63 victims to protective services during the reporting year, and distributed 600 copies of its anti-trafficking law to the judiciary, it did not convict any trafficking offenders and did not conduct any national awareness campaigns.



RECOMMENDATIONS FOR MALI:

Significantly increase efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers; train judicial personnel on how to effectively use the 2012 anti-trafficking law; develop standardized mechanisms to identify potential trafficking victims and refer them to care; train law enforcement on effective case investigation techniques and how to develop standardized identification and referral procedures; expand and strengthen implementation of programs for the disarmament, demobilization, and reintegration of former child combatants that address specific needs of child ex-combatants; fully implement the 2015-2017 national action plan to combat trafficking; and increase efforts to raise public awareness about trafficking.

PROSECUTION

The government slightly increased anti-trafficking law enforcement efforts. Law 2012-023 Relating to the Combat against Trafficking in Persons and Similar Practices prohibits all forms of trafficking of adults and children. The law prescribes penalties of five to 10 years' imprisonment, and a maximum of 20 years' imprisonment for cases involving aggravating circumstances, which are sufficiently stringent and commensurate with those for other serious crimes, such as rape. In an unprecedented effort to apprise judicial personnel on the 2012 anti-trafficking law, the ministry of justice distributed 600 copies of the 2012 law to judges and magistrates for dissemination to all courts nationwide. The justice minister also issued a decree instructing all judicial personnel to prioritize prosecutions of cases under the anti-trafficking law. The government investigated three potential trafficking cases during the reporting period, compared to one case investigated during the previous period, which was dismissed for lack of evidence of trafficking indicators. It did not convict any traffickers. The government, in conjunction with an international organization, facilitated four trafficking-specific training workshops for 135 officials, including law enforcement personnel, labor inspectors, and prosecution and judicial officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government sustained minimal efforts to protect trafficking victims. Government officials and NGO partners identified 63 trafficking victims, compared with 48 during the previous reporting period. The government provided nominal assistance to victims, including familial reunification and travel documentation, but continued to rely solely on privately-funded NGOs and international organizations to provide victims with shelter, counseling, food, repatriation, and reintegration services. The government did not provide financial support to NGOs that assisted victims. The government did not report identifying or assisting any victims of traditional slavery in areas where these practices are prevalent. The government remained without standardized mechanisms to identify potential trafficking

victims and refer them to care. Mali offers legal alternatives to removal to countries in which victims would face retribution or hardship.

While reports of child soldiering declined during the reporting period, international organizations reported viewing children among the ranks of rebel militias and terrorist organizations in the north. According to an international organization, five children remained in government detention for suspected association with armed groups. The government referred two formerly-detained children to rehabilitation centers. The government adopted an inter-ministerial protocol in 2013 to require liberated child soldiers to be transferred to rehabilitation centers rather than prison, and continued to follow that procedure.

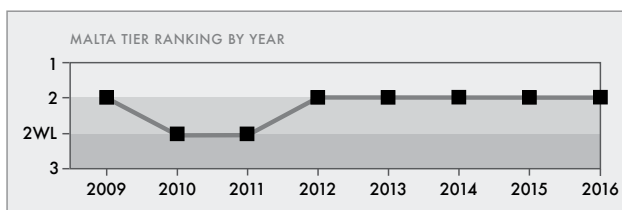
PREVENTION

The government made modest efforts to prevent trafficking. Malian officials allocated 250 million FCFA (\$430,000) toward the three-year national action plan (2015-2017) to combat trafficking and took some steps to implement it in 2015. The national committee, charged with coordinating government anti-trafficking efforts, met infrequently during the reporting period. The government designed an awareness-raising theatrical piece for broadcast by television and radio, but it did not air the sketch by the end of the reporting period. During the year, the government trained 21 labor inspectors on forced labor indicators; however, the labor inspectors remained without sufficient capacity to regulate the informal sector, where most cases of forced labor occurred. The government made no efforts to decrease the demand for forced labor or commercial sex acts in Mali. It did not provide anti-trafficking training for its diplomatic personnel and peacekeepers deployed abroad.

MALTA: Tier 2

Malta is a source and destination country for women and children subjected to sex trafficking and a destination for women and men subjected to labor trafficking. Female sex trafficking victims primarily originate from China, Hungary, Poland, Romania, Russia, and Ukraine. During the reporting period, a Tunisian woman was subjected to sex trafficking in Malta. Women and children from Malta have also been subjected to sex trafficking within the country. Forced labor victims largely originate from China, Indonesia, the Philippines, and Vietnam. Women from Southeast Asia working as domestic workers, Chinese nationals working in massage parlors, and women from Central and Eastern Europe working in nightclubs represent populations vulnerable to exploitation. The approximately 5,000 irregular migrants from African countries residing in Malta may be vulnerable to trafficking in the country's informal labor market, including within the construction, hospitality, and domestic sectors.

The Government of Malta 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 provided trafficking victims with shelter and services and funded training for police officers, community center employees, and diplomats; in addition, its inter-ministerial anti-trafficking committee continued to implement the national action plan. However, the government investigated and prosecuted fewer trafficking cases, identified fewer trafficking victims, did not adequately fund anti-trafficking efforts, and did not conduct national awareness campaigns.



RECOMMENDATIONS FOR MALTA:

Vigorously investigate and prosecute trafficking offenses and pursue adequate sentencing for convicted trafficking offenders; increase anti-trafficking training for police officers and offer training to prosecutors and judges, with a focus on working with victims; increase funding to the inter-ministerial committee to implement the national action plan; strengthen efforts to proactively identify trafficking victims among vulnerable populations, particularly migrant workers, women in prostitution, and children exploited for commercial sex; train stakeholders on the use of the standard operating procedures for victim referral; implement the newly adopted guidelines to protect irregular migrants from arbitrary detention; and conduct an anti-trafficking national awareness campaign.

PROSECUTION

The government demonstrated a slight decrease in law enforcement efforts. Malta prohibits both sex and labor trafficking through article 248A-G of the criminal code, which prescribes penalties of four to 12 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government conducted two investigations and initiated two prosecutions during the reporting period, demonstrating a decrease from the previous reporting period, when the government conducted five investigations and initiated seven prosecutions. Both prosecutions remained pending at the close of the reporting period. The government has not obtained a conviction since early 2012. The three labor trafficking prosecutions initiated in 2014 were still pending at the close of the reporting period. The appeal of a 2012 conviction of a police officer for alleged involvement with the trafficker remained pending. The government did not report any new investigations, prosecutions, or convictions of government employees complicit in human trafficking offences.

The slow pace of court proceedings hampered prosecutions relying on foreign victims to provide testimony in court. The government, in collaboration with an international organization, provided training for 10 police officers and 35 community center employees on victim identification; however, it did not offer training for prosecutors or judges. Frequent turnover of vice unit investigators, who also served as prosecutors, presented a challenge to authorities working to ensure all stakeholders receive specialized training.

PROTECTION

The government demonstrated modest efforts to protect trafficking victims. Police identified two trafficking victims, a decrease from 18 victims identified in the previous reporting period. Both victims were foreign women; one was a victim of sex trafficking and one was a victim of both labor and sex trafficking. Although there are no shelters specifically for trafficking victims in Malta, the government, in partnership with NGOs, provided both victims with emergency shelter and services, as well as legal support. NGOs continued to provide

support and services to 10 trafficking victims identified in 2014, some of whom also continued to receive financial support from the government. The government has never formally identified a child trafficking victim.

The government had standard operating procedures in place that allowed a range of entities to refer victims to the government's social welfare agency for care, including emergency shelter. The government encouraged victims to assist in the investigation and prosecution of their alleged traffickers and provided them with protective support, including the option to testify via video conference. Maltese law offered victims a two-month reflection period to recover and contemplate cooperation with law enforcement. Foreign victims who decided to assist police in prosecuting trafficking cases were entitled to a temporary residence permit, police protection, legal assistance, and the right to work. The government provided these entitlements to both trafficking victims identified during the reporting period. There were no reports the government penalized victims for unlawful acts committed as a direct result of being subjected to trafficking. Maltese courts, however, have convicted some children for prostitution in recent years, and these may have been unidentified victims of sex trafficking. Additionally, migrants who entered the country illegally, some of whom may have been trafficking victims, were routinely held in detention centers. In December 2015, the government issued new guidance that limited the circumstances under which irregular migrants could be detained; implementation of the new procedures remained pending at the close of the reporting period.

PREVENTION

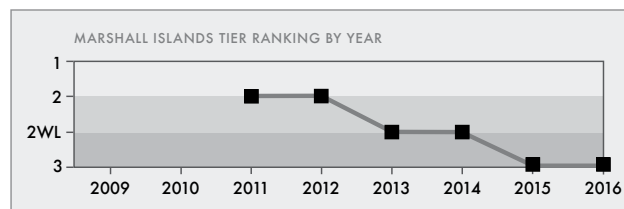
The government demonstrated modest anti-trafficking prevention efforts. For a second consecutive year, the government maintained an anti-trafficking budget of 20,000 euros (\$21,760), a decrease from previous years. The government did not conduct any anti-trafficking awareness campaigns. The inter-ministerial anti-trafficking committee was charged with implementing the national action plan; however, implementation was hindered due to a lack of funding. Although authorities conducted 19 labor inspections, the government did not make efforts to reduce the demand for commercial sex acts or forced labor. The committee publicly released two semi-annual reports monitoring the government's anti-trafficking efforts in 2015. The social welfare agency continued to run a hotline for individuals in need of social services, including trafficking victims. The government funded anti-trafficking training for its diplomatic personnel; the training was provided by an international organization.

MARSHALL ISLANDS: Tier 3

The Republic of the Marshall Islands (RMI) is a source and destination country for RMI women and children and women from East Asia subjected to sex trafficking. RMI girls are recruited by foreign business owners to engage in prostitution with crew members of foreign fishing and transshipping vessels that dock in Majuro. Some of these foreign fishermen may themselves be subject to conditions indicative of forced labor on ships in Marshallese waters. Foreign women, most of whom are long-term residents, are subjected to forced prostitution in establishments frequented by crew members of Chinese and other foreign fishing vessels; some Chinese women are recruited with the promise of legitimate work and, after paying large recruitment fees, are forced into prostitution. Limited reports

indicate some Marshallese searching for work in the United States experience indicators of trafficking, such as passport confiscation, excessive work hours, and fraudulent recruitment. Some Marshallese children are transported to the United States where they are subjected to situations of sexual abuse with indicators of sex trafficking.

The Government of the Republic of the Marshall Islands does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government's National Task Force on Human Trafficking (NTHT) drafted and submitted for cabinet approval a national action plan developed from its monthly meetings between law enforcement, NGOs, and other government representatives and has begun implementing part of the plan while awaiting endorsement from the cabinet. The NTHT's awareness-raising efforts to combat trafficking in persons reached more than 1,500 people during the reporting period and focused on at-risk young, economically disadvantaged Marshallese. In 2015, the government passed and enacted the Child Rights Protection Act, which addressed the gap in criminalization of domestic child trafficking in RMI's legislation. However, the government failed to effectively implement its anti-trafficking law; and government officials have not reported any trafficking prosecutions for five consecutive years. The government made no efforts to proactively identify victims, especially among vulnerable populations, such as foreign and local women in prostitution and foreign men working on fishing vessels in Marshallese waters.



RECOMMENDATIONS FOR THE MARSHALL ISLANDS:

Increase efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers; amend the criminal code to prohibit all forms of trafficking; adopt proactive procedures to identify trafficking victims among vulnerable groups, such as foreign workers and women in prostitution; approve a national plan of action that outlines RMI's plan to combat trafficking and has dedicated resources for implementation; train law enforcement and prosecution officials to implement the anti-trafficking laws; adopt comprehensive labor codes to govern workers' rights and employers' responsibilities; prosecute public officials when they are complicit in trafficking activities; fund and administer, in cooperation with NGOs and international organizations, protective services for victims; develop and conduct anti-trafficking education and awareness-raising campaigns; undertake research to study human trafficking in the country; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased some of its anti-trafficking law enforcement efforts. Article 251 of the criminal code prohibits only transnational forms of human trafficking and prescribes penalties of up to 35 months' imprisonment for the trafficking of adults and up to 10 years' imprisonment for the trafficking of children. The penalties for subjecting children to trafficking

are sufficiently stringent, but the penalties for adult trafficking are not, and only the penalties for the trafficking of children are commensurate with those prescribed for other serious crimes, such as rape. In addition to trafficking, article 251 also criminalizes other activities, including labor violations and the promotion of prostitution. In October 2015, the government passed and enacted the Child Rights Protection Act to prohibit the domestic and transnational trafficking of children.

The government did not initiate any new trafficking investigations, compared to one initiated in 2013. The investigation initiated in 2013 involving foreign women in forced prostitution remained ongoing and did not result in prosecutions for trafficking offenses or convictions. The government facilitated two anti-trafficking trainings conducted by an international organization through the free provision of venues. Seventeen victim service providers received victim protection and identification training in January 2016, and 75 law enforcement officials and lawyers received anti-trafficking law enforcement training in March 2016. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government made no efforts to identify trafficking victims or ensure their access to protective services. The government has not identified any trafficking victims for five consecutive years. Law enforcement and social services personnel did not employ systematic procedures to proactively identify trafficking victims among high-risk populations, such as women in prostitution and foreign migrant workers onboard fishing vessels. The government reportedly made available free medical, legal, and police protection for trafficking victims, but no formal mechanism existed to verify this assistance was provided to any victims. The government did not provide or allocate funding specifically for the provision of services to victims. The government did not provide legal alternatives to the removal of victims to countries where they may face hardship or retribution and did not provide victims long-term residence visas or legal employment opportunities. There were no reports of potential trafficking victims being punished for crimes committed as a result of being subjected to trafficking; however, the government identified no victims.

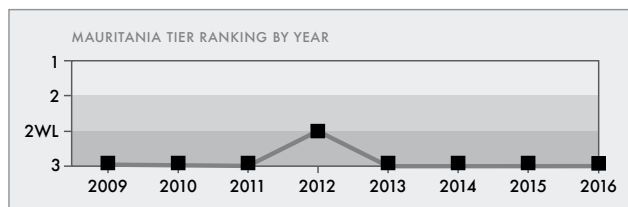
PREVENTION

The government increased efforts to prevent trafficking. The NTHI, a cabinet-based advisory board, held monthly meetings with participation from the director of immigration, assistant attorney general, law enforcement authorities, NGOs, and faith-based organizations. The NTHI drafted a national plan of action and has presented it to the cabinet for approval. To educate the vulnerable population of young Marshallese looking to emigrate for employment, the NTHI proactively conducted anti-trafficking awareness-raising outreach to over 1,500 high school students, college students, government officials, and the general public in RMI's two major cities. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not take steps to reduce the demand for commercial sex acts or forced labor. The RMI is not a party to the 2000 UN TIP Protocol.

MAURITANIA: Tier 3

Mauritania is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Adults and children from traditional slave castes in the Black Moor and Afro-Mauritanian communities are subjected to hereditary slavery-related practices rooted in ancestral master-slave relationships. Although reliable data on the total number of slaves does not exist, local and international experts agree hereditary slavery continues to affect a significant portion of the country's population, in both rural and urban settings. Held for generations by slave-holding families, persons subjected to hereditary slavery are forced to work without pay as cattle herders and domestic servants. Separately, some boys from Mauritania and other West African countries who study at Koranic schools are forced to beg for food and money to pay corrupt *imams*. Boys from low-income families in the Halpulaar community are most vulnerable to forced begging by unethical *imams*. Approximately 41 percent of Mauritanian children lack birth certificates and are thus generally not permitted to enroll in school, which increases their risk for trafficking. Mauritanian women and girls—especially those from the traditional slave castes and Afro-Mauritanian communities, as well as women and girls from Mali, Senegal, The Gambia, and other West African countries—are forced into domestic servitude in Mauritania, sometimes by recruiters who fraudulently promise parents they will provide shelter and education for the children. West African women and girls are vulnerable to sex trafficking in Mauritania. Mauritanian women and girls are subjected to forced labor and sex trafficking abroad. During the reporting period, over 200 Mauritanian women—the majority of whom are members of traditional slave castes—were exploited in domestic servitude in Saudi Arabia after having been fraudulently recruited for nursing and teaching jobs by Mauritanian middlemen working for Saudi recruitment agencies. Men from Middle Eastern and North African countries use legally contracted temporary marriages to sexually exploit Mauritanian women and girls. Mauritanian women and girls from poor families enter into these forced marriages, facilitated by brokers and travel agencies in both Mauritania and in the Middle East promising substantial payment, and are exploited as sex slaves in Saudi Arabia and other Gulf countries. Law enforcement and judicial officials failed to appropriately investigate and prosecute cases of hereditary slavery brought to their attention.

The Government of Mauritania does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. In 2015, the government created courts exclusively to try slavery cases and enacted an anti-slavery law that allows some NGOs to bring forward slavery cases on behalf of victims. However, these courts were underfunded, the judges did not receive specific training on how to try human trafficking cases, and the government did not prosecute any traffickers. It did not provide adequate protective services to victims or establish procedures to identify victims among persons arrested for prostitution and individuals detained and deported for immigration violations. The government continued to imprison anti-slavery activists and repress civil society advocacy for an increase in anti-trafficking law enforcement efforts.



RECOMMENDATIONS FOR MAURITANIA:

Increase efforts to investigate and prosecute all types of trafficking offenses and convict and punish offenders using the 2003 anti-trafficking law and the 2015 anti-slavery law; hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged trafficking offenses and efforts to interfere with ongoing investigations; sufficiently fund the anti-slavery courts, and train prosecutors and judicial officials on the 2003 trafficking in persons and 2015 anti-slavery laws; develop standard procedures to identify and refer trafficking victims to services, and train law enforcement on such measures; increase efforts, in coordination with NGOs, to provide protective services and vocational training to trafficking victims; investigate and prosecute individuals accused of fraudulently recruiting Mauritians abroad for exploitation; protect victims who participate in legal investigations from intimidation and threats from their alleged traffickers or slaveholders; provide victims with easier access to legal assistance, and enhance *Tadamoun's* efforts to submit criminal claims on behalf of victims; with input from civil society, develop and implement a plan to provide economic resources—through monetary or property allotment—to provide former slaves and members of traditional slave castes the opportunity to leave their communities of enslavement, should they choose to do so; legally recognize all legitimate anti-trafficking and anti-slavery NGOs, including the Initiative for the Resurgence of the Abolitionist Movement; raise public awareness of trafficking, including hereditary slavery; and devote staff towards and implement the national anti-trafficking strategy.

PROSECUTION

The government made minimal anti-trafficking law enforcement efforts. The 2003 Law Against Trafficking in Persons prohibits all forms of trafficking in persons except hereditary slavery and prescribes penalties of five to 10 years' imprisonment, which are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. The government, with assistance from civil society and international donors, drafted and enacted a new anti-slavery law in August 2015 that criminalizes slavery and prescribes sufficiently stringent penalties of five to 20 years' imprisonment, which exceed the penalties for other serious crimes. The law is overly broad in that it includes all forced marriage as slavery, which is not in line with the international definition of slavery. The law also mandated the creation of specialized anti-slavery courts to exercise exclusive jurisdiction over slavery cases. The government nominated three judges to the aforementioned courts—notably, none of the judges are from the traditional slave-holding caste—but the courts lacked funding, and none of the appointed judges were specifically trained in how to deal with the unique challenges of investigating human trafficking cases, including how to prevent traffickers from intimidating victims and victims from withdrawing their cases. The courts' limited funding and lack of resources—especially the lack of vehicles for courts that cover large geographic areas—hampered their effectiveness. The anti-slavery law authorizes human rights associations that have

been legally established and operating for at least five years to bring forward slavery lawsuits on behalf of victims; however, this authorization still does not empower one of the country's leading anti-slavery NGOs—which the government has not legally recognized—to bring forward such claims.

The government reported two investigations for forced labor involving three suspected traffickers and six victims, compared with one investigation the previous reporting period; as in the previous reporting period, it did not report any prosecutions or convictions for trafficking offenses. According to NGOs, the government received approximately 2,500 reports of child labor during the reporting period, but there is no evidence the government investigated these cases or any other cases of forced child labor. Between January 2014 and September 2015, an international organization identified 2,035 children working for former slaveholders—some of whom may have been the children's former slaveholders—and 674 children begging in Koranic schools. The National Agency to Fight against the Vestiges of Slavery, Integration, and the Fight against Poverty, or *Tadamoun*, submitted one criminal claim on behalf of a victim during the reporting period; however, the court later reclassified the violation as child exploitation, a crime that carries lesser penalties; in addition, against the criminal code, the court delivered the verdict without the victim or her lawyer present. The government made minimal efforts to investigate a few of the middlemen who facilitated the movement of more than 200 Mauritanian women to Saudi Arabia for labor exploitation, but it did not file any charges.

Efforts to address hereditary slavery remained especially weak. With assistance from an NGO, the government arrested a suspected slaveholder and freed three slaves he was allegedly holding; the suspect was released on bail pending trial. In December 2015, an NGO filed a complaint on behalf of three family members allegedly held in debt bondage. The prosecutor invoked the new 2015 anti-slavery law to appeal a settlement offer from the judge. In a positive contrast with previous years, the court of appeals rejected the settlement offer and ordered the two defendants to remain in prison; the case was pending at the end of the reporting period. The government reported that 17 other cases were pending among the three anti-slavery courts; however, it is unclear if the courts had initiated any prosecutions and how they had charged the defendants in these cases. NGOs reported law enforcement and judicial officials often used lesser statutes to prosecute hereditary slavery offenses, issuing charges such as unpaid labor.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, serious complicity concerns remained, including reports of police, prosecutors, and judges who refused to investigate and try cases of hereditary slavery. NGOs reported that in the majority of the 29 cases of hereditary slavery in Mauritania they studied between 2010 and 2015, either police closed the case without investigation or prosecutors refused to prosecute the defendants. Government agencies charged with combating trafficking lacked sufficient resources, personnel, and the political will to prosecute offenders. Despite the government's recognition that law enforcement and judicial officials lacked training on trafficking investigations and the 2015 anti-slavery law, it did not provide such training during the reporting period.

In an attempt to suppress civil society representatives advocating against hereditary slavery and systematic discrimination in Mauritania, the government continued to detain several anti-

slavery activists that it had convicted during the previous reporting period. After the court rejected the activists' first appeal in August 2015, they filed an appeal with the Supreme Court the following month that was pending at the end of the reporting period. One activist received parole in June 2015 on medical grounds, and the other two remained in prison. In September 2015, approximately 50 people peacefully protested the domestic servitude of Haratine women in Saudi Arabia outside the Saudi Arabian Embassy in Nouakchott. Local law enforcement used tear gas to break up the demonstration and arrested nine participants, who were eventually released.

PROTECTION

The government maintained limited efforts to protect victims of human trafficking, including those exploited in hereditary slavery. The Ministry of Social Affairs, Childhood, and the Family opened a new public center for the protection and social integration of children, bringing the national total to seven such centers; 373 children received services from these centers, but it is unclear how many were trafficking victims. The government allocated 76.9 million ouguiya (\$233,000) to these facilities to fund staff and psycho-social assistance—a significant increase from 35 million ouguiya (\$107,000) allocated the previous reporting period. The facilities provided only short-term protections and generally returned children to their families or the *imams* who had facilitated their exploitation. These facilities also referred victims to NGO care providers. The government did not provide financial or in-kind support to NGOs, which continued to provide the majority of protective services to trafficking victims. An NGO repatriated 26 female Mauritanian trafficking victims from among over 200 identified in Saudi Arabia, with assistance from the Mauritanian Embassy in 16 of these cases. NGOs provided legal assistance and reintegration services to some of the victims upon return. One NGO provided psycho-social care and legal assistance to three alleged slaves during the reporting period; a second NGO reported assisting at least five female trafficking victims who had returned from Saudi Arabia, including one who had suffered both labor and sexual exploitation. There are no shelters dedicated specifically to trafficking victims, nor are there shelters available for adult trafficking victims. Lack of available long-term rehabilitative care in Mauritania made many victims vulnerable to additional trafficking after identification and repatriation.

The 2015 anti-slavery law provides for comprehensive legal assistance for victims of hereditary slavery, providing information on their rights and exempting them from judicial fees; however, it is unclear whether the government applied such provisions during the reporting period. The law also mandated the creation of support centers to facilitate such assistance in each province, but no such centers had been established by the end of the reporting period. The law increased victim compensation significantly, from 250,000 to 5 million ouguiya (\$758 to \$15,150), but no victims received compensation during the reporting period. While victims may seek restitution from their traffickers, the complex and opaque legal system makes such efforts extremely difficult. The absence of measures to identify trafficking victims among vulnerable populations may have led to victims being punished for acts committed as a result of being subjected to trafficking. For example, officials often jailed women suspected of prostitution and held illegal migrants in detention until their refugee status had been resolved. In 2015, the Ministry of Interior returned 6,000 migrant workers to their countries of origin and did not screen the majority for indicators of trafficking. Mauritania does not provide legal alternatives to the removal of foreign victims to countries where they may

face hardship or retribution.

PREVENTION

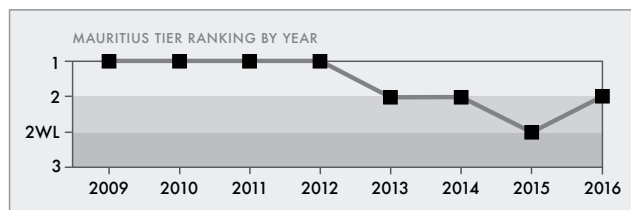
The government sustained modest efforts to prevent human trafficking. It partnered with an international organization, local NGOs, and civil society organizations to plan implementation of its 2014 national anti-trafficking strategy and committed to providing staff to implement the plan. However, it is unclear if the government made progress towards addressing any of the plan's objectives in 2015. No single government agency was responsible for leading anti-trafficking efforts, which hampered the effectiveness of such efforts; the inter-ministerial anti-trafficking committee, formed under the prime minister in 2014 and responsible for the implementation of the national anti-trafficking strategy, met twice during the reporting period. *Tadamoun*, the government agency to combat the vestiges of slavery and poverty, outlined plans to open and fund schools in *adwabas*—communities comprised of former slaves and slave descendants—to increase educational opportunities for youth at risk, including for trafficking; however, it is unclear how many of these schools were operational during the reporting period. The government did not make efforts to reduce the demand for forced labor or commercial sex acts. The government investigated one middleman allegedly involved in the fraudulent recruitment of Mauritanian women to Saudi Arabia but did not pursue a legal case. The government canceled the work exchange program and recalled the Mauritanian domestic workers from Saudi Arabia; some workers did not report being victims of trafficking and chose to stay in the country. The government did not provide anti-trafficking training for its diplomatic personnel or for 140 *gendarmes* before their deployment on an international peacekeeping mission.

MAURITIUS: Tier 2

Mauritius is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Girls from all areas of the country are induced or sold into sex trafficking, often by their peers, family members, or by businessmen offering other forms of employment. Taxi drivers allegedly introduce child sex traffickers to victims with whom they engage in commercial sex acts. Girls and boys whose mothers engage in prostitution reportedly are vulnerable to sex trafficking at a young age. Small numbers of Mauritian adults have been identified as labor trafficking victims in the UK, Belgium, and Canada. Malagasy women transit Mauritius en route to employment as domestic workers in the Middle East, where many are subjected to forced labor and sex trafficking. In previous reporting periods, Cambodian fishermen were subjected to forced labor on foreign fishing boats in Mauritius' territorial waters. Mauritius' manufacturing and construction sectors employ approximately 37,000 foreign migrant workers from India, China, Bangladesh, Sri Lanka, and Madagascar, some of whom are subjected to forced labor.

The Government of Mauritius 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 efforts to investigate potential trafficking crimes, including launching its first potential labor trafficking investigation. The government increased efforts to identify and provide protective services for adult and child trafficking victims, including adult migrant workers. The government established an inter-ministerial committee on human trafficking,

under the attorney general, and the police reestablished a steering committee on human trafficking. The government also continued to conduct public awareness campaigns and train front-line officers. However, coordination between law enforcement and prosecutors remained weak and the judicial process was slow. Law enforcement officers and prosecutors generally did not screen adult women in prostitution for trafficking indicators. Although the government increased the number of inspectors within the Ministry of Labor's (MOL) Special Migrant Workers Unit, the number of inspections remained severely inadequate. There were no specialized shelters for adult trafficking victims, nor was there systematic provision of medical, psychological, or financial assistance for adult victims.



RECOMMENDATIONS FOR MAURITIUS:

Vigorously investigate and prosecute trafficking offenses, and convict and punish traffickers under the anti-trafficking law, including in cases involving labor trafficking or forced prostitution of adults; provide specific anti-trafficking training to law enforcement officials, magistrates, prosecutors, social workers, and labor inspectors to improve case investigation and victim identification and referral to appropriate care; finalize the national action plan to combat trafficking, allocate sufficient funding to its implementation, and ensure clear roles and responsibilities in its implementation; increase the number of labor inspectors responsible for monitoring the employment of migrant workers and the corresponding number of inspections; conduct a national awareness campaign on all forms of trafficking; establish procedures to guide officials in proactive victim identification among at-risk populations, including women in prostitution and migrant workers; and increase coordination among law enforcement entities, NGOs, and international organizations on cases involving foreign victims.

PROSECUTION

The government increased anti-trafficking law enforcement efforts during the reporting period. The Combating of Trafficking in Persons Act of 2009 prohibits all forms of trafficking of adults and children, prescribing penalties of up to 15 years' imprisonment for convicted offenders. The Child Protection Act of 2005 prohibits all forms of child trafficking and the Judicial Provisions Act of 2008 prescribes punishment for child trafficking offenses of up to 30 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, law enforcement launched six trafficking investigations but there were no prosecutions or convictions, compared with nine investigations and no prosecutions or convictions during the previous reporting period. Five of the investigations involved suspected child sex trafficking, and one involved adult sex trafficking; all remained pending at the close of the reporting period. The government has never reported any prosecutions for sex trafficking of adults. An investigation of adult sex trafficking case initiated in 2014 remained ongoing

at the close of the reporting period.

One of the investigations launched during the reporting period included the government's first investigation of a potential labor trafficking crime in Mauritius, which involved a recruitment agency suspected of fraudulent recruitment and forced labor of two Bangladeshi men in the agricultural sector. The investigation remained ongoing at the close of the reporting period. While law enforcement supported the rescue of one adult female Bangladeshi victim of domestic servitude, the government did not initiate an investigation against her alleged traffickers and permitted the traffickers to buy the victim a return ticket to Bangladesh. Historically, the MOL has addressed potential labor trafficking cases through arbitration and mediation, rather than criminal investigation and prosecution, allowing traffickers to repeatedly commit trafficking offenses and face only administrative penalties. The government has never convicted any suspected labor traffickers. The government made no efforts to investigate or prosecute any employers for passport withholding during the reporting period, although the practice is illegal; an NGO reported employers routinely confiscated migrant workers' passports.

In January 2016, the police, in collaboration with the Office of the Director of Public Prosecutions, trained senior police officers on the difference between trafficking and sexual assault. During this half-day workshop, 41 sub-divisional commanders and station commanders received a refresher course on trafficking in persons and the commercial sexual exploitation of children. The training included provisions under the law and interviewing skills. In January 2016, the government, in partnership with an international organization, conducted a two-day seminar for 27 senior government representatives, prosecutors, judges, and law enforcement officers on investigating and prosecuting trafficking crimes. During the reporting period, the police continued in-house training of mid-management level police officers on human trafficking, as well as for new recruits. Coordination between law enforcement and prosecutors remained weak. 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 increased efforts to identify and protect victims of sex and labor trafficking, including adult trafficking victims. The government identified 10 child sex trafficking victims during the reporting period, an increase from two victims identified in 2014. The Minors Brigade systematically referred all identified child sex trafficking victims to the Child Development Unit of the Ministry of Gender Equality, Child Development, and Family Welfare for assistance. The government provided the 10 victims with medical and psychological assistance in public clinics and child welfare officers accompanied them to these clinics; police worked in conjunction with these officers to obtain statements from the children.

The government identified and provided protective services to two adult labor trafficking victims. The MOL provided shelter, food, and medical assistance for two male forced labor victims who remained under police custody. The government provided medical care to one female victim of domestic servitude and placed her in a domestic violence shelter for three months in advance of her repatriation. There was no specialized shelter for adult trafficking victims, nor was there systematic provision of medical, psychological, or financial assistance for adult victims. Due to the lack of understanding of human trafficking among

some law enforcement officers, some adult victims of forced prostitution and forced labor may have been penalized for unlawful acts committed as a direct result of being subjected to trafficking. For example, law enforcement officers generally did not screen women in prostitution for trafficking indicators. During the reporting period, immigration officials regularly turned back single Malagasy women, traveling on their own, with less than 4,200 rupees (\$132) who attempted to enter the country on tourist visas on the grounds that they might be coming to Mauritius to engage in prostitution; officials did not screen these women, some of whom might have been trafficking victims. The 2009 anti-trafficking law provides legal alternatives, including temporary residency, to removal to countries in which trafficking victims would face retribution or hardship.

PREVENTION

The government increased prevention efforts. The government established an inter-ministerial committee on human trafficking under the attorney general, which met twice during the reporting period, and the police re-established a steering committee on human trafficking, with a “trafficking in persons desk” serving as a focal point to coordinate the investigation of all potential trafficking cases. The police’s Family Protection Unit and the Minors Brigade continued extensive public awareness campaigns on child abuse and child rights at schools and community centers that included information on the dangers and consequences of facilitating child sex trafficking. The Ministry of Tourism and External Communication distributed pamphlets warning tourism industry operators of the consequences of engaging in or facilitating child sex trafficking. The Crime Prevention Unit distributed anti-trafficking posters to police stations, high schools, and community centers.

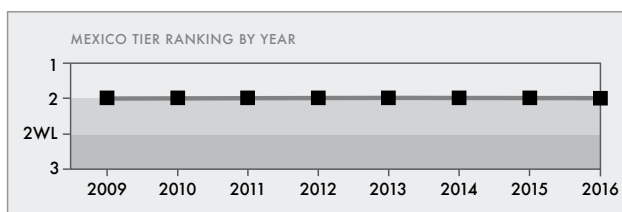
In December 2015, the government suspended the permit of a recruitment agency under investigation for potential trafficking. The government increased the number of inspectors within the MOL’s Special Migrant Workers Unit—responsible for monitoring and protecting all migrant workers and conducting routine inspections of their employment sites—from four to six during the reporting period; however, this number of inspectors remained severely inadequate relative to the approximately 37,000 migrant workers employed in Mauritius. The unit conducted 72 inspections, compared with 403 in the previous reporting period. Although the MOL is required to approve all employment contracts before migrant laborers enter the country, many migrant laborers reportedly entered the country with contracts that were incomplete or had not been translated into languages the workers understood. The government provided anti-trafficking training for its diplomatic personnel.

MEXICO: Tier 2

Mexico is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Groups considered most vulnerable to human trafficking in Mexico include women, children, indigenous persons, persons with mental and physical disabilities, migrants, and LGBTI individuals. Mexican women and children, and to a lesser extent men and transgender individuals, are exploited in sex trafficking in Mexico and the United States. Mexican men, women, and children are exploited in forced labor in agriculture, domestic service, manufacturing, food processing, construction, forced begging, the informal economy, and street vending in Mexico and the United States. They are

typically lured by fraudulent labor recruiters, deceptive offers of romantic relationships, or extortion, including through the retention of identity documents, threats to notify immigration officials of victims’ immigration status, or threats to harm family members. NGOs report transgender Mexicans in prostitution are vulnerable to sex trafficking. Press reports state some Mexican citizens have wages systematically withheld, are held in debt bondage in agriculture, and are indebted to recruiters or to company stores. Residents at some substance addiction rehabilitation centers and women’s shelters have been subjected to forced labor and sex trafficking. The vast majority of foreign victims of forced labor and sex trafficking in Mexico are from Central and South America. Victims from the Caribbean, Eastern Europe, Asia, and Africa have also been identified in Mexico, some en route to the United States. Child sex tourism remains a problem, especially in tourist areas and in northern border cities. Many child sex tourists are from the United States, Canada, and Western Europe, though Mexican citizens are among those exploiting child sex trafficking victims. Organized criminal groups profit from sex trafficking and force Mexican and foreign men, women, and children to engage in illicit activities, including as assassins; lookouts; and in the production, transportation, and sale of drugs. Trafficking-related corruption among public officials, especially local law enforcement, judicial, and immigration officials, is a significant concern. Some officials extort bribes and sexual services from adults in prostitution and child sex trafficking victims; extort irregular migrants, including trafficking victims; falsify victims’ documents; threaten victims with prosecution to compel them to file official complaints against their traffickers; accept bribes from traffickers; facilitate movement of victims across borders; operate or patronize brothels where victims are exploited; or fail to respond to trafficking crimes, including in commercial sex locations.

The Government of Mexico does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government reported convicting 86 traffickers, including some for forced labor. Data on victim identification and law enforcement efforts were sometimes unreliable, and it was unclear how many of these convictions were for trafficking as defined by international law; however, data collection improved in 2015. Official complicity continued to be a serious and largely unaddressed problem. The government provided funding for services for crime victims, including trafficking victims, and opened the country’s first public-private shelter funded by a state government and private entities. Shelters remained inadequate compared to the scale of the problem, and victim services were virtually nonexistent in much of the country, leaving many reported victims vulnerable to re-trafficking. Federal and state authorities engaged in a range of anti-trafficking prevention efforts, including new initiatives to prevent forced labor.



RECOMMENDATIONS FOR MEXICO:

Increase government funding for the provision of specialized victim services and shelters; strengthen efforts to investigate and

prosecute trafficking offenses and convict traffickers, especially for forced labor crimes; increase efforts to hold public officials complicit in trafficking accountable through prosecutions and convictions; develop a standardized process for use by all officials to identify and refer victims for protection and assistance, and train officials on the process; amend anti-trafficking laws at the federal and state levels to mirror the international anti-trafficking law; increase the capacity of regional and state coalitions and specialized units to respond more effectively to trafficking cases, through increased funding and staff training; verify, through increased training and monitoring, that victims are not coerced into testifying against traffickers or treated as traffickers; continue to strengthen data collection efforts; provide effective protection for witnesses and victims testifying against traffickers; and continue to improve coordination mechanisms among federal, state, and local authorities.

PROSECUTION

The government continued uneven law enforcement efforts. While authorities reported an increase in federal and state trafficking convictions, it was unclear how many of these convictions were for trafficking as defined by international law. Law enforcement efforts were undermined by significant official complicity in trafficking crimes, mainly by local police and other local authorities. The general anti-trafficking law of 2012 prohibits all forms of human trafficking, prescribing penalties ranging from five to 30 years' imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, in contrast to the international definition, the law establishes the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime and defines illegal adoption without the purpose of exploitation as a form of human trafficking. Cases involving individuals who may have been forced by criminal groups to engage in illicit activities were not handled as potential trafficking cases, despite indicators of force or coercion. Federal officials have jurisdiction over all international trafficking cases and all cases that take place on federally administered territory involving organized crime or involving allegations against government officials. States investigate other internal trafficking cases. Fourteen states, out of 31, have aligned their trafficking laws with the federal law, which may address inconsistencies among those states' laws and improve interstate investigations and prosecutions. During the reporting period, the legislature of Chihuahua approved a victim protection law, which provides for legal, medical, and psychological services to victims of crimes and human rights violations, including trafficking. The legislature of Baja California introduced a bill, intended to identify victims, to require law enforcement to inspect suspicious commercial establishments.

Data based on the broad definition of trafficking in the 2012 law indicated authorities initiated 250 federal and 415 state investigations and detained 674 individuals, compared with 253 federal and 196 state investigations for trafficking in 2014. Notable cases included the arrest of five alleged traffickers for the forced labor of a woman in a dry cleaning business; the arrest of five alleged traffickers from an agricultural company for forced labor of 228 adults and 78 children; the arrest of several managers of a coffee plantation involved in the forced labor of indigenous Guatemalan children; and multiple sex trafficking crimes allegedly committed by family members and criminal organizations. Authorities reported prosecuting 578 individuals in 2015—414 men and 157 women. Mexican authorities

reported convicting 86 traffickers involved in 36 cases in 2015. The government did not report the number of trafficking prosecutions or convictions in 2014. According to the press, sentences ranged from 15 years' to 58 years' imprisonment. However, it was unclear how many of these convictions were for trafficking crimes as defined by international law, and officials did not report the lengths of sentences. Approximately two percent of trafficking cases resulted in conviction, a rate consistent with conviction rates for other crimes in Mexico. NGOs reported police conducted anti-trafficking raids for the purpose of detaining people in prostitution and irregular migrants rather than identifying victims of sex trafficking or forced labor. Some public officials conflated trafficking with migrant smuggling and prostitution. Investigations and prosecutions were sometimes delayed while authorities determined which prosecutors had jurisdiction or coordinated with officials in other parts of the country, to the detriment of both the criminal case and the victims. The 2012 law obligated states to have a dedicated human trafficking prosecutor, but many states lacked funding to employ one. Some officials' lack of understanding of trafficking led to their trial of cases as more minor offenses or to the acquittal of traffickers. Authorities maintained strong law enforcement cooperation with U.S. officials, partnering on six joint law enforcement operations, one of which resulted in the identification of nearly 60 victims and the arrest of 18 alleged traffickers. Mexican authorities also enhanced law enforcement cooperation with the United States and continued to exchange information on human trafficking and migrant smuggling investigations through an ongoing working group. Some federal government agencies hosted anti-trafficking training with foreign donor support and funding; foreign governments and civil society provided the majority of specialized training.

Despite persistent reports of extensive official complicity, authorities did not report any prosecutions or convictions of government employees complicit in trafficking in 2015; the government has not convicted a complicit official since 2010. Authorities apprehended a municipal employee wanted for trafficking in Oaxaca in 2014, but did not report progress on such cases or new investigations of complicit officials in 2015. The government did not report the status of the 2013 investigation of two Tijuana police officers for exploiting a sex trafficking victim or the status of the 2012 investigation of a Chihuahua state employee charged with forced labor.

PROTECTION

The government continued to provide limited specialized services for identified trafficking victims. The government reported identifying 1,814 trafficking victims in 2015—784 for commercial sex, 470 for forced labor, 382 for forced begging, and 17 for forced criminality, and 161 were unspecified—compared with 1,842 trafficking victims in 2014. While immigration agents used a lengthy human rights questionnaire to identify potential trafficking victims, and some government institutions had informal victim referral procedures, most officials lacked clear guidelines for identifying and referring victims to services. NGOs questioned the government's ability to accurately identify trafficking victims among vulnerable populations, such as migrant workers and persons in prostitution. Anti-trafficking experts and people in prostitution reported officials often did not differentiate between sex trafficking victims and women in prostitution—due in part to the overly broad anti-trafficking law—making victim identification statistics unreliable. The Executive Commission for the Attention to Victims (CEAV)

reported it provided officials a protocol outlining provision of assistance to victims; however, NGOs reported the protocol was ineffective.

In 2015, the CEAV spent 47 million pesos (almost \$2.7 million) for assistance to crime victims, including trafficking victims. Federal and state entities offer victims emergency services, such as medical care, food, and temporary lodging, which some victims received during the year. Longer term victim services vary in scope and quality overall, but may include medical, psychological, and legal services. It was unclear how many identified victims received particular services such as shelter. Services in most parts of the country remained inadequate compared to the significant number of trafficking victims identified by NGOs and officials. A federal victim assistance protocol was drafted in 2014 but remained pending; some states also drafted victim care protocols. Government-funded services for male and forced labor victims were particularly weak. Shelters for vulnerable children younger than age 13 and for female victims of violence did not report how many trafficking victims they assisted in 2015. The Special Prosecutor's Office for Violence Against Women and Trafficking in Persons (FEVIMTRA) continued to operate a high-security shelter in Mexico City for up to 50 female victims of violence, including trafficking victims, who were participating in the legal process against their exploiters. The shelter housed an unspecified number of trafficking victims for up to three months. Women were allowed to have their children with them at the shelter. Women were not allowed to leave the shelter alone, reportedly due to safety concerns; NGOs expressed concern that this arrangement re-traumatized some victims. FEVIMTRA received 93,376,000 pesos (\$5,492,000) in 2015, compared with 10 million pesos (\$680,000) in 2014, to provide assistance to female victims of extreme violence, including trafficking. The State of Puebla opened and operated the country's first public-private shelter, funded by the state government and private entities. NGOs, many receiving foreign donor or private funding, provided the majority of specialized shelters and assistance. Some shelters relied on the prosecutor's office to identify victims and received funding based on the number of victims housed, which observers suggested creates incentive to hold victims pending the conclusion of a case and may compromise the shelter's independence and sustainability of operations. Coordination between federal, state, and local officials on victim services and case management was weak. The Mexican consular network in the United States provided support to 31 labor trafficking victims and an unknown number of sex trafficking victims in 2014.

Many victims were afraid to identify themselves as trafficking victims, and few filed complaints or assisted in investigations and prosecutions due to their fear of retribution from traffickers, the lack of specialized services, or distrust of authorities. Mexican law has provisions to protect victims from punishment for unlawful acts committed as a direct result of being subjected to trafficking, but NGOs reported that in practice some officials unlawfully detained or punished victims. Some officials transferred victims to the National Institute of Migration (INM) for detention and deportation due to their immigration status and lack of formal identification as trafficking victims. Women in prostitution in Mexico City alleged officials used violence during anti-trafficking operations, and also forced them to sign declarations accusing detained individuals of trafficking, which raised serious concerns about law enforcement tactics to secure witnesses. NGOs also reported officials often re-victimized trafficking victims due to lack of sensitivity. Foreign trafficking victims could receive refugee status independent of any decision

to testify against suspected traffickers, but civil society reported this legal alternative to deportation was often not provided in practice. Many foreign trafficking victims returned to their countries of origin after giving testimony, in some cases due to a lack of adequate shelter or information about their rights. INM reported providing food and assistance to 29 foreign trafficking victims in 2014 and issued authorization to 21 victims to remain in the country on a humanitarian basis—which could be renewable on a yearly basis depending on the victims' specific circumstances—compared with 47 victims assisted in 2013. In some cases, authorities shared victims' names and case details with the press. The national anti-trafficking law provides for restitution to be paid from a victims' fund, but it was unclear if the courts awarded any trafficking victims restitution. However, a court awarded reparations of 800,000 pesos (\$45,600) to a victim in a human rights case in January 2016, which may help to set a precedent for such remedies in future human rights and trafficking cases.

PREVENTION

Federal and state authorities engaged in a range of anti-trafficking prevention efforts. The interagency anti-trafficking commission met twice a year to coordinate federal government efforts and released a report on 2014 national anti-trafficking efforts. The government published a national action plan for 2014-2018, but did not dedicate additional funds to implement the plan. The UN Office on Drugs and Crime in Mexico published a report—which was funded by the government—analyzing the impact of Mexico's anti-trafficking efforts, and made recommendations for improving efforts, including strengthening the national anti-trafficking law, invigorating the interagency anti-trafficking commission, providing comprehensive assistance to victims, and strengthening civil society participation in anti-trafficking efforts, among other recommendations.

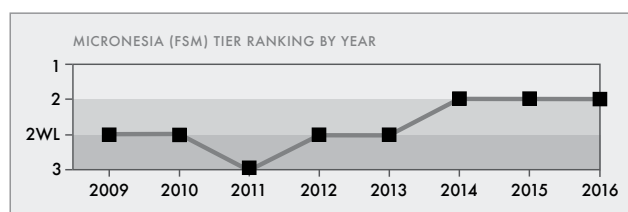
Twenty-four out of 31 states had state-level anti-trafficking committees, of which 12 were launched or reconfigured in 2014, and which varied in effectiveness. Federal and state governments engaged in a variety of awareness-raising activities, such as the distribution of educational materials—including in indigenous languages and sign language. They also publicized phone numbers to report trafficking crimes anonymously, reaching almost 350,000 people. Experts reported uneven interagency coordination at the federal and state levels. The National Human Rights Commission conducted extensive anti-trafficking training and awareness sessions for a range of audiences. The federal district government provided funding to an anti-trafficking hotline for the capital that provided referrals to appropriate Mexican agencies for victim assistance. Authorities eliminated fees for worker and visitor permits allowing Guatemalan and Belizean citizens to work along the southern border and established a center in Guatemala to register people for visitor permits. Authorities did not report efforts to regulate or hold fraudulent labor recruiters responsible. They did, however, report other efforts to prevent forced labor, including training offered to Mexican migrant workers employed by a potentially fraudulent recruiter, outreach to foreign migrant workers to inform them of their rights and responsibilities, and inspections of worksites to detect irregular activity, including underage workers who may be vulnerable to trafficking. Officials continued efforts to prevent child sex tourism through training sessions, and distributed awareness materials to reduce the demand for sexual exploitation of children in tourism destinations. While the government investigated some child sex tourism cases, it did not report prosecuting or convicting any child sex tourists; some NGOs alleged some corrupt local officials allowed child

sex tourism to occur. The government did not report efforts to reduce the demand for commercial sex acts or forced labor. The government reported that it provided anti-trafficking training for its diplomatic personnel.

MICRONESIA, FEDERATED STATES OF: Tier 2

The Federated States of Micronesia (FSM) is a source, transit, and, to a limited extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The groups most vulnerable to trafficking in FSM include foreign migrant workers and Micronesian women in prostitution. Girls are allegedly exploited in prostitution by crew members of docked Asian fishing vessels. FSM women recruited with promises of well-paying jobs in the United States and its territories are subsequently forced into prostitution or domestic labor upon arrival. Local authorities claim many sex trafficking cases are unreported due to victims' fear of embarrassment in FSM's insular communities. Foreign migrants from Southeast Asian countries report working in conditions indicative of human trafficking on Asian fishing vessels in FSM or its territorial waters.

The Government of the Federated States of Micronesia 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 FSM government convicted one Micronesian trafficker who victimized eight Micronesian victims in 2009 and initiated three new prosecutions against suspected traffickers. It also continued to coordinate efforts across four states to implement the national plan of action. The government did not, however, identify any trafficking victims, despite evidence of trafficking uncovered during investigations involving minors in commercial sexual activity. It continued to lack a formal system to identify or refer victims to appropriate services. The government did not allocate specific budgetary funding for victim protection, although it provided assistance for eight Chuukese women who testified in court.



RECOMMENDATIONS FOR THE FEDERATED STATES OF MICRONESIA:

Develop and implement procedures for the proactive identification of trafficking victims among vulnerable populations; increase efforts to investigate and prosecute trafficking offenses that lead to the conviction and punishment of traffickers; impose adequate sentences on convicted traffickers; develop and implement a victim referral system and establish specialized protective services for trafficking victims; continue to implement the national plan of action; and continue to collaborate with traditional leaders to raise awareness of trafficking and to break away from customary practices that exacerbate vulnerabilities to trafficking.

PROSECUTION

The government modestly increased anti-trafficking law enforcement efforts. The national anti-trafficking law prohibits all forms of trafficking, and the four states have laws that implement the national law. National and state laws allow for sufficiently stringent prison sentences but allow convicted offenders to pay a fine in lieu of prison time—a penalty that is not proportionate to the severity of the crime committed and not sufficiently stringent. The national law prescribes penalties of up to 15 years' imprisonment for adult trafficking and 30 years' imprisonment for child trafficking, or fines up to \$50,000. Pohnpei State's law prohibits sex trafficking of children and forced labor of adults, but not sex trafficking of adults; it prescribes penalties for these crimes of up to 10 years' imprisonment or fines up to \$10,000, or both. Chuuk State's law includes the same prohibitions, but prescribes penalties of up to 15 years' imprisonment for forced labor, 25 years' imprisonment for child trafficking, or fines up to \$10,000, or both. Kosrae State's law prohibits all forms of trafficking and prescribes penalties of 10 years' imprisonment or fines up to \$20,000, or both. Yap State's law prohibits all form of trafficking and prescribes penalties of up to 15 years' imprisonment or fines up to \$1,000,000, or both.

The government convicted a Micronesian man for the sexual exploitation of eight Chuukese females in a case that originated in 2009. He was convicted under criminal civil rights provisions, as the crimes occurred before passage of the national anti-trafficking law, and was sentenced to 10 years' imprisonment to be served under probationary house arrest, due to the trafficker's need for special accommodations not available in the correctional facility. The government initiated five new investigations of suspected child sex trafficking, compared with two in 2014. Three of those investigations, involving a total of seven suspected sex traffickers, were filed with the FSM Supreme Court and are pending a trial date. The government conducted anti-trafficking training for 30 law enforcement officials and executive and legislative branch officials. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government demonstrated inadequate efforts to identify and protect trafficking victims. It did not identify any trafficking victims during the year, even in cases under investigation for child sex trafficking, and did not develop or implement a system to identify trafficking victims among vulnerable groups. The government made no efforts to refer potential trafficking victims to specialized services or allocate resources to provide such services. The government continued to provide hotel accommodation, food, security, and flights between Chuuk and Pohnpei for the eight Chuukese victims identified in a 2009 trafficking case. The government reported any identified trafficking victims would have access to limited social services, such as the mental health program at a hospital in Kosrae state and legal assistance provided to victims of general crime through the public defenders offices at the national and state level. FSM officials did not provide legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution or incentives to participate in trials. There were no reports of potential trafficking victims being punished for crimes committed as victims of trafficking; however, due to a lack of formal victim identification procedures in use during the reporting period, some victims went unidentified in the law enforcement system.

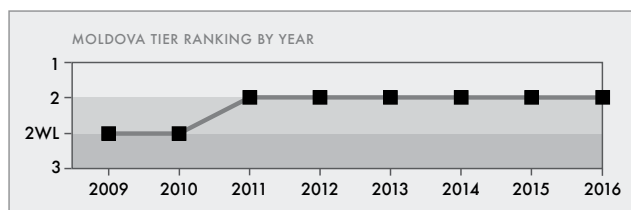
PREVENTION

The government maintained efforts to prevent trafficking. As part of its National Trafficking Day in January 2016, the government carried out a trafficking awareness campaign in all four states, including remarks by the Pohnpei lieutenant governor, members of civil society, and youth groups. The government spent \$75,000 for its anti-trafficking efforts in 2015, a decrease from \$92,500 in 2014. With part of these resources, the government continued to fund two migrant resource centers in Pohnpei and Chuuk, which provided pre-departure training, including anti-trafficking awareness training, to Micronesians who intend to emigrate. The government did not develop campaigns or disseminate informational materials aimed at reducing the demand for commercial sex acts. The government did not provide anti-trafficking training to its diplomatic personnel.

MOLDOVA: Tier 2

Moldova is primarily a source country for men, women, and children subjected to sex trafficking and forced labor. Moldovan victims are subjected to sex and labor trafficking within Moldova and in Russia, Ukraine, and other countries in Europe, the Middle East, Africa, and East Asia. Women and children are subjected to sex trafficking in Moldova in brothels, saunas, and massage parlors. Increasingly, girls aged 13 to 15 are victims of sex trafficking. Child sex tourists, including from the EU, Australia, Israel, Thailand, and the United States, subject Moldovan children to commercial sexual exploitation. The breakaway region of Transnistria remains a source for victims of both sex and labor trafficking. Official complicity in trafficking is a significant problem in Moldova.

The Government of Moldova does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Corruption, particularly in law enforcement and the judiciary, impeded prosecutions and influenced the outcomes of cases, including cases against complicit officials. The judiciary often imposed sentences on convicted traffickers that did not correspond with the severity of the crime, including fines alone, and at times reversed convictions on appeal. Legal and organizational obstacles, including changes in the national anti-trafficking investigative body, hampered law enforcement efforts. Authorities identified and assisted more victims, but victims continued to suffer from intimidation. Prosecutors charged some victims with crimes committed as a direct result of their trafficking.



RECOMMENDATIONS FOR MOLDOVA:

Vigorously investigate, prosecute, and convict traffickers and impose sufficiently stringent sentences; increase efforts to convict government officials complicit in human trafficking; implement measures to address corruption in the judicial sector; exempt trafficking victims from the requirement of in-person confrontations with their accused traffickers before

an investigation can begin; shield trafficking investigators and prosecutors from external influence and internal corruption; pass legal amendments to exempt victims from prosecution for crimes committed as a direct result of being subjected to human trafficking; improve protection of victims and witnesses during court proceedings, including prosecutions for witness tampering and intimidation; amend the criminal procedure code to permit wiretapping of suspected traffickers without prior notification and investigation of suspected traffickers' finances to avoid an overreliance on victim testimony as evidence; train police, judges, and prosecutors on a victim-centered approach to investigations prosecutions; facilitate compensation for damages suffered by victims; improve cooperation with non-governmental care providers, including coordination on policy development and assisting victims cooperating with investigations; and fund and maintain data for the hotline on child abuse and exploitation .

PROSECUTION

The government demonstrated mixed law enforcement efforts during the reporting period. Articles 165 (trafficking in persons) and 206 (trafficking of children) of the criminal code prohibit all forms of trafficking and prescribe penalties of five to 20 years' imprisonment, which are sufficiently stringent and commensurate with those for other serious crimes, such as rape. Corruption in the judicial system posed an acute challenge for bringing traffickers to justice. Courts have frequently reversed convictions on appeal, sometimes without any explanation or on weak grounds, although comprehensive statistics on the rate of appeal were not available. Criminal cases against public officials for complicity have rarely resulted in conviction, likely due to corruption and weaknesses in the judicial system; all such cases initiated in 2014 were dismissed or remain pending. Prosecutions against the head of a human rights agency for forcing children to beg in Russia and a bailiff for compelling two persons into prostitution remained ongoing at the close of the reporting period. A 2014 trafficking conviction against a public official and his accomplices remained pending appeal. A court acquitted the former head of the Biathlon Federation of Moldova of child trafficking charges in 2014 and applied a 3,000 lei (\$164) fine for organizing illegal migration; an appeal remained pending. A court still had not issued a verdict in a 2013 case against a police officer who allegedly accepted a bribe to convince his colleagues to close the investigation of a trafficking case. A case against the former head of the interior ministry's division to combat organized crime for involvement in human trafficking remained ongoing. In January 2015, however, a court sentenced a police officer to seven years' imprisonment for trafficking. There were allegations of corruption by officers assigned to the interior affairs ministry's investigatory Center for Combating Trafficking in Persons (CCTIP).

Law enforcement efforts also faced institutional obstacles in 2015. CCTIP did not have a director for six months in 2015 following a delay in the appointment of a new director; the unit was again without a director at the close of the reporting period following this director's transfer in early 2016. Cooperation between CCTIP and some civil society actors and international partners deteriorated in 2015 hampering the center's ability to cement previous gains or improve their operations. Observers reported CCTIP switched its focus from complex cases of international sex and labor trafficking to simpler cases related to domestic prostitution, potentially in order to boost the center's statistics. This focus on statistics moved CCTIP away from its traditional strength of victim-centered investigations. CCTIP continued to lack sufficient resources, particularly

investigative staff, although the government assigned two additional prosecutors to CCTIP. Prosecutors' heavy reliance on victims' testimony hindered successful prosecutions and often resulted in acquittals; victim testimony is an unreliable foundation for prosecution as victims may decide not to testify in open court due to intimidation or be too traumatized to give consistent testimony. Investigators cannot legally wiretap trafficking suspects without notifying them they are under investigation. Starting in 2014, prosecutors began charging traffickers and defense attorneys with obstruction of justice when victims were threatened or intimidated. A February 2016 Constitutional Court decision limited the time suspects may be detained to 12 months. Because it often takes years before a final verdict is issued in trafficking cases, this ruling may allow suspected traffickers to be released before trials conclude, enabling them to flee the country, return to crime, or take retribution against witnesses. Beginning in 2015, the National Investigative Inspectorate (INI) required CCTIP to regularly inform the INI of the suspects in CCTIP's investigations, to include subjects of search warrants before searches are executed, which increased the risk of corrupt officers warning suspects ahead of raids or intervening in ongoing investigations.

Authorities increased investigations in 2015, carrying out 189 trafficking cases, compared to 175 in 2014. The government increased prosecutions, completing 76 cases in 2015, compared to 49 in 2014. The government obtained fewer convictions in 2015, convicting 39 traffickers in 2015, compared to 43 in 2014. Of the 39 convicted traffickers, 36 were sentenced in 2015, and all received prison terms. The average jail sentence was 7.3 years for trafficking in persons and 16.3 years for trafficking of children. Moldovan authorities cooperated with foreign counterparts on multiple trafficking investigations. Mostly using donor funding, the government trained police, border guards, prosecutors, and judges in 2015. Candidates for judges and prosecutors were required to complete a 40-hour course on trafficking.

PROTECTION

The government demonstrated mixed efforts in victim protection. The government identified 310 trafficking victims in 2015, compared with 264 in 2014. Of these identified victims, 68 were children, an increase from 26 in 2014. Inaction by some law enforcement officials reportedly led to some potential investigations not being pursued and potential victims being left undiscovered. The law requires adult trafficking victims confront their alleged traffickers in person at a police station to begin an investigation, and sometimes on multiple occasions over the course of an investigation and trial; this requirement likely deters victims from reporting crimes and can re-traumatize victims.

The government provided approximately 8.38 million lei (\$446,000) to seven shelters for victims of crime and family violence, an increase from 7.26 million lei (\$385,970) provided in 2014. One of these shelters, the Chisinau Assistance and Protection Center, specialized in receiving trafficking victims and individuals at high risk of trafficking; the government provided approximately 2.0 million lei (\$106,000), a decrease from 2.9 million lei (\$154,000) in 2014. The government allocated 600,000 lei (\$31,914) for the repatriation of victims in 2015; the government did not disburse all of the funds, in part due to bureaucratic obstacles to accessing the funds. The government assisted 132 victims with public repatriation assistance or shelter care, compared with 85 in 2014. Teams of local officials and NGOs in all regions of Moldova coordinated

victim identification and assistance; observers noted some teams were less effective in assisting identified victims. Through the Chisinau and regional centers, victims could receive shelter and medical, legal, and psychological assistance, regardless of their cooperation with law enforcement. Psychological assistance, legal aid, and long-term reintegration support were insufficient, however, and victims were unable to obtain the free medical insurance that is afforded under Moldovan law. The weak capacity of social workers in outlying regions led to inefficient and poor quality services offered to victims. These deficiencies contributed to the continued vulnerability of trafficking victims to being re-trafficked. Authorities placed child victims with relatives, in foster care, or in rehabilitation clinics that provided specialized medical and psychological care. Victims 14 years old or younger were interviewed in specialized hearing rooms with recording equipment with the assistance of a psychologist. Although shelters were designed for female victims, adult male victims were entitled to all forms of assistance. Care providers reported bureaucratic impediments to moving victims with severe mental health needs to state-run psychiatric institutions.

The government did not adequately protect victims participating in investigations and prosecutions. Shelters had little security and corruption undermined police protection. Prosecutors did not maintain regular contact with victims or adequately prepare them for trial. Some victims experienced intimidation in the courtroom and were pressured by traffickers to change their testimony. Victims had the right to sue traffickers for damages, but most did not due to threats from perpetrators, inability to present proof required by courts, and perceived corruption in the judiciary. There were no civil actions against traffickers in 2015, despite prosecutors freezing suspected traffickers' assets in seven cases. While it is possible for a prosecutor to request restitution on behalf of the victims, such awards were rare. The criminal code exempts trafficking victims of criminal liability for committing offenses related to their exploitation. In 2015, there were cases of trafficking victims who acted as recruiters and were exempted from liability based on this provision. However, when authorities classified cases under related statutes, such as the article criminalizing forced labor, victims were no longer exempt from criminal liability. The government punished trafficking victims for unlawful acts committed as a direct result of being subject to trafficking. The courts finalized a conviction against a trafficking victim for theft, despite the victim being forced to commit the crime. Similarly, when authorities reclassify sex trafficking cases to pimping cases, victims were no longer exempted from punishment and could be charged with prostitution offenses. Victims can be fined or imprisoned for making false statements if they change their testimony, whether deliberately due to bribes or intimidation, or unintentionally due to the traumatization experienced; at least two victims were charged with making false statements in 2015. Observers reported some cases of authorities charging child sex trafficking victims with prostitution offenses, in violation of Moldovan and international law.

PREVENTION

The government maintained efforts to prevent human trafficking. The national anti-trafficking committee (NCCTIP) and its secretariat coordinated the government's anti-trafficking response. As prescribed in the national action plan for 2014-2016, NCCTIP implemented programs to raise awareness among students and Moldovan citizens abroad, as well as the general public through radio broadcasts, a website, and a national anti-trafficking week. In 2015, the government temporarily

ceased state funding to the specialists running a hotline on child abuse and exploitation. The government provided anti-trafficking training for its diplomatic personnel on identifying trafficking victims. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

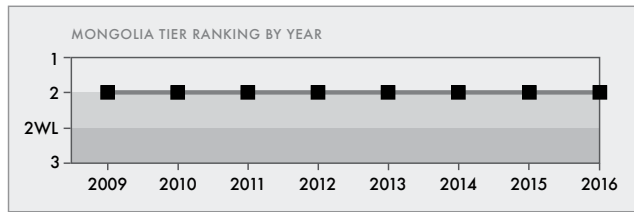
MONGOLIA: Tier 2

Mongolia is a source and, to a lesser extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. Mongolian men, women, and children are subjected to forced labor in Turkey, Kazakhstan, and Israel and to sex trafficking in South Korea, Japan, China, Hong Kong, Malaysia, Germany, Sweden, and the United States. Mongolian girls employed as contortionists—often under contractual agreements signed by their parents—are subjected to forced labor primarily in Mongolia and Turkey and less so in Hong Kong and Singapore. Women are subjected to domestic servitude or forced prostitution after entering into commercially brokered marriages to Chinese men and, with decreased frequency, South Korean men.

Women and girls are subjected to sex trafficking in Mongolia in massage parlors, hotels, bars, and karaoke clubs. Traffickers sometimes use drugs, fraudulent social networking, online job opportunities, or English language programs to lure Mongolian victims into sex trafficking. NGOs report a significant number of Mongolian victims from rural and poor economic areas are subjected to sexual exploitation in Ulaanbaatar and border areas. Reports in past years alleged Japanese tourists engage in child sex tourism in Mongolia, but police authorities state such instances no longer occur. Some Mongolian children are forced to beg, steal, or work in the informal sectors of the economy, such as horse racing, mining, herding, and construction, and are sometimes subjected to sex trafficking—often with familial complicity. North Korean and Chinese workers employed in Mongolia are vulnerable to trafficking as contract laborers in construction, production, agriculture, forestry, fishing, hunting, wholesale and retail trade, automobile maintenance, and mining. Purportedly, North Korean laborers do not have freedom of movement or choice of employment and are allowed to keep only a small portion of their wages while being subjected to harsh working and living conditions. Chinese workers have reported non-payment of wages. Previous reports allege corruption among Mongolian officials impedes the government's anti-trafficking efforts.

The Government of Mongolia 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 prosecuted nine cases and convicted eight traffickers, an increase from the one prosecution and one conviction it achieved in 2014. It funded and facilitated numerous anti-trafficking trainings for various government entities and key stakeholders. Government authorities referred 13 potential trafficking victims to an anti-trafficking NGO for assistance and continued dissemination of anti-trafficking awareness messaging on social media and television networks. The government adopted the last of six required implementing regulations for the Law on Victim and Witness Protection, although one of six required implementing regulations for the 2012 anti-trafficking law remained outstanding. The government reduced its already limited victim protection efforts in 2015. It did not report funding victim shelters during the year and remained without formal identification or referral procedures for officials' use.

Although the government revised its national action plan to combat trafficking, the plan remained unimplemented for the third consecutive year.



RECOMMENDATIONS FOR MONGOLIA:

Establish formal procedures to guide government officials in victim identification and referral to protective services; cease penalizing trafficking victims for offenses committed as a result of being subjected to trafficking; allocate funding to support both government- and NGO-run shelters and other forms of victim assistance and protection; monitor working conditions and investigate claims of labor exploitation of foreign contractors employed in Mongolia; enact the remaining regulation needed to fully implement the 2012 anti-trafficking law and train officials on effective implementation; increase efforts to investigate and prosecute all trafficking offenses using article 113 of the criminal code; implement the national action plans to combat trafficking and protect victims; and reduce demand for commercial sex acts, particularly throughout major transportation hubs.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. In December 2015, Parliament adopted a revised criminal code that reportedly incorporated amendments stipulated by the Law on Combating Trafficking in Persons; the revised code awaited pro forma publication at the close of the reporting period. Article 113 of the criminal code prohibits all forms of human trafficking, defines trafficking in accordance with international law, and prescribes penalties of up to 15 years' imprisonment for trafficking offenses—sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 124—inducing others into and organizing prostitution—is a more commonly used statute to prosecute suspected sex trafficking cases, although it does not require the element of force, fraud, or coercion; it prescribes less severe penalties of up to five years' imprisonment. Due to the misconception among many government officials that only girls can be sex trafficking victims, authorities rarely use article 113 or article 124 to prosecute cases in which boys are the victims, but instead use provisions with less stringent penalties. Jurisdiction for anti-trafficking law enforcement remained unclear due to ongoing political tumult and institutional reforms, which strained government capacity and impeded interagency coordination.

In 2015, the National Police Agency (NPA) investigated 14 potential trafficking cases under article 113, one of which it dismissed, compared with eight investigated in 2014. Under article 124, the NPA investigated 16 suspected trafficking cases, two of which it dismissed and 14 of which it recommended for prosecution. The government initiated nine prosecutions and convicted eight traffickers under article 113, an increase from one prosecution and one conviction obtained in 2014; three perpetrators were sentenced to up to 10 years in prison. Under article 124, the government initiated 27 prosecutions and

convicted nine defendants, compared with seven prosecutions and four convictions in 2014. During the reporting period, justice officials funded the Gender Equality Center (GEC) to conduct anti-trafficking training courses for 252 law enforcement officers in five provinces; the government also funded and facilitated training for an unknown number of law enforcement, security, and prosecutorial personnel across the country. Justice officials provided a venue and in-kind support for an externally funded training for approximately 55 investigators, prosecutors, judges, and other stakeholders to improve their general understanding of trafficking and their capacity to effectively investigate and prosecute trafficking crimes. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking.

PROTECTION

The government reduced efforts to protect victims, further weakening its institutional capacity to provide adequate services to trafficking victims. Victims' services continued to be available principally at two ordinarily government-funded shelters run by the GEC—the only two trafficking-specific shelters in the country. However, during the reporting period, the government did not report funding the GEC facilities, thereby continuing its downward trend in financial support for victim services; it provided 7.90 million tugrik (\$4,000) in 2013 and 5 million tugrik (\$2,500) in 2014. NGOs provided the vast majority of protection services for victims, including long-term resources, without support from the government. In 2015, the GEC assisted a total of 36 potential sex and labor trafficking victims, compared with 49 potential sex trafficking victims the previous year; 13 referrals originated from law enforcement agencies, while others came from family or friends. In cooperation with the GEC, investigators from the NPA's Organized Crime Division utilized an 11-question trafficking risk assessment checklist to identify victims proactively among vulnerable populations. However, most government entities remained without systematic procedures for proactive victim identification or referral, which left many victims unidentified and some vulnerable to being punished.

Justice officials adopted the last of six required implementing regulations for the Law on Victim and Witness Protection during the reporting period to provide incentives for victims and witnesses to assist in criminal proceedings against traffickers. However, one of six required implementing regulations for the 2012 anti-trafficking law remained outstanding. Of the 36 potential victims assisted by the GEC, 16 chose to refer their cases for prosecution; some victims were reluctant to do so due to fear of being punished for unlawful acts committed as a direct result of being subjected to trafficking, including immigration and prostitution violations. Mongolian officials maintained operation of a private victim and witness room at the First District First Instance Criminal Court in Ulaanbaatar; the impact of this feature on prosecutions in 2015 requires further evaluation. Although the government did not identify foreign victims during the reporting period, Mongolian law does not provide legal alternatives to their removal to countries in which they could face retribution or hardship.

PREVENTION

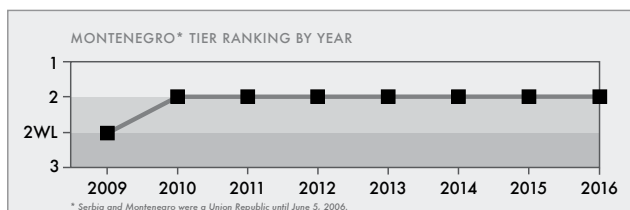
The government maintained modest efforts to prevent trafficking. In 2015, the Anti-Trafficking Sub-Council—the official coordinating body for anti-trafficking efforts—expanded its civil society representation and held periodic meetings. During the year, justice officials drafted a new

national action plan to span 2016-2021 and supersede the draft plan that remained under review the previous two years. The government approved a separate national action plan for the protection and assistance of victims and witnesses for 2016-2024, although the degree to which authorities implemented it during the reporting period was unknown. For the second consecutive year, the government continued work with an international organization to establish an integrated statistical database. Officials continued to disseminate on social media and television networks a daily public service announcement (PSA) on labor trafficking, in addition to distributing a PSA to police stations in all provinces. Authorities, with assistance from an international organization, funded and distributed passport inserts to Mongolian citizens traveling abroad that provided emergency information for trafficking situations at major transportation hubs and in areas with high population density. Although the government had in place an intergovernmental agreement with North Korea to regulate the annual number of imported North Korean workers and their salaries, the government made no tangible efforts to investigate the labor conditions of foreign contract laborers in Mongolia. The government did not take measures to reduce the demand for forced labor or commercial sex acts. In 2015, the government provided anti-trafficking training for all peacekeepers in advance of their deployment abroad and required its diplomatic personnel to be familiar with anti-trafficking laws prior to assignment abroad.

MONTENEGRO: Tier 2

Montenegro is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Victims of sex trafficking identified in Montenegro are primarily women and girls from Montenegro, neighboring Balkan countries, and, to a lesser extent, other countries in Eastern Europe. Sex trafficking victims are exploited in hospitality facilities, bars, restaurants, night clubs, and cafes. Children, particularly Roma, are subjected to forced begging. Romani girls from Montenegro reportedly have been sold into marriages in Romani communities in Montenegro and, to a lesser extent, in Kosovo, and forced into domestic servitude. International organized criminal groups occasionally subject Montenegrin women and girls to sex trafficking in other Balkan countries.

The Government of Montenegro does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government maintained strong prevention efforts, enacting a 2015 action plan for the implementation of its 2012-2018 anti-trafficking strategy. Law enforcement efforts were limited; the government initiated four new investigations, and continued to prosecute and convict traffickers for the lesser crime of brokering in prostitution. The government provided victim services and identified an increased number of victims. The 2014 Foreigners Act went into effect in April 2015, allowing foreign trafficking victims to obtain three- to 12-month residence permits, and requiring police to work with NGOs and social workers to determine if a minor is a trafficking victim and eligible to receive healthcare, education, and social services.



RECOMMENDATIONS FOR MONTENEGRO:

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, under article 444 of the criminal code; increase proactive screening of potential victims, especially for children in forced begging and women in forced prostitution; develop a multi-disciplinary approach to proactive victim identification and include NGOs in the national referral mechanism; continue to train law enforcement, border police, judiciary, and public officials working with vulnerable populations on victim identification and referral procedures and prosecution of traffickers; make efforts to ensure raids to free trafficking victims minimize harm to victims and include arrangements to segregate traffickers from victims, conduct victim-centered interviews, cross-reference victims' accounts, and quickly transition identified victims to post-rescue care and shelter; and encourage trafficking victims' participation in prosecutions in a manner that protects victims.

PROSECUTION

The government continued to make inadequate law enforcement efforts to address human trafficking. Article 444 of the criminal code prohibits sex and labor trafficking and prescribes penalties of up to 12 years' imprisonment, with longer sentences possible for cases involving the trafficking of minors, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2015, the government launched four investigations of suspected trafficking cases, compared with five in 2014. The investigations led to the arrests and prosecution of six suspects for brokering in prostitution, not trafficking, for the sexual exploitation of 16 female victims, some of whom were minors. The government did not initiate any new prosecutions under article 444 in 2015, compared with one prosecution in 2014. However, in one case involving brokering in prostitution, the defendant faces a two- to 10-year sentence, similar to the sentence he would have faced under article 444, and the government has recognized and treated the victims as trafficking victims. The government did not secure any new convictions under article 444 in 2015, the same as in 2014. It did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government established a specialized trafficking in persons police unit within the organized crime division to focus on investigations and prosecutions in trafficking cases. The government also established a new office of the special state prosecutor to expand its capacity to prosecute cases of organized crime, including trafficking. Authorities increased efforts to train officials and offered specialized training for 489 police officers, prosecutors, border officers, labor inspectors, municipal employees, and other officials on victim identification and protection.

PROTECTION

The government made mixed efforts on protection. Although it continued to fund victim services, efforts to proactively identify victims were lacking, particularly among children in forced

begging, and the government did not report providing care to any victims in 2015. The government identified 16 possible sex trafficking victims, some of whom were minors, compared to two in 2014. The government referred these victims to care, although none elected to use government-run shelter services. The government did not identify any labor trafficking victims, despite its acknowledgment of the need for greater efforts to prevent and protect child victims of forced labor, especially child victims of forced begging. Police identified 156 child beggars in 2014 and 122 in 2015, but did not identify any of them as trafficking victims. No victims participated in the prosecution of their traffickers in 2015. The police's organized crime unit responsible for investigating trafficking cases regularly conducted raids in commercial sex sites, escort agencies, and bars; however, police did not identify any victims through raids in 2015. In cooperation with international organizations, the government disseminated a victim identification checklist containing trafficking indicators in the form of business cards to all law enforcement agencies, including border police and prosecutors, health and social workers, and school directors.

The government allocated 151,185 euros (\$139,000) to the anti-trafficking coordinator's office, compared to 152,422 euros (\$184,000) allocated in 2014. A portion of this budget funded a shelter for trafficking victims that the government jointly operated with a Montenegrin NGO. The amount allocated to the shelter in 2015 decreased by 14 percent compared to 2014, due to the reduction of one staff member at this shelter, with funds reallocated to other anti-trafficking efforts. The shelter was open to both domestic and foreign victims; male victims were accommodated in separate living quarters in the shelter, as were children from adults. Victims could leave the shelter after an assessment made by police, or by the social welfare centers in the cases of children. Authorities offered victims medical, psychological, legal, and social assistance.

In June 2015, the government adopted a Law on Compensation of Victims, which is intended to provide financial assistance to victims of intentional violent crimes leading to severe physical injuries or emotional distress, for the purpose of obtaining treatment prior to court proceedings. However, the law will not go into effect until Montenegro becomes a member of the EU. Montenegrin law provides for the possibility for victim restitution, although there were no cases in which a victim requested or obtained restitution. In December 2014, Parliament passed the new Foreigners Act, which took effect in April 2015, providing foreign trafficking victims additional protections and clarifying their right to receive a temporary residence permit, lasting from three months to one year, and work authorization. No victims applied for residency in 2015. The act also requires police to work with NGOs and social workers to determine if a minor is a trafficking victim and therefore eligible to receive healthcare, education, and social services. The Foreigners Act also provides that child victims will receive witness protection, if necessary, and will not be returned to their country of origin if doing so would endanger their well-being. Montenegrin law prohibits the detention or arrest of persons believed to be human trafficking victims for crimes related to the trafficking. However, in October 2014, the high court confirmed the guilty verdict of a Moldovan trafficking victim and sentenced her in absentia to one year in prison for perjury for her testimony in a high profile 2002 trafficking case in which she accused high-level officials of being involved in human trafficking. NGO representatives strongly condemned the verdict for its weak legal reasoning and its chilling effect on possible future cases.

PREVENTION

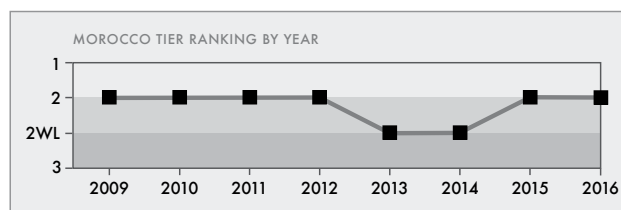
The government maintained strong prevention efforts. The government adopted a 2015 action plan to implement its 2012-2018 anti-trafficking strategy, and drafted an action plan for 2016. The government produced semiannual reports of the progress made on the strategy and action plan. The anti-trafficking office had the overall lead on anti-trafficking efforts, and the office's head was the national coordinator for the anti-trafficking taskforce, comprised of government officials, a government-funded NGO, and the international community. The taskforce continued to consult NGOs during the planning process. Taskforce members met six times for regular meetings and to coordinate assistance to potential trafficking victims. The government organized workshops in primary and secondary schools and continued to support two hotlines for victims of abuse and domestic violence, including trafficking victims; neither hotline reported receiving trafficking-related reports during the reporting period. In addition, the government conducted a national awareness campaign that included a video shown on television stations; and increased cooperation with media outlets, advertising the SOS hotline, and placing posters at all border crossings. Authorities provided specialized training to labor inspectors; however, inspectors did not identify any cases of forced labor during the reporting period. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

MOROCCO: Tier 2

Morocco is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. According to a November 2015 study conducted by the Moroccan government, with support by an international organization, children are exploited in Morocco for labor, domestic work, begging, and prostitution. Although the incidence of child domestic work has reportedly decreased since 2005, girls are recruited from rural areas for work in domestic service in cities and become victims of forced labor. Some Moroccan boys endure forced labor while employed as apprentices in the artisanal and construction industries and in mechanic shops. The 2015 study also found that some women are forced into prostitution in Morocco by members of their families or other intermediaries. Some female undocumented migrants, primarily from sub-Saharan Africa and South Asia, are coerced into prostitution. Criminal networks operating in Oujda on the Algerian border and in the northern coastal town of Nador force undocumented migrant women into prostitution and begging; networks in Oujda also reportedly force children of migrants to beg. Some female migrants, particularly Nigerians, who transit Oujda are forced into prostitution once they reach Europe. International organizations and local NGOs report unaccompanied children and women from Cote d'Ivoire, Democratic Republic of the Congo, Senegal, Nigeria, and Cameroon are highly vulnerable to sex trafficking and forced labor in Morocco. Some reports suggest Cameroonian and Nigerian networks force women into prostitution, while Nigerian networks also force women to beg in the streets by threatening the victims and their families; the victims are typically the same nationality as the traffickers. Some women from the Philippines and Indonesia are recruited for employment as domestic workers in Morocco; upon arrival, some are subjected to forced labor, experiencing non-payment of wages, withholding of passports, and physical abuse at the hands of their employers. Moroccan men, women, and

children abroad are exploited in forced labor and sex trafficking, primarily in Europe and the Middle East. Moroccan women who are forced into prostitution abroad experience restrictions on movement, threats, and emotional and physical abuse. Recruiters reportedly offer Moroccan men jobs in the Persian Gulf, but seize the victims' passports and subject them to debt bondage after arrival. Some Moroccan men and boys, initially lured to Europe by fraudulent job offers, are forced to sell drugs. Some foreigners, primarily from France and Spain, engage in child sex tourism in major Moroccan cities.

The Government of Morocco does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued efforts to prevent human trafficking, including child sexual exploitation. Moroccan law does not prohibit all forms of human trafficking and its lack of clarity frequently led officials to conflate human trafficking, human smuggling, and illegal migration. To address this challenge, the government provided anti-trafficking training to prosecutors and judges. The government reported minimal efforts to investigate potential trafficking crimes under existing laws and did not provide the details of such cases to determine if they included trafficking offenses. The lack of prosecutions and convictions for trafficking crimes was not commensurate with the scope of the known problem. The government did not proactively identify trafficking victims among vulnerable populations, especially among migrants. As a result, unidentified victims among vulnerable populations remained at risk of penalization and re-trafficking. The government, however, funded protective services, particularly for migrants, and maintained cooperation with NGOs and international organizations in referring vulnerable populations, including potential unidentified trafficking victims, to social services on a limited ad-hoc basis.



RECOMMENDATIONS FOR MOROCCO:

Enact and implement legislation, in line with international standards, that prohibits all forms of trafficking, distinct from human smuggling, and prescribes sufficiently stringent penalties; significantly increase investigations, prosecutions, and convictions of traffickers, and ensure stringent sentencing; proactively identify trafficking victims, especially among the foreign migrant community; develop and implement formal procedures for victim identification and referral to care using a victim-centered approach; ensure victims are not punished for crimes, such as immigration violations, committed as a direct result of being subjected to human trafficking; increase funding or in-kind support to NGOs that provide specialized services for trafficking victims, including foreign victims; significantly improve law enforcement data collection and reporting, including the disaggregation of data between human trafficking and human smuggling crimes; enact and implement legislation that provides protection for foreign and Moroccan domestic workers, including victims of domestic servitude; and enhance public awareness campaigns addressing all forms of trafficking of men, women, and children.

PROSECUTION

The government made negligible anti-trafficking law enforcement efforts. Morocco lacks an anti-trafficking law, which remained a serious obstacle to prosecuting human trafficking crimes and contributed to confusion among officials in differentiating human trafficking, human smuggling, and illegal migration. Existing laws prohibit some, but not all, forms of trafficking; penalties under these laws are generally not sufficiently stringent. Morocco's penal code prohibits forced child labor through article 467-2, which prescribes punishments of one to three years' imprisonment, which are not sufficiently stringent. The penal code also prohibits forced prostitution and child prostitution through articles 497-499, which prescribe punishments of up to 10 years' or life imprisonment for crimes found to have occurred with aggravated circumstances; these penalties are sufficiently stringent and commensurate with other serious crimes such as rape. The penal code does not specifically define and penalize sex trafficking. Article 10 of Morocco's labor code prohibits forced labor of a worker; this offense is punishable by a fine for the first offense and a jail term of up to three months for subsequent offenses; these penalties are not sufficiently stringent.

In 2015, the government reported 34 cases involving suspects allegedly engaged in the abduction and illegal confinement of children; however, the status of these cases was unclear, and it was unknown whether they included trafficking offenses. The government also reported disbanding 105 human smuggling and trafficking networks in 2014, but it did not provide statistics for 2015 nor details about efforts to investigate and prosecute criminal actions by such groups. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. The media and an international organization reported allegations that a Moroccan peacekeeper deployed in the Central African Republic (CAR) was involved in sexual exploitation of a woman in February 2016; although the media reported the government would initiate an investigation of these allegations, the outcome of this case was unclear at the end of the reporting period. Additionally, the media reported some Moroccan troops were allegedly involved in a child sex trafficking ring in CAR during the reporting period; the government and an international organization investigated these claims and found them to be unsubstantiated. The government, in partnership with international organizations, provided regular anti-trafficking trainings to judicial and law enforcement officials on distinguishing trafficking from human smuggling. In September 2015, the government cooperated with international organizations to establish standard procedures for identifying and assisting trafficking victims; it also created training materials for national and local law enforcement officials to identify trafficking victims.

PROTECTION

The government sustained minimal efforts to identify and protect trafficking victims. As in past years, the government did not report proactively identifying trafficking victims, including those within vulnerable populations, such as irregular migrants and refugees, that officials encountered through the government's migrant regularization program. International organizations and NGOs reported some local law enforcement officials referred cases of vulnerable women, children, and migrants to them for social services; NGO service providers identified potential trafficking victims among these referrals in 2015. The government did not provide protection services to trafficking victims in 2015, and there were no other government services designed or funded specifically to

assist trafficking victims. Civil society organizations and some foreign embassies continued to be the primary providers of protection services, including shelter, for trafficking victims; the government provided limited funding or in-kind support. Although the government drastically decreased forced deportations of migrants in 2015, it occasionally conducted forced internal relocations of foreign migrants, particularly in Oujda, Nador, and Tangier. The government did not make efforts to identify potential trafficking victims among this vulnerable population, and therefore some unidentified victims may have been penalized for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration violations. Despite these actions, international organizations and NGOs reported authorities were more sensitive to the plight of migrants and have shown greater willingness to allow civil society organizations to protect these populations. In October 2015, the government officially broadened its criteria to regularize migrants, which may include the regularization of potential trafficking victims and provision of benefits to victims under this program. The government did not make efforts to identify trafficking victims among those whose stay was regularized through the migrant regularization program.

The government provided repatriation assistance to an unknown number of female Moroccan trafficking victims exploited in the Middle East, sub-Saharan Africa, and Asia, but it did not provide specialized care to these victims once they returned home. While the government provided some services, including medical and housing services, to foreign and Moroccan women and child victims of violence through the Ministries of Justice and Solidarity and its child reception centers, it did not report if trafficking victims received such services in 2015. In 2015, the Ministry of Moroccans Resident Abroad and Migration Affairs expanded a partnership program, signed with 70 civil society organizations, to provide urgent humanitarian services, as well as education and vocational training to vulnerable migrant populations, including potential trafficking victims. The government reportedly encouraged victims to cooperate in the investigations against their traffickers, yet the government did not provide evidence that any victims testified in 2015. Decree No. 1-11-164 provides some protections to victims and witnesses who testify against traffickers. The government provided legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution or hardship.

PREVENTION

The government continued to make efforts to prevent human trafficking. In November 2015, with support of an international organization, the government published a study on the trafficking of women and children in Morocco. In 2015, with assistance from an intergovernmental organization, the government supported local NGOs' efforts to implement informational campaigns to prevent child labor and promote the rights of migrants and refugees, populations vulnerable to trafficking. The government continued to take some measures to reduce the demand for commercial sex acts and child sex tourism. In June 2015, the government formally adopted its Integrated Public Policy for the Protection of Children. The policy aims to improve the legal framework on child protection to include implementing criminal penalties for the sexual solicitation of children online and sex tourism, as well as advocating for involvement of the private sector to fight against child sex tourism, coordinating with internet providers to prevent sexual exploitation of children online, and developing awareness campaigns on children's rights. In addition, the

government continued to work with the tourism industry to prevent sexual exploitation of children. The government took efforts to reduce the demand for forced labor. In the first half of 2015, the Ministry of Employment and Social Affairs conducted 247 labor inspections, identified 292 child laborers, and removed more than 180 children from work sites; however, inspectors did not identify trafficking victims among these children. As in previous years, inspectors continued to be hindered by inadequate staffing and did not have the legal authority to enter homes, preventing them from identifying children or adults in domestic servitude. The government reported it continued to conduct an unknown number of inspections of private employment agencies that failed to follow employment regulations, and in December 2015, it blocked six Moroccan employment agencies from granting work contracts to foreign domestic workers who were considered to be at risk of trafficking. The government provided its diplomatic personnel human rights training, which included background on human trafficking issues. Moroccan peacekeeping forces continued to operate under a “no tolerance” policy, and the government provided training on the issue of sexual exploitation, but not specifically of human trafficking, to Moroccan soldiers prior to their deployment abroad on UN peacekeeping missions.

MOZAMBIQUE: Tier 2 Watch List

Mozambique is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The use of forced child labor occurs in agriculture, mining, and market vending in rural areas, often with the complicity of family members. Women and girls from rural areas, lured to cities in Mozambique or South Africa with promises of employment or education, are exploited in domestic servitude and sex trafficking, in addition to voluntary migrants from neighboring countries. Mozambican girls are exploited in prostitution in bars, roadside clubs, overnight stopping points, and restaurants along the southern transport corridor that links Maputo with Swaziland and South Africa. Children exploited in prostitution is of growing concern in Maputo, Beira, Chimoio, Tete, and Nacala, which have highly mobile populations and large numbers of truck drivers. As workers and economic migrants seek employment in the growing extractive industries in Tete and Cabo Delgado, they increase the demand for sexual services, potentially including child prostitution. Mozambican men and boys are subjected to forced labor on South African farms and mines, or as street vendors, where they often labor for months without pay under coercive conditions before being turned over to police for deportation as illegal migrants. Mozambican boys migrate to Swaziland to wash cars, herd livestock, and sell goods; some subsequently become victims of forced labor. Mozambican adults and girls are subjected to forced labor and sex trafficking in Angola, Italy, and Portugal. Persons with albinism (PWA), including children, are increasingly vulnerable to trafficking for the purpose of organ removal. Informal networks typically comprise Mozambican or South African traffickers. South Asian smugglers who move undocumented South Asian migrants throughout Africa also reportedly transport trafficking victims through Mozambique. Previous reports allege traffickers bribe officials to move victims within the country and across national borders to South Africa and Swaziland, and prison officials force women to provide sex acts in exchange for provisions.

The Government of Mozambique does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government launched a national reference group to coordinate inter-ministerial anti-trafficking efforts with civil society stakeholders and sustained nationwide coverage of its regional “reference groups.” It also published four guides to assist police officers in the identification of potential trafficking victims and disseminated trafficking awareness materials across social media channels. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Mozambique is placed on Tier 2 Watch List. Although the government increased investigations of potential trafficking cases, it prosecuted 35 suspected traffickers and convicted 11 offenders compared with 44 prosecutions and 32 convictions in 2014. It did not finalize its national action plan or the implementing regulations for the 2008 anti-trafficking law. The government did not report identifying or protecting victims during the year, and the government’s funding for and provision of protective services remained inadequate.



RECOMMENDATIONS FOR MOZAMBIQUE:

Increase efforts to prosecute and convict suspected trafficking offenders; finalize and implement the national action plan, and issue regulations necessary to implement the protection and prevention provisions of the 2008 anti-trafficking law; build the capacity of the police anti-trafficking unit, the labor inspectorate, and the Women and Children’s Victim Assistance Units to investigate trafficking cases and provide short-term protection to victims; develop a formal system to identify proactively trafficking victims among vulnerable populations; institute a unified system for collecting trafficking case data; investigate reports of official complicity in trafficking crimes and vigorously prosecute cases against those implicated in trafficking offenses; monitor the reported growth of commercial sex and train officials to investigate and prosecute those facilitating child or forced prostitution; expand the availability of protective services for victims via increased funding to relevant partners in the National Group to Protect Children and Combat Trafficking in Persons; continue training law enforcement officers in victim identification, particularly at border points; and expand anti-trafficking awareness campaigns.

PROSECUTION

The government decreased its anti-trafficking law enforcement efforts. The Law on Preventing and Combating the Trafficking of People, enacted in 2008, prohibits recruiting or facilitating the exploitation of a person for purposes of prostitution, forced labor, slavery, or involuntary debt servitude. Article 10 prescribes penalties of 16 to 20 years’ imprisonment for these offenses, which are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. The 2014 penal code prohibits involuntary commercial sexual exploitation and forced labor of men and women. The government continued to manually compile anti-trafficking law enforcement data; however, it did not provide case-specific details. In 2015, the

government initiated investigations of 95 suspected trafficking cases, a three-fold increase from 2014, and prosecutions of 35, compared with 44 prosecutions initiated the previous year. It convicted 11 offenders under the 2008 anti-trafficking law, all of whom received prison terms, ranging from one to 22 years' imprisonment; the number of convictions represents a decrease from 32 offenders convicted in 2014 and 24 in 2013. As the 2008 anti-trafficking law criminalizes trafficking for the purpose of organ removal, law enforcement statistics likely included those cases, in addition to sex and labor trafficking cases. The government arrested 50 people nationwide for engaging in trafficking PWA for the purpose of removing their organs and other body parts and courts applied substantial prison sentences to the convicted defendants. In one such case, a court in Cabo Delgado province sentenced two individuals convicted of trafficking in persons for the purpose of organ removal to 35 years in prison for murdering a child with albinism to sell his body parts.

The government, in partnership with international organizations, sponsored trafficking-related trainings for an unknown number of immigration officers posted at heavily traversed border crossings with Swaziland and South Africa. It also sponsored, in conjunction with an international organization, anti-trafficking legislation training for 30 magistrates and published four guides to assist police officers in identifying trafficking victims. During the year, Mozambican and South African authorities cooperated on one case, originating from the previous year, involving five children subjected to trafficking in South Africa. NGO reports allege traffickers commonly bribe police and immigration officials to facilitate trafficking crimes both domestically and across international borders. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government's efforts to protect trafficking victims remained inadequate. Although the government lacked formal victim identification procedures and did not report the number of victims identified and assisted during the year, an international organization stated that it assisted four trafficking victims in 2015. Officials continued to rely on technical and financial support from NGOs and international organizations to provide the majority of protection and rehabilitation services for victims and offered limited shelter, medical, and psychological assistance, which was sporadic nationwide. During the previous reporting period, the government assumed direct budget responsibility for the country's only permanent shelter for child trafficking victims and staffed psychologists to coordinate family reunification; however, officials did not disclose details of its funding allocation for victim protection measures over the current reporting period.

Officials continued to operate facilities in more than 215 police stations and 22 "Victims of Violence" centers throughout the country offering temporary shelter, food, limited counseling, and monitoring following reintegration for victims of crime; however, it remained unclear whether trafficking victims benefited from these services in 2015. The anti-trafficking law requires police protection for victims who participate as witnesses in criminal proceedings against trafficking offenders; however, no such provisions were utilized during the year. The Ministry of Justice's 2013 draft action plan to guide victim protection efforts and outline implementation of the 2012 witness protection law—including trafficking victims who cooperate with law enforcement—remained unfinished and

unimplemented for the third consecutive year. The multi-sectoral care mechanism, which coordinates referrals and protective provisions for female victims of violence, remained inadequate and inoperative in 2015. Although the law provides for temporary residency status or legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution, the government did not use this provision during the reporting period. The government did not repatriate the five Mozambican children subjected to trafficking in South Africa, during the previous year, due to an ongoing investigation of the vulnerabilities to their being re-victimized in Mozambique. During the year, the government summarily detained and deported 36 foreign nationals who arrived in Maputo with forged visas; the lack of proactive screening procedures precluded the government from ensuring these potential trafficking victims were not inadvertently penalized for unlawful acts committed as a result of potentially being subjected to trafficking.

PREVENTION

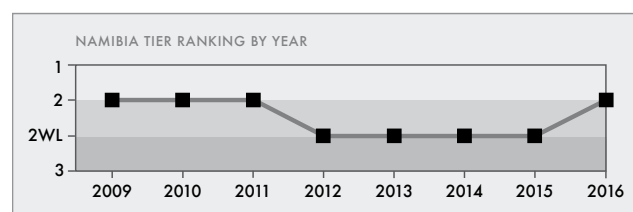
The government made uneven efforts to prevent trafficking. It did not demonstrate progress toward implementation of the national anti-trafficking action plan or finalize implementing regulations for the second consecutive year. In 2015, the attorney general's office continued to demonstrate leadership in overseeing anti-trafficking efforts by launching a national reference group for the protection of children and sustaining provincial-level "reference groups" throughout the country. Consisting of local officials, police, border guards, social workers, NGOs, and faith-based organizations, the "reference groups" served to coordinate regional efforts to address trafficking and other crimes. In 2015, the government, in conjunction with local NGOs and an international organization, proactively launched an unknown number of educational media campaigns using celebrities and former high-ranking government officials to target the trafficking of PWA for the purpose of organ removal and emphasize the importance of protection by local communities. In 2014, the government hosted seven anti-trafficking lectures and facilitated an awareness campaign for approximately 750 government and civil sector personnel. The labor ministry employed an inadequate number of labor inspectors who lacked training and resources to effectively monitor for child trafficking and other labor violations, especially on farms in rural areas. Mozambican officials remained without effective policies or laws regulating foreign recruiters and holding them civilly and criminally liable for fraudulent recruiting. The government did not demonstrate tangible efforts to reduce the demand for commercial sex acts during the year. It did not provide anti-trafficking training for its diplomatic personnel.

NAMIBIA: Tier 2

Namibia is a source and destination country for children, and to a lesser extent women, subjected to forced labor and sex trafficking. Some victims are initially offered legitimate work for adequate wages, but are then subjected to forced labor in urban centers and on commercial farms. Domestically, Namibian children are subjected to forced labor in agriculture, cattle herding, and domestic service, and to sex trafficking in Windhoek and Walvis Bay. A media report alleged that foreign sex tourists from southern Africa and Europe exploit child sex trafficking victims. Namibians commonly house and care for children of distant relatives to provide expanded educational opportunities; however, in some instances, these children are

exploited in forced labor. Among Namibia's ethnic groups, San and Zemba children are particularly vulnerable to forced labor on farms or in homes. NGOs reported persons in prostitution being taken aboard foreign vessels off the Namibian coast, some of whom may be trafficking victims. Children from Angola, Zambia, and Zimbabwe may be subjected to sex trafficking and forced labor in the fishing sector and in organized street vending in Windhoek and other cities. Angolan children may be brought to Namibia for forced labor in cattle herding. There were reports in 2013 of labor violations—potentially including forced labor—involving foreign adults and Namibian adults and children in Chinese-owned retail, construction, and fishing operations.

The Government of Namibia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated seven trafficking cases and prosecuted two suspected traffickers during the reporting period, in comparison with none in 2014, and obtained its first trafficking conviction in June 2015. The government continued its efforts to finalize and enact anti-trafficking legislation, which included frequent consultation with NGOs and experts during the year. The government identified and provided shelter to five trafficking victims, although it did not institute formal victim identification and referral processes. The government established a national committee, chaired by the deputy prime minister, in February 2016. The government also appointed the permanent secretary of the Ministry of International Relations and Cooperation (MIRCO) as the formal lead for anti-trafficking efforts and convened the first meeting of the technical committee to combat trafficking in November 2015. The government increased prevention efforts and conducted anti-trafficking trainings and awareness activities during the reporting period.



RECOMMENDATIONS FOR NAMIBIA:

Finalize and enact comprehensive anti-trafficking legislation; increase efforts under existing law to investigate, prosecute, and convict traffickers, including for forced labor violations; develop and implement formal systematic procedures to identify victims and refer them to care; train officials on relevant legislation; allocate resources for shelter services, including to develop a plan to fully operationalize renovated safe houses specifically for trafficking victims; implement the new national action plan to guide anti-trafficking efforts; strengthen coordination among government ministries, at both the ministerial and working level; institute a unified system for collecting trafficking case data for use by all stakeholders; and increase efforts to raise awareness, specifically in rural areas.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2009 Prevention of Organized Crime Act (POCA) criminalizes all forms of trafficking. Under POCA, persons who participate in trafficking offenses or aid and abet trafficking offenders may be imprisoned for up to 50 years and fined,

penalties that are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. In April 2015, the government enacted the Child Care and Protection Bill, which includes a provision explicitly criminalizing child trafficking; however, the bill will not enter into force until regulations related to other parts of the law have been promulgated. The government consulted with an international organization to review the National Human Trafficking Bill during the reporting period; however, it was pending enactment at the end of the reporting period.

In 2015, the government conducted seven trafficking investigations, five for sex trafficking and two for forced labor. The government prosecuted two suspected trafficking cases, one of which led to Namibia's first trafficking conviction. The court sentenced the trafficker to 13 years in prison under section 15 of POCA. In partnership with an international organization, the police established a curriculum for new recruits and immigration officials that included training on identifying and assisting trafficking victims. The government provided anti-trafficking training to 126 police officers during the reporting period. The Ministry of Gender Equality and Child Welfare (MGECW) trained 300 police and other government officials with its curriculum on gender-based violence, including trafficking. The government received no reports of complicity during the reporting period and did not investigate or initiate prosecutions or convictions of government officials complicit in human trafficking crimes.

PROTECTION

The government made modest efforts to protect trafficking victims. It identified and provided shelter to five trafficking victims during the reporting period. In one case, the government assisted in the repatriation of a Namibian domestic worker from Dubai and provided her temporary shelter. Generally, upon identification of a woman or child victim of crime, including trafficking, police transferred the victim to the Gender-Based Violation Protection Units (GBVPU), which have responsibility for referring victims of all crimes to temporary shelter and medical assistance. GBVPU facilities offered initial psycho-social, legal, and medical support to victims of crime, in cooperation with the police, MGECW, the Ministry of Health, and NGOs; however, it was unclear if trafficking victims received such services during the reporting period. The government has at least one gender-based violence shelter, open to trafficking victims, in each of Namibia's 14 regions; however, only six were operational and there are no dedicated shelters for trafficking victims. MGECW began developing standard operating procedures for shelters. The Ministry of Home Affairs and Immigration (MHAI) provided immigration officials a printed manual to guide identification of trafficking victims; however, the government did not have formal written procedures for use by all officials on victim identification and referral to care.

The government did not have a policy to encourage victims' participation in investigations; the law provides for witness protection or other accommodations for vulnerable witnesses that in principle would be available for trafficking victims. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking. Police and immigration officials, however, reportedly detained foreign street children, including potential trafficking victims, without screening for indicators of trafficking. The police and prosecutor general began implementing a formal policy to screen deportees for trafficking. While the government did not identify any foreign

victims during the reporting period, it remained without the ability to provide them temporary or permanent residency.

PREVENTION

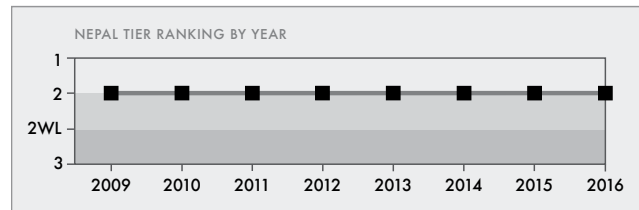
The government increased efforts to prevent human trafficking. The government established a national committee to combat trafficking, chaired by the deputy prime minister, in February 2016. The government designated the MIRCO permanent secretary to chair the technical committee to combat trafficking, responsible for anti-trafficking activities and planning. The technical committee, which first convened in November 2015, included representatives from the police, Office of the Prosecutor General, Ministry of Labor, Ministry of Health and Social Services, MGECSW, MIRCO, and MHA. The technical committee drafted a national action plan to combat trafficking in persons to replace the plan that expires at the end of 2016. In partnership with an international donor, the government created a multi-sector steering committee and signed a memorandum of understanding in preparation for a project to strengthen inter-ministerial coordination to respond to trafficking cases and to launch a public awareness campaign to inform Nepalis about trafficking and how to identify it; the project began shortly after the end of the reporting period. The government conducted activities to raise awareness about trafficking, including holding workshops on child trafficking, distributing awareness material in several dialects, and training on identifying trafficking victims, reaching more than 1,700 Nepalis. The Ministry of Labor and Social Welfare employed 73 labor inspectors and 24 occupational health and safety inspectors during the reporting period, who were responsible for enforcing laws against child labor. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training to its diplomatic personnel.

NEPAL: Tier 2

Nepal is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Nepali women and girls are subjected to sex trafficking in Nepal, India, the Middle East, Asia, and sub-Saharan Africa. Nepali men, women, and children are subjected to forced labor in Nepal, India, the Middle East, Asia, and the United States in construction, factories, mines, domestic work, begging, and the adult entertainment industry. In many cases, the imposition of high fees facilitates forced labor, and recruitment agencies engage in fraudulent recruitment. Unregistered migrants—including the large number of Nepalis who travel through India or rely on unregistered recruiting agents—are particularly vulnerable to forced labor and sex trafficking. Some migrants from Bangladesh and possibly other countries transit Nepal en route to employment in the Middle East, using potentially falsified Nepali travel documents, and may be subjected to human trafficking. Nepali and Indian children are subjected to forced labor in the country, especially in domestic work, brick kilns, and the embroidered textile, or *zari*, industry. Bonded labor exists in agriculture, brick kilns, the stone-breaking industry, and domestic work. Many Nepalis living in areas affected by an earthquake that struck Nepal in April 2015 are vulnerable to trafficking. Traffickers utilize social media and mobile technologies to exploit their victims. Some government officials are reportedly bribed to include false information in genuine Nepali passports, including of age documents for child sex trafficking victims, or

to provide fraudulent documents to prospective labor migrants, a tactic used by unscrupulous recruiters to evade recruitment regulations.

The Government of Nepal 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 prosecute suspected traffickers in 2015; however, the law did not define the prostitution of children as human trafficking absent force, fraud, or coercion. The government took steps to address the increased vulnerability of women and children in areas affected by the April 2015 earthquake, including awareness-raising programs. The government adopted labor migration guidelines in April 2015, including a policy to reduce the financial burden on Nepali migrant workers at risk of being subjected to trafficking. Nonetheless, the government's victim identification and protection efforts remained inadequate, and the government did not track the total number of victims identified. The government inconsistently implemented anti-trafficking laws, as many government officials continued to employ a narrow definition of human trafficking. The impact of the April 2015 earthquake placed a significant strain on government resources.



RECOMMENDATIONS FOR NEPAL:

Increase law enforcement efforts against all forms of trafficking, including sex trafficking of Nepali females within Nepal and against officials complicit in trafficking-related crimes; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking; revise the Human Trafficking and Transportation (Control) Act (HTTCA) to bring the definition of human trafficking in line with international law; institute formal procedures for proactive identification and referral of trafficking victims to protection services; respecting due process, prosecute suspected labor trafficking offenders and labor recruiters accused of charging excessive fees or engaging in fraudulent recruitment; eliminate all recruitment fees; lift current bans on migration for domestic work to discourage migration through undocumented channels; enforce newly adopted labor migration guidelines; ensure victim services are available to victims of trafficking of all genders; implement HTTCA victim protection provisions; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made modest anti-trafficking law enforcement efforts. The 2007 HTTCA and the 2008 regulation prohibit most, but not all, forms of trafficking in persons. The HTTCA criminalizes slavery and bonded labor but does not criminalize the recruitment, transportation, harboring, or receipt of persons by force, fraud, or coercion for the purpose of forced labor. It criminalizes forced prostitution but, in a departure from the 2000 UN TIP Protocol definition, does not consider the prostitution of children as a form of trafficking absent force, fraud, or coercion. The law also criminalizes facilitating prostitution and removal of human organs. Prescribed penalties range from 10 to 20 years' imprisonment, which are

sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The 2002 Bonded Labor (Prohibition) Act prohibits bonded labor. Forced child labor and transnational labor trafficking may be prosecuted under the Child Labor Act and the Foreign Employment Act (FEA). The National Committee for Controlling Human Trafficking (NCCHT) drafted prospective revisions to the HTTCA to bring the definition of human trafficking closer in line with international law; however, the government did not adopt the revisions by the end of the reporting period.

The Nepal Police Women's Cell conducted 181 sex and labor trafficking investigations under the HTTCA during the Nepali fiscal year, compared with 185 cases in the previous fiscal year. These investigations involved crimes in which women and girls were the primary victims; crimes involving male victims are handled by other police investigative units. In one of these investigations, police arrested members of a transnational crime network involved in trafficking Nepali women and children in the Middle East and Africa. The government prosecuted alleged traffickers in 341 cases in the fiscal year; of these, 227 remained pending. This data was not disaggregated to distinguish between sex and labor trafficking cases, or new cases versus those initiated in the previous fiscal year. At the district level, courts convicted 260 traffickers during the fiscal year, compared with 203 traffickers in the previous year, and acquitted the accused in 107 cases. Victims of transnational labor trafficking preferred to submit claims for compensation through the FEA, rather than pursue lengthy criminal prosecutions under the HTTCA, often to avoid the stigma associated with being labeled a trafficking victim and because the potential to be awarded compensation was higher.

The Nepal Police launched an initiative to combat human trafficking, resulting in the establishment of a working group with civil society and international organizations. Twenty senior police officials attended a course on trafficking investigations and victim protection. The women's cell continued conducting a course on psycho-social, victim-centered training during the reporting period. Approximately 35 police officers received extensive crime scene training on investigating trafficking and gender-based violence by an NGO, in partnership with the government. Despite this training, police officers' lack of awareness of the anti-trafficking law, challenges in evidence collection, and poor investigative techniques impeded prosecution efforts. In 2013, the anti-corruption commission indicted 46 officials from the Departments of Foreign Employment and Immigration for issuing fraudulent documents; criminal proceedings were ongoing at the close of the reporting period. The government did not report any newly initiated investigations, prosecutions, or convictions of government officials complicit in human trafficking or related offenses.

PROTECTION

The government maintained modest efforts to protect victims. Authorities remained without formal victim identification procedures and did not track the number of victims identified; however, the Ministry of Women, Children, and Social Welfare (MWCSW) began developing a mechanism to record this information. NGOs reported increased vigilance by authorities following the April 2015 earthquake, which led to improved identification of potential trafficking victims. Police identified 196 potential victims by the end of June 2015; however, it is unclear how many suffered or imminently faced exploitation. Immigration officials received anti-trafficking training, resulting

in an increase in identification and referral of potential labor trafficking victims to police. Nonetheless, many law enforcement officials did not recognize that returning labor migrants who reported exploitation could be victims of trafficking, and the government did not utilize proactive screening measures among this population. Department of Foreign Employment officials frequently urged abused migrant workers returning to Nepal to register complaints under the FEA rather than notify police. Observers reported that government efforts to identify victims of sex trafficking remained inadequate. Police reduced the number of raids conducted on adult entertainment establishments in Kathmandu, resulting in a decrease in arrests of potential sex trafficking victims; this also resulted in decreased identification of victims. When properly identified, victims were not detained, fined, or jailed for crimes committed as a result of being subjected to human trafficking. Local officials reportedly facilitated the falsification of age documents for child sex trafficking victims.

The national minimum standards for victim care set forth procedures for referring identified victims to services. Referral efforts remained ad hoc and inadequate, although the government began drafting standard procedures for the identification and referral for both domestic and foreign victims of trafficking, as well as repatriation procedures. In the aftermath of the April 2015 earthquake, the government and several NGOs focused on providing services to victims in the earthquake-affected areas, increasing services and access to vulnerable populations. MWCSW maintained partial funding of eight rehabilitation homes and emergency shelters for female victims of gender-based violence, including trafficking. During the reporting period, the government opened the first long-term shelter for women referred from emergency shelters. MWCSW revised guidelines to increase funding for victim services, including legal assistance, psychological support, transportation, reunification with families, medical expenses, and other forms of support. The government allocated funds for the protection of adult male trafficking victims but did not fund shelter services. There was one NGO-run shelter for men in Kathmandu. Emergency shelters for vulnerable female workers—some of whom were likely trafficking victims—in Nepali embassies in Kuwait, Oman, Saudi Arabia, Qatar, Bahrain, and United Arab Emirates were inadequate to support the high demand for assistance. The government does not have established procedures for alternatives to the deportation of foreign victims. During the reporting period, the Nepali embassy in India assisted in repatriating two Nepali women who were promised jobs in Saudi Arabia, but were instead forcibly held and raped by a Saudi Arabian diplomat posted in India; two of their alleged traffickers were arrested by police in Nepal.

The Foreign Employment Promotion Board collected fees from departing registered migrant workers for a welfare fund to provide repatriation and one year of financial support to families of injured or deceased workers, which could include trafficking victims. During the fiscal year, the fund was used to repatriate 216 migrant workers and provide financial support to the families of 181 injured and 1,002 deceased workers. A revision to the HTTCA adopted in a gender equality bill in October 2015 ensures victim compensation when the government is unable to collect fines from traffickers. Victim-witness protection mechanisms remained insufficient legally and in practice, and were impeded by a 2015 amendment to the HTTCA that reinstated a provision allowing victims to be fined if they failed to appear in court or criminally liable for providing testimony contradicting their previous statements. The government trained prosecutors on victim

protection needs during legal proceedings. Although victim confidentiality improved, identifying information—such as phone numbers and names of relatives—periodically appeared in public documents, increasing victims' risks of reprisals.

PREVENTION

The government demonstrated increased efforts to prevent human trafficking. NCCHT met regularly and issued a third annual report on the government's anti-trafficking efforts. The government conducted coordination sessions with local officials from all 75 districts to clarify responsibilities in the implementation of the national action plan. NCCHT allocated approximately 250,400 Nepali rupees (NPR) (\$2,504) to each of the 75 district committees to support awareness campaigns, meeting expenses, and emergency victim services; this was similar to the 233,000-380,000 NPR (\$2,300-\$3,750) allocated last fiscal year. Observers reported that while interagency coordination improved, it was still insufficient. The government conducted and participated in public awareness campaigns throughout the country; however, they did not often reach those most vulnerable to trafficking. Following the April 2015 earthquake, the Nepal Police Women's Cell ran awareness programs in eight districts on the increased risks of trafficking. Following increased reports of parents permitting children to move from earthquake affected areas to the capital for educational opportunities, MWCSW banned the transport of children younger than 16 years of age unaccompanied by a legal guardian to another district without approval from the child welfare board. To prevent sex trafficking in the adult entertainment industry, NCCHT reinstated monitoring committees in nine districts.

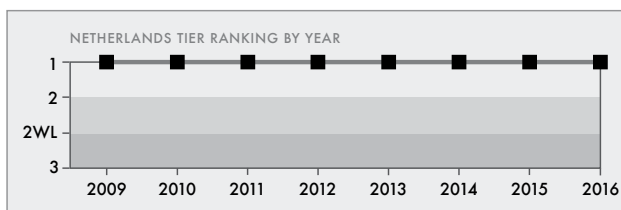
The government finalized labor migration guidelines in April 2015, including a policy requiring foreign employers to cover visa and transportation costs for Nepali migrant workers to reduce the financial burden that can make them more susceptible to trafficking. This policy restricts service fees recruitment agencies can charge workers to 10,000 NPR (\$100), which is only allowed when employers are unwilling to bear all recruitment costs. Advocates supported the policy but assessed implementation as insufficient and employment agencies remained unwilling to adhere to the policy at the close of the reporting period. The government suspension on all exit permits for domestic work was lifted and the age limit for the ban on migration of females to the Gulf States for domestic work was decreased from 30 years to 24 years. In addition, the new guidelines require domestic worker recruitment to go through licensed recruitment agencies. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for all Nepali peacekeeping forces before deployment and for its diplomatic personnel. Nepal is not a party to the 2000 UN TIP Protocol.

NETHERLANDS: Tier 1

The Netherlands is a source, destination, and transit country for men, women, and children from the Netherlands, Eastern Europe, Africa, and South and East Asia subjected to sex trafficking and forced labor, such as inland shipping, offshore oil exploration, agriculture, horticulture, catering, food processing, domestic servitude, and forced criminal activity. Vulnerable populations include Dutch girls enticed by young male traffickers ("loverboys," who establish sham love

relationships with vulnerable girls before intimidating them into sexual exploitation), unaccompanied children seeking asylum, women dependent on residency status obtained through fraudulent or forced marriages, domestic workers of foreign diplomats, Roma, and vulnerable women and men recruited in Eastern Europe, Africa, and Asia. There were reports of Dutch citizens engaging in child sex tourism abroad. In January 2016, media reported police and social workers found concrete signs of human traffickers recruiting in asylum centers, allegedly targeting women for prostitution and men for forced labor.

The Government of the Netherlands fully meets the minimum standards for the elimination of trafficking. The government investigated, prosecuted, and convicted a significant number of traffickers, and authorities identified a significant number of victims. The government has continued implementing the national referral mechanism plan created in 2014, including creating guidelines and training for identifying and referring victims to care, and setting standard operating procedures for key ministries. There is a government-wide taskforce that coordinates policy. National legislation requires law enforcement officers to refer victims to protection services. The government continued awareness campaigns aimed at educating vulnerable populations and businesses, and the independent anti-trafficking rapporteur monitored government efforts.



RECOMMENDATIONS FOR THE NETHERLANDS:

Vigorously investigate, prosecute, convict, and sentence traffickers to penalties commensurate with the seriousness of the crime; screen for trafficking among those detained for crimes that may be a direct result of being subjected to trafficking; provide adequate funding to NGOs to provide victim services; continue outreach to potential victims in the labor sectors and identify forced labor; improve mentoring of officials in Bonaire, St. Eustatius, and Saba to increase identification of victims and prosecution of traffickers; and reduce the risk of human trafficking in supply chains by following through on the 2014 commitment to develop covenants with companies in 13 sectors.

PROSECUTION

The Dutch government sustained its anti-trafficking law enforcement efforts. The Netherlands prohibits all forms of trafficking, including forced begging and forced criminality, through article 273f of the criminal code. The maximum prison sentence for a single offense of human trafficking is 12 years; it is 15 years if the victim is a minor, or perpetrators act in a group, or there are acts of violence. The sentence for aggravated human trafficking is 18 years' to life imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. According to the prosecutor's office, authorities investigated 215 individuals for trafficking in 2015, compared with 280 in 2014. In 2015, the government prosecuted 189 trafficking defendants and convicted 139, compared with 192 prosecuted and 134 convicted in 2014. Between 2014 and 2015, the conviction rate rose from 70 percent to 74 percent. The average sentence for

traffickers was not available for 2015 but will become available upon publication of the “Dutch National Rapporteur’s Annual Trafficking Statistics Update” later in 2016. However, judges continued to sentence some convicted traffickers to prison: one trafficker who forced four young women into prostitution over a period of 10 years was sentenced to nine years in prison; a man who forced five Hungarian women into prostitution was sentenced to five years in prison; and a former police officer was sentenced to five years in prison for child sex trafficking. Judges with trafficking-specific training heard all trafficking cases in 2015. Prosecutorial statistics did not disaggregate labor and sex trafficking cases, but statistics on victims indicated that approximately 20 percent of all victims identified in 2015 were forced labor victims. Judges, prosecutors, and defense attorneys received specialized training in applying the anti-trafficking law and dealing with traumatized victims. In 2015, labor inspectors referred 10 cases for prosecution, down from 16 in 2014. Authorities reported no new investigations, prosecutions, or convictions of government employees complicit in trafficking in 2015. Police officers’ basic training included anti-trafficking courses. Anti-trafficking police officers were required to pass examinations in a training course focused on policing the sex industry; police officers also had to sign a code of conduct before working in this sector. Dutch officials’ joint investigations with Hungarian officials resulted in the 2015 sentencing of five Hungarians for sex trafficking, with prison sentences of 19 to 38 months’ imprisonment, and the arrest of three men in northern Hungary for sex trafficking in The Hague; the suspects from northern Hungary were extradited, and the investigation was ongoing at the end of the reporting period.

PROTECTION

The Government of the Netherlands sustained efforts to protect victims. In the first 11 months of 2015, the government-funded national victim registration center and assistance coordinator registered 944 possible trafficking victims, compared with 1,080 in the first 11 months of 2014. Of the 944, there were 623 in sex trafficking, 172 in labor trafficking and forced crime, and 149 where the kind of trafficking was not established. The top countries of origin during the first 11 months were the Netherlands (almost one-third of the victims), Bulgaria, Romania, Hungary, and Nigeria. The government referred 146 victims to care facilities in 2015, compared with 160 in 2014; 54 percent of human trafficking victims were identified by police, 12 percent by border security, nine percent by labor inspectors, and 25 percent by other organizations. The government continued to fund an extensive network of facilities providing specialized services for child, female, and male victims. However, government funding for civil society organizations was reduced in 2015. In June 2015, the website “Road Map Human Trafficking” went live, providing victims, professionals, and citizens an overview of organizations that assist victims of human trafficking, by region and specialization.

In 2014, the most recent year data was available, 174 victims made use of the three-month reflection period, compared with 223 victims in 2013. During this time, victims received services and time to consider assisting law enforcement in prosecuting the trafficker. During a reflection period, non-EU victims were not allowed to work. If authorities decided to prosecute a suspected trafficker, victims received a B-8 permit, a temporary residence permit for trafficking victims; there is some concern among NGOs that provide shelter services that police did not always immediately advise victims of their B-8 eligibility. In 2014, the most recent year data was available,

251 victims applied for B-8 status, compared with 268 in 2013 and 406 in 2012. Victims were granted regular residency when the trafficker in their case was convicted or when they maintained B-8 status for three or more years. If a trafficker was not prosecuted or was acquitted, a potential victim could apply for human rights asylum. A 2012 pilot program to shorten authorities’ decision time to launch a criminal investigation was being implemented nationally. Some experts contended this program forced victims in a vulnerable state to decide whether or not to press charges too quickly, possibly before they had met with an attorney. While the anti-trafficking law contains a non-punishment clause, defense attorneys reported instances in which the clause was not always properly understood or implemented.

PREVENTION

The government sustained efforts to prevent trafficking. The national rapporteur published three reports addressing human trafficking trends and the government’s response. The government continued several awareness campaigns to educate the public about all forms of trafficking with videos, websites, handouts, and school prevention curricula. The labor inspectorate focused on sectors with an elevated risk of exploitation. Local government officials conducted brothel inspections, which included close observation for any signs of trafficking. Authorities trained immigration, hotel, aviation, customs, and labor inspection staff. A law enacted in 2015, the Tackling Fake Firms Act, enables the government to prosecute fraudulent companies used by traffickers and recruiters to circumvent labor laws, especially in the construction and transportation sectors; contractors are held accountable for any labor exploitation of their subcontractors. The government demonstrated efforts to reduce the demand for commercial sex. The Anonymous Crime Reporting Center received 182 tips on human trafficking and smuggling (joint category) in 2015, compared with 203 in 2014. The government, in cooperation with NGOs, continued its campaign against child sex tourism aimed at screening potential foreign child sex tourists at airports.

The foreign ministry continued to conduct outreach to foreign diplomats’ domestic workers, without their employers present, on how to report cases of abuse. Since 2010, the Netherlands has registered 12 cases of human trafficking by foreign diplomats. The government provided human rights training, including trafficking in persons training, during orientation for its own diplomatic personnel. The government provided training on human rights and humanitarian law of war, including trafficking in persons, to troops prior to their deployment abroad as part of international peacekeeping missions.

BONAIRE, ST. EUSTATIUS, AND SABA (BES)

The BES islands are municipalities of the Netherlands and are a transit and destination area for men, women, and children subjected to sex trafficking and forced labor. Women in prostitution in regulated and illegal commercial sex sectors and unaccompanied children are highly vulnerable to trafficking. Local authorities believe men and women have been subjected to domestic servitude and forced labor in the agricultural and construction sectors. Some migrants in restaurants and local businesses may be vulnerable to debt bondage.

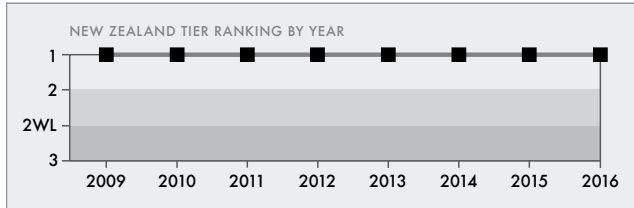
The BES criminal code prohibits both sex and labor trafficking under article 286f, prescribing penalties ranging from six to 15 years’ imprisonment. Authorities did not initiate any new

trafficking investigations or prosecutions in 2015 in the BES islands. Police reported indicators of human trafficking in Bonaire and sent a multi-disciplinary team with police, tax authorities, labor inspectors, border security officials, and local government officials to search two brothels, but could not build a case. The mandate of the Netherlands' national rapporteur did not extend to the BES islands, so the office could not do local research. The prosecution of Bonaire's first trafficking case, involving Colombian women in forced prostitution, was initiated in October 2012 and remained ongoing at the close of the reporting period. Local governments on the BES islands ran multidisciplinary anti-trafficking teams, which cooperated with each other and with Dutch counterparts.

NEW ZEALAND: Tier 1

New Zealand is a destination country for foreign men and women subjected to forced labor and sex trafficking and a source country for children subjected to sex trafficking within the country. Foreign men and women from China, India, the Philippines, countries in the Pacific and Latin America, South Africa, and the United Kingdom are vulnerable to forced labor in New Zealand's agricultural, construction, and hospitality sectors, or as domestic workers. Some foreign workers are charged excessive recruitment fees, experience unjustified salary deductions, non- or underpayment of wages, excessively long working hours, restrictions on their movement, passport retention, and contract alteration. Some migrant workers are forced to work in job conditions different from those promised during recruitment but do not file complaints due to fear of losing their temporary visas. Foreign men aboard foreign-flagged fishing vessels in New Zealand waters are subjected to forced labor. Foreign women from Asia are at risk of coercive or forced prostitution. Some international students and temporary visa holders are vulnerable to forced labor or prostitution. A small number of Pacific Island and New Zealand (often of Maori descent) girls and boys are at risk of sex trafficking in street prostitution. Some children are recruited by other girls or compelled by family members into prostitution.

The Government of New Zealand fully meets the minimum standards for the elimination of trafficking. The government passed and enacted the Omnibus Crime Bill, which amended the definition of trafficking to define the offense as one of exploitation not requiring transnational movement. The government increased prosecutions of traffickers, but the punishments imposed were insufficient given the seriousness of the crimes. The government made its first certifications of trafficking victims and increased efforts to inform visa holders of worker rights and support services. The government continued to implement the Fisheries Foreign Charter Vessels Amendments, scheduled to come into full effect May 1, 2016, which led two fishing vessels considered at high risk of labor exploitation to choose not to renew their licenses to fish in New Zealand waters to avoid the additional scrutiny. The government expanded compliance checks to ensure work contracts matched those used to apply for work visas and met legal standards. The government, however, did not consistently identify trafficking victims in vulnerable sectors and continued to treat possible forced labor cases as labor violations.



RECOMMENDATIONS FOR NEW ZEALAND:

Increase efforts to identify victims through proactive screening of vulnerable populations, including women and children in prostitution, foreign workers, and illegal migrants; amend the new law to ensure that trafficking offenses are not punished by a fine alone and to define the sex trafficking of children not to require the use of force, fraud or coercion; significantly increase efforts to investigate and prosecute trafficking offenses and sentence traffickers to penalties commensurate with the seriousness of the crime; update the national action plan to address current trafficking trends in the country; assess the full extent of sex trafficking involving children and foreign women, and labor trafficking involving migrant workers; and continue anti-trafficking awareness campaign to reduce demand of forced labor and sexual commercial exploitation, especially of children and foreign women.

PROSECUTION

The government increased law enforcement efforts. Parliament passed and enacted the Omnibus Crime Bill which substantially conforms the definition of trafficking with international law by defining the crime of trafficking in persons as a crime of exploitation not requiring transnational movement of the victim. The bill amended the Crime Act of 1961, Section 98D and defined the crime to include the reception, recruitment, transport, transfer, concealment or harboring of a person for the purpose of exploitation, defined as the deception or coercion causing a person to be involved in prostitution or other sexual services, slavery and practices similar to slavery, servitude, forced labor or other forced services and the removal of organs. It does not include a provision making the sex trafficking of a child a crime regardless of deception or coercion, which is inconsistent with international law. Further, the penalty of a term not exceeding 20 years' imprisonment or a fine not exceeding \$500,000 or both is generally not sufficiently stringent because of the possibility that a fine can be imposed in lieu of imprisonment. Further, with regards to sex trafficking, the penalty is insufficient because it is not a penalty commensurate with that imposed for other serious crimes, such as rape.

In 2015, the government completed its first trafficking prosecution under the crime act, involving 18 victims from India and two defendants. While this case marked the first time the government used the provision to prosecute suspected traffickers, no evidence of forced labor was found. The defendants were found guilty of immigration fraud and sentenced to 25 months' imprisonment and 10 months' home detention, respectively. The government reported convicting one sex trafficker in a case involving two victims brought into the country under false employment agreements. The court found the defendant guilty of providing false immigration information and inciting employees to breach visa conditions and sentenced her to 27 months' imprisonment. In two separate cases involving six and four Indian victims of forced labor in restaurants, three defendants were sentenced to home detention and reparation payments to victims; these penalties were not sufficient to

deter the crime and inconsistent with international standards. The government began prosecution of one trafficker in a case involving 16 migrant workers charged large recruitment fees and subjected to conditions indicative of forced labor. That case remained pending at the end of the reporting period. Government officials pointed to the enactment of the Organized Crime and Anti-corruption Legislation Bill as the means for more effective prosecution of trafficking crimes, which had previously been prosecuted under other charges with lesser penalties. The government continued to train police, labor inspectors, and immigration officials on victim identification and indicators of trafficking, but it did not report training prosecutors or judiciary officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government's victim protection efforts modestly increased. In 2015, the government made its first certifications of trafficking victims. All were labor trafficking victims, 16 from a case currently awaiting trial and 18 from a case concluded in January 2016. It provided temporary work visas to the 34 victims. The government did not report providing direct services or protection to potential victims mentioned in other investigations or prosecutions. The government reported having standardized questions to identify victims of trafficking but it only identified a small number of victims. Labor inspectors reported visiting legal brothels to ensure working conditions were in compliance with the law, but this did not result in the identification of any adult sex trafficking victims. Labor inspectors reported conducting routine audits in work places that employ migrant workers; they identified breaches of labor standards, but these did not result in investigations or prosecutions of forced or coerced labor exploitation. The government reported a policy of referring women and child victims of general crime to services; it was unclear if it had such a policy for men or it applied it to trafficking victims. The government did not operate any shelters specifically for trafficking victims; on a case-by-case basis, the government reported providing assistance, such as food and shelter, to victims of crimes and referred them to NGOs or other service providers. The law authorizes the extension of temporary residency to trafficking victims for up to 12 months and makes them eligible for a variety of government-provided or -funded services while their cases are under investigation. There were no reports of victims being detained, fined, or jailed for unlawful acts committed as trafficking victims; however, some may have been as a result of inadequate government efforts to identify victims. The government reported providing legal alternatives to the removal of foreign victims of crime to countries where they may face hardship or retribution, but no trafficking victims received this benefit in 2015. Victims could seek restitution through civil claims; some labor exploitation cases resulted in restitution for labor violations.

PREVENTION

The government increased prevention efforts. The government continued to implement the Fisheries Foreign Charter Vessels Amendment, scheduled to come into full effect May 1, 2016, which requires all foreign charter vessels fishing in New Zealand waters to operate as New Zealand-flagged vessels and abide by its health and labor laws. The government reported two fishing vessels considered to be at high risk of labor exploitation chose not to renew their licenses to fish in New Zealand waters due to the increased scrutiny. In September 2015, the government signed a bilateral agreement with the Philippines to improve

the transparency of recruitment of Filipino migrant workers in New Zealand and reduce their vulnerability. As part of these efforts, immigration authorities reviewed the employment contracts of some Filipino migrant workers upon arrival in the country to verify their contracts matched those previously filed and provided guidelines to employers of Filipino workers outlining their legal obligations. The government sent welcome emails to all approved residence, work, and student visa holders with information on workers' rights and employment support services in 13 languages. The Labor Inspectorate published two reports on vulnerable workers in the construction and hospitality industries on its website. The government presented new editions of guides for migrant dairy workers and their employers on workers' rights, employers' responsibilities, and support services. In an attempt to reduce the demand for forced labor, the government increased compliance tests of employment contracts used in work visa applications and issued media statements about labor compliance audit results and prosecutions of labor exploitation cases. The government did not make efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training to its diplomatic personnel. The government continued to cooperate with foreign governments to identify child sex tourists in New Zealand and to prioritize the prevention of child sex tourism abroad by its residents, although these efforts did not result in any investigations or prosecutions.

NICARAGUA: Tier 2

Nicaragua is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Nicaraguan women and children are subjected to sex trafficking within the country and in other Central American states, Mexico, and the United States. Many trafficking victims are recruited in rural areas or border regions with false promises of high-paying jobs in urban centers and tourist locales, where they are subjected to sex or labor trafficking. Victims' family members are often complicit in their exploitation. Nicaraguan women and children are subjected to sex and labor trafficking in the two Caribbean autonomous regions, where the lack of strong law enforcement institutions and a higher crime rate increase the vulnerability of the local population. Nicaraguans from northern-central departments who migrate to other Central American countries and Europe are reportedly vulnerable to sex and labor trafficking. In addition, children these migrants leave in Nicaragua reportedly become vulnerable to sex and labor trafficking as a result. Nicaraguan adults and children are subjected to forced labor in agriculture, construction, mining, the informal sector, and domestic service within the country and in Costa Rica, Panama, the United States, and other countries. Children in artisanal mining and quarrying are vulnerable to forced labor. NGOs report children and persons with disabilities are subjected to forced begging, particularly in Managua and near tourist centers. Male migrants from Central American countries transit Nicaragua en route to Panama in search of employment; some are subjected to labor trafficking in Panama. Nicaragua is a destination for child sex tourists from the United States, Canada, and Western Europe.

The Government of Nicaragua does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government enacted and began implementing a new trafficking-specific law that imposes stringent penalties for sex and labor trafficking crimes. However, its definition of human trafficking is inconsistent

with international law; it conflates human trafficking with other crimes, such as illegal adoption, and establishes the use of force, coercion, or deceit as an aggravating factor rather than an essential element of most trafficking crimes. Authorities continued to prosecute, convict, and impose stringent sentences on traffickers. However, the government identified significantly fewer victims than in 2014, and overall protection efforts were weak; the government did not provide or fund adequate services for victims, nor did it systematically refer all victims to NGOs to receive such care. The government did not have formal procedures for identifying victims among vulnerable groups, and front-line officials were not adequately trained to recognize all forms of trafficking. The government-led anti-trafficking coalition and regional working groups were largely inactive during the year, and key elements of the new trafficking law—such as a dedicated trafficking fund—were not implemented. Prosecution, protection, and prevention efforts in the two Caribbean autonomous regions of Nicaragua continued to be much weaker than in the rest of the country.



RECOMMENDATIONS FOR NICARAGUA:

Provide, in partnership with civil society organizations, specialized services for trafficking victims; increase funding for victim protection, including through financing the newly established trafficking fund; implement operating procedures to effectively refer victims to appropriate services; increase training for government officials—including social workers, labor inspectors, and law enforcement officials—to facilitate increased victim identification and assistance, particularly in the autonomous regions; institute formal procedures for proactively identifying victims among vulnerable populations; improve trafficking data collection and coordination across agencies, and increase transparency in reporting anti-trafficking efforts across government entities and with external stakeholders; strengthen law enforcement and victim protection efforts in the Caribbean autonomous regions, including through increased staff and funding; increase efforts to investigate and prosecute cases involving all forms of human trafficking, and convict and punish traffickers and child sex tourists; amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law; partner with civil society organizations to ensure that victims receive long-term care and reintegration services; reinvigorate the work of the national and local anti-trafficking coalitions, including by appointing a national executive secretariat; and invite a diverse range of civil society organizations to hold formal membership on both the national and local anti-trafficking coalitions.

PROSECUTION

The government continued to prosecute and convict traffickers, but provided only limited information about its law enforcement efforts. Nicaragua's first trafficking-specific law, law 896, came into effect in February 2015. This law prohibits all forms of trafficking and prescribes penalties ranging from 16 to 18 years' imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other

serious crimes, such as rape. However, it is inconsistent with international law; it conflates human trafficking with other crimes, such as illegal adoption, and establishes the use of force, coercion, or deceit as an aggravating factor rather than an essential element of most trafficking crimes.

Authorities reported 10 trafficking investigations and 23 prosecutions of suspected offenders in eight cases in 2015, compared with 24 suspects prosecuted in 17 cases in 2014. Authorities convicted 10 traffickers in six cases, compared with 12 convicted in eight cases in 2014. Of these convictions, the government reported three cases involved sex trafficking and one involved both sex and labor trafficking; the majority included child victims. The government convicted three offenders, for child sex trafficking catered to foreign tourists in Granada, in the first successful case under the new anti-trafficking law. At the close of the reporting period, all convicted traffickers who had been sentenced received penalties ranging from 12 to 20 years' imprisonment. Nine suspects were acquitted, and prosecutions of eight suspects were ongoing. The government did not provide complete information on the number of prosecutions ongoing from previous years. Although child domestic servitude is a form of human trafficking under Nicaraguan law, the government did not consider such cases to be human trafficking crimes and did not pursue prosecutions in such cases; children identified in domestic servitude were returned to their families, leaving them at risk of re-exploitation. There were no investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government maintained efforts to train officials on trafficking.

PROTECTION

The government decreased efforts to identify victims, and overall victim protection remained inadequate. The government identified and provided unspecified assistance to 30 Nicaraguan victims, including two adults and 28 children, a significant decline from 51 victims identified by the government in 2014. An NGO reported identifying seven additional victims. The government did not provide information on the type of trafficking these victims experienced. Authorities did not have formal procedures for identifying victims among vulnerable populations, such as individuals in prostitution or working children. Local officials were not adequately trained to recognize all forms of trafficking, and victim identification in the autonomous regions continued to lag behind national efforts.

There were few specialized services for trafficking victims in Nicaragua. The government maintained a police-operated short-term shelter for victims of domestic violence and human trafficking in Managua that served an unknown number of victims. The government referred seven child trafficking victims to NGO shelters for at-risk children or victims of domestic abuse. The government did not provide funding to NGOs that provided the majority of victim protection. Services and shelter for boys remained limited, and there were no shelters available to men. The government did not provide long-term care, and the availability of extended services from NGOs was limited. The government put some child victims at risk of re-trafficking by placing them with family members who may have been complicit in the children's exploitation. Regions outside Managua most affected by human trafficking largely lacked adequate services.

Law 896 established a dedicated fund—to be financed through budget allocation, donations, and seized assets from traffickers—for victim protection and prevention activities. However, it

was not financed and did not become operational during the reporting period. The government did not report whether it assisted any Nicaraguan victims through its diplomatic missions overseas. There were no reports of victims being penalized for unlawful acts committed as a direct result of being subjected to human trafficking; however, inadequate efforts to screen for indicators of trafficking among vulnerable groups may have led to some unidentified victims being punished. Humanitarian visas were available to foreign trafficking victims, although there were no cases or requests reported by the government in 2015.

PREVENTION

The Nicaraguan government's efforts to prevent trafficking declined. NGOs asserted the government-run anti-trafficking coalition did not meet during the current reporting period, remaining inactive for the second consecutive year. The government did not appoint an individual to fill the executive secretariat role, created by the new anti-trafficking law to chair the coalition, though the law stipulates this should have been completed within 45 days of its passage. The government reported that it continued to operate 17 regional anti-trafficking working groups, though NGOs involved in the groups reported the majority of these were inactive throughout the year. Under the new law, civil society organizations—which previously served as active members of the government's anti-trafficking coalition—will be represented by a single organization unless individually invited to join by the executive secretariat. Authorities reported conducting media and outreach events to educate the public on human trafficking; it is unclear whether the government funded these events or received funding from NGOs. The government provided anti-trafficking training for its diplomatic personnel. Authorities did not investigate, prosecute, or convict any tourists for the purchase of commercial sex acts from children in 2015. The government did not report efforts to decrease the demand for commercial sex acts or forced labor.

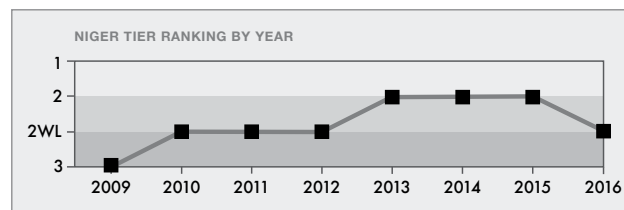
NIGER: Tier 2 Watch List

Niger is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Caste-based slavery practices continue primarily in the northern part of the country and affect some 44,000 people. Victims from Benin, Burkina Faso, Cameroon, Ghana, Mali, Nigeria, and Togo are exploited in sex and labor trafficking in Niger. Nigerien boys are subjected to forced labor, including forced begging, within the country and in Mali and Nigeria by corrupt *marabouts* (religious instructors). Corrupt *marabouts* or loosely organized clandestine networks may also place Nigerien girls into domestic servitude or commercial sex. Nigerien children are subjected to forced labor in gold, salt, trona, and gypsum mines; agriculture; stone quarries; and manufacturing within the country. Girls are subjected to sex trafficking along the border with Nigeria, sometimes with the complicity of their families. In the Tahoua region of Niger, girls born into slavery are forced to marry men who buy them as “fifth wives” and subject them to forced labor and sexual servitude, a practice known as *wahaya*; their children are born into slave castes. “Fifth wives” are typically sold between the age of 9 and 11 years old. Traditional chiefs play a primary role in this form of exploitation, either through enslaving children in their own families or arranging “marriages” for other powerful individuals. Some girls in forced marriages may be exploited in commercial sex after fleeing these nominal unions. Nigerien girls reportedly travel abroad to enter into “marriages” with

Nigerian men or foreign citizens living in Saudi Arabia and the United Arab Emirates and are subjected to domestic servitude in these countries. In Algeria, Nigerien children were forced to beg and Nigerien women and girls were vulnerable to sex trafficking.

Nigerien women and children are recruited from Niger and transported to Nigeria, North Africa, the Middle East, and Europe where they are subjected to domestic servitude, sex trafficking, or forced labor in agriculture or animal herding. Some migrants were suspected to be traffickers, particularly Nigerien migrants to Algeria. Traffickers operated primarily small, freelance operations in loosely organized networks of individuals, including some *marabouts*. Some women have been accused of managing trafficking rings, although they may have been trafficking victims themselves. Some women are complicit in the exploitation of children, accepting payment from traffickers who run forced, street-begging operations. Niger is a transit country for men, women, and children from West and Central Africa migrating to North Africa and Western Europe, where some are subjected to forced labor or sex trafficking. Additionally, some migrants are subjected to forced labor in Niger as domestic servants, mechanics, welders, laborers in mines and on farms, or as staff in bars and restaurants. The terrorist organization Boko Haram forcibly recruited Nigerien children during the reporting period. Corrupt law enforcement and border officials have accepted bribes from traffickers to facilitate the transportation of victims into and throughout the country.

The Government of Niger 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, Niger is placed on Tier 2 Watch List. The government did not report the number of investigations, prosecutions, and convictions or the number of victims identified or referred for protective services during the reporting period. NGOs provided shelter to 58 trafficking victims and the government provided in-kind assistance to NGOs and international organizations. Although the government trained law enforcement officers, civil society activists, and judges on the national trafficking law and victim protection and adopted a national action plan, it decreased efforts to prevent human trafficking.



RECOMMENDATIONS FOR NIGER:

Vigorously investigate, prosecute, and convict traffickers, including those guilty of slavery and complicit government officials, using the anti-trafficking law; train law enforcement and judicial officials throughout the country on the anti-trafficking law in coordination with NGOs and international organizations; develop systematic procedures for the proactive identification of trafficking victims—especially among vulnerable populations, such as children exploited in prostitution, girls born into slave castes, and children at worksites—and their subsequent referral to care; train law enforcement officials on victim identification

procedures; provide financial or in-kind support to NGO partners providing victim care; increase penalties in the law for trafficking of adults and remove the ability to impose a fine in lieu of jail time for forced labor crimes; increase the quantity and quality of services available to victims; increase efforts to rescue victims of traditional slavery practices and adult victims; initiate law enforcement investigations into suspected cases of local officials colluding with traffickers or accepting bribes to obstruct criminal investigations of trafficking crimes, particularly traditional slavery; and continue to raise public awareness about the anti-trafficking law—specifically targeting vulnerable populations, religious leaders, and traditional chiefs and encouraging victims to exercise their legal rights.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts; the government did not report the number of investigations, prosecutions, or convictions during the reporting period. Order No. 2012-86 on Combating Trafficking in Persons, enacted in 2010, prohibits all forms of trafficking, including slavery and practices similar to slavery. This law prescribes sufficiently stringent punishments of five to 10 years' imprisonment for committing trafficking offenses against adults and 10 to 30 years' imprisonment when the victim is a child. Penalties for child trafficking are commensurate with those prescribed for other serious offenses, such as rape, but those prescribed for trafficking of adults are not. The law specifically prohibits exploitative begging. Other statutes prohibit certain forms of trafficking: the penal code prohibits slavery, procurement of a child for prostitution, and the encouragement of, or profiting from, child begging in articles 270 (as amended in 2003), 292-293, and 181, respectively. The labor code, enacted in September 2012, outlaws forced labor. The penal code's prescribed penalties of 10 to 30 years' imprisonment for slavery offenses are sufficiently stringent and reflect the serious nature of the crime. The penalties prescribed in the labor code for forced labor are not sufficiently stringent as the law allows for the option of a fine in lieu of jail time, which does not reflect the serious nature of this crime.

The government did not report the number of investigations, prosecutions, and convictions during the reporting period, contrasted with 144 investigations of trafficking offenses, five prosecutions of defendants, and five convictions of traffickers during the previous reporting period. The government did not make progress in 2015 in ending impunity for *marabouts* who force children to beg or traditional chiefs who facilitate the enslavement of children. There is a lack of access to justice for victims, as they were often uninformed about their legal rights and lacked the necessary capacities and resources to seek punitive action against their exploiters. There were no reported developments in pending slavery cases, some of which have reportedly been ongoing for years. NGOs reported the government was slow to prosecute trafficking crimes.

In 2015, the government trained 140 law enforcement officers, civil society activists, and judges on the national trafficking law and victim protection in Niamey. There were no investigations, prosecutions, or convictions of government officials for complicity in trafficking or trafficking-related criminal activities.

PROTECTION

The government decreased protection efforts; the government did not report the number of victims it identified or referred for protective services during the reporting period. There were

no specialized services available in Niger for adult victims or victims of hereditary slavery. Officials did not receive training nor were there formal written procedures for identifying victims and referring them to protective services. NGOs provided shelter to 58 trafficking victims, and the government provided in-kind assistance to NGOs and international organizations in the form of temporary shelter, food, and primary health care to an unknown number of child victims. Authorities did not employ systematic measures to identify trafficking victims among vulnerable populations, such as women and girls born into traditional slave castes or children at worksites. The National Coordination Commission for the Fight against Trafficking in Persons (CNCLTP) did not report how many victims it identified during the reporting period. The government relied almost exclusively on NGOs and international organizations to provide services to victims, although NGOs' capacity to provide shelter or long-term services to victims was inadequate; their primary role was often to facilitate victim repatriation or family reunification.

While the government reported it would encourage adult victims to assist in the investigation and prosecution of trafficking cases, victims' lack of awareness of the legal options available to them, fears of retaliation by traffickers, and lack of adequate shelter and protective services impeded their efforts to do so. Victims of forced labor and caste-based servitude were able to file civil and criminal complaints simultaneously. The government did not have any reintegration or rehabilitation programs for children forcibly recruited by the terrorist organization Boko Haram. There were no reports of the government detaining, fining, or jailing trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. The law includes provisions to ensure foreign victims would be safe upon return to their countries of origin and provides for the possibility of granting victims legal status in Niger, including the ability to obtain employment.

PREVENTION

The government decreased efforts to prevent human trafficking. The CNCLTP continued to serve as the coordinating body for the government's anti-trafficking efforts, and the National Agency for the Fight Against Trafficking in Persons was the government's permanent implementing body to address trafficking in persons. The government adopted a national action plan, which was developed through inter-ministerial cooperation and in partnership with civil society organizations. Senior officials publicly recognized the problem of human trafficking and Niger's policies to combat it at the opening of several anti-trafficking information and education campaigns during the reporting period. The government did not punish labor recruiters or brokers who recruited workers with knowingly fraudulent offers of employment or job placement. The government took no discernible measures to address the demand for forced labor or commercial sex acts. Bylaws governing the armed forces require troops to receive anti-trafficking training prior to their deployment abroad on international peacekeeping missions, although there is no evidence the government implemented such training during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel.

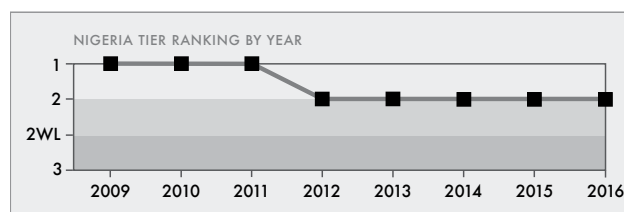
NIGERIA: Tier 2

Nigeria is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking.

Nigerian trafficking victims are recruited from rural and, to a lesser extent, urban areas: women and girls for domestic servitude and sex trafficking and boys for forced labor in street vending, domestic service, mining, stone quarrying, agriculture, textile manufacturing, and begging. Young boys in Koranic schools, commonly known as “*Almajiri* children,” are subjected to forced begging. Nigerian women and children are taken from Nigeria to other West and Central African countries, as well as to South Africa, where they are exploited for the same purposes. Nigerian women and girls are subjected to sex trafficking throughout Europe. Nigerian women and children are also recruited and transported to destinations in North Africa, the Middle East, and Central Asia, where they are held captive in the commercial sex industry or forced labor. Women from other countries in West Africa transit Nigeria to destinations in Europe and the Middle East, where they are subjected to forced prostitution. Children from other West African countries are subjected to forced labor in Nigeria, including in granite and gold mines. Nigeria is a transit point for children from other countries in West Africa, who are then subjected to forced labor in Cameroon and Gabon. Various NGOs continued to report that children in internally displaced persons (IDP) camps in northeast Nigeria were victims of labor and sex trafficking.

During the reporting period, Boko Haram continued to forcibly recruit and use child soldiers as young as 12 years old and abduct women and girls in the northern region of Nigeria, some of whom it subjected to domestic servitude, forced labor, and sex slavery through forced marriages to its militants. NGOs and international observers also reported civilian vigilante groups, often identified as the Civilian Joint Taskforce (CJTF), recruited and used child soldiers, sometimes by force. Although the government prohibited the recruitment and use of child soldiers, government security forces conducted on-the-ground coordination with CJTF during the reporting period. The Borno State government continued to provide financial and in-kind resources to some members of CJTF, which was also at times aligned with the Nigerian military in operations against Boko Haram.

The Government of Nigeria 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 sustained strong anti-trafficking law enforcement efforts by investigating, prosecuting, and convicting numerous traffickers; by collaborating with 11 countries on international investigations; and by providing extensive specialized anti-trafficking training to officials from various government ministries and agencies. The National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP) received a larger operating budget, identified and provided services to a large number of victims, and continued extensive awareness campaigns throughout the country. During the reporting period, the Borno State government provided financial and in-kind resources to some members of CJTF; CJTF recruited and used child soldiers. Additionally, despite a 2015 amendment that removed judges’ ability to sentence traffickers to fines in lieu of prison time, Nigerian courts penalized two traffickers with fines alone and gave another three the option to pay a fine in lieu of serving time in prison.



RECOMMENDATIONS FOR NIGERIA:

Cease provision of financial and in-kind support to groups recruiting and using children; investigate and prosecute all individuals suspected of recruiting and using child soldiers and allegedly perpetrating other trafficking abuses against women and children; continue to vigorously pursue trafficking investigations, prosecutions, and adequate sentences for convicted traffickers; take proactive measures to investigate and prosecute government officials suspected of trafficking-related corruption and complicity in trafficking offenses; ensure the activities of NAPTIP receive sufficient funding, particularly for prosecuting traffickers and providing adequate care for victims; implement programs for the disarmament, demobilization, and reintegration of former child combatants that take into account the specific needs of child ex-combatants; continue to provide regular training to police and immigration officials to identify trafficking victims among vulnerable populations, such as women in prostitution and young females traveling with non-family members; fully integrate anti-trafficking responsibilities into the work of the Nigerian police force and the Ministry of Labor; and continue to increase the capacity of Nigerian embassies to identify and provide assistance to victims abroad, including through regular and specialized training for diplomatic and consular personnel.

PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. In 2015, the government passed amendments to the 2003 Trafficking in Persons Law Enforcement and Administration Act, which increased the penalties for trafficking offenders. The law prohibits all forms of trafficking and prescribes a minimum penalty of five years’ imprisonment and a minimum fine of one million naira (\$5,470) for sex and labor trafficking offenses; the minimum penalty for sex trafficking increases to seven years’ imprisonment if the case involves a child. These penalties are sufficiently stringent and commensurate with other serious crimes, such as rape.

NAPTIP conducted 507 trafficking investigations, completed at least 32 prosecutions, and secured 24 convictions during the reporting period, compared with 509 investigations, 56 prosecutions, and 30 convictions in the previous reporting period. The decrease in convictions is likely a result of the seconding of many judges to electoral tribunals during the reporting period. An additional 148 prosecutions remained pending at the end of the reporting period. All prosecutions occurred under the anti-trafficking law, and prison sentences upon conviction ranged from three months’ to 14 years’ imprisonment. Of the 24 convictions, 16 resulted in imprisonment without the option of paying a fine. However, despite a 2015 amendment that removed judges’ ability to sentence traffickers to fines in lieu of prison time, Nigerian courts penalized five traffickers with only fines. The government also collaborated with law enforcement agencies from Belgium, Burkina Faso, Finland, France, Germany, Mali, Norway, Sweden, Taiwan, the United Kingdom, and the United States on 43

investigations involving Nigerian nationals during the reporting period. The government commenced prosecution of a Ministry of Foreign Affairs official who allegedly used his or her position to facilitate a trafficking crime abroad; the prosecution remained ongoing at the close of the reporting period. The government did not report any other investigations, prosecutions, or convictions of government officials complicit in trafficking offenses; however, corruption at all levels of the government remained a pervasive problem.

The government conducted extensive training throughout the reporting period. NAPTIP, in collaboration with international partners, provided specialized training to approximately 228 government employees, including judges, prosecutors, and officials from NAPTIP, the Nigerian police force, and the Nigerian Immigration Service. These programs offered specialized training on victim identification, investigation and prosecution of trafficking cases, counseling, intelligence collection, and monitoring and evaluation. NAPTIP officials assisted 18 countries with their anti-trafficking efforts through training courses, joint intelligence sharing, and mutual legal assistance.

PROTECTION

The government maintained strong efforts to protect trafficking victims. The government identified 943 trafficking victims, including 429 victims of sex trafficking and 514 of labor trafficking, compared with 914 victims identified in the previous reporting period. NAPTIP provided initial screening and assistance for all victims it identified and referred them to government-run care facilities for further medical care, vocational training, education, and shelter. The government has formal written procedures to guide law enforcement, immigration, and social services personnel in proactive identification of trafficking victims among high-risk populations. NAPTIP provided police, immigration, and social services personnel with specialized training on how to identify trafficking victims and direct them to NAPTIP. Additionally, the government's national referral mechanism provides formal guidelines for law enforcement, immigration officials, and service providers to improve protection and assistance to trafficking victims, both within Nigeria and abroad.

In 2015, the government allocated approximately 2.5 billion naira (\$13 million) to NAPTIP, which spent roughly 581 million naira (\$3 million) on victim protection and assistance during the reporting period. NAPTIP operated nine shelters specifically for trafficking victims, with a total capacity of 313 victims. Through these shelters, NAPTIP provided access to legal, medical, and psychological services, as well as vocational training, trade and financial empowerment, and business management skills. Victims who required additional medical and psychological treatment were provided services by hospitals and clinics through existing agreements with NAPTIP. NAPTIP shelters offered short-term care, generally limiting victims' stays to six weeks, although victims were allowed to extend their stays under special circumstances. If victims needed longer-term care, NAPTIP collaborated with two shelters operated by the Ministry of Women's Affairs and NGO-run shelters. Victims in NAPTIP shelters were not allowed to leave unless accompanied by a chaperone. NAPTIP provided funding, in-kind donations, and services to NGOs and other organizations that afforded protective services to trafficking victims.

Per provisions of the anti-trafficking law, Nigerian authorities ensured identified trafficking victims were not penalized for

unlawful acts committed as a result of being subjected to trafficking. However, in some instances, NAPTIP authorities deemed adults in prostitution, who claimed to be working voluntarily, victims of trafficking and detained them in shelter facilities against their will. Officials encouraged victims to assist in the investigation and prosecution of trafficking cases, and NAPTIP reported 33 victims served as witnesses or gave evidence during trial in the reporting period. Trafficking victims were guaranteed temporary residence visas during any criminal, civil or other legal action. All victims were eligible to receive funds from the victims' trust fund, which was financed primarily through confiscated assets of convicted traffickers. During the reporting period, the government disbursed 5.4 million naira (\$32,700) among 25 victims for various purposes, including vocational training and school tuition, although not necessarily in equal amounts.

PREVENTION

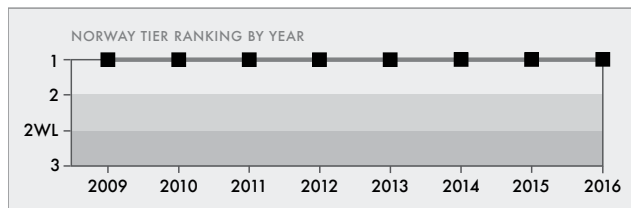
The government sustained efforts to prevent human trafficking. NAPTIP continued to conduct extensive national and local programming through radio and print media in all regions to raise awareness about trafficking, including warning about fraudulent recruitment for jobs abroad. NAPTIP also carried out advocacy visits to five primary and secondary schools in six states deemed to have a particularly high trafficking incidence, sensitizing over 10,000 students; NAPTIP also educated transportation carriers in these six states on their responsibility to prevent trafficking and smuggling. The inter-ministerial committee on trafficking met 15 times during the reporting period, continued to implement the national action plan, and released its first annual report. The Ministry of Labor and Productivity continued to implement the national policy and action plan on labor migration and manage the licensing requirement for all private labor recruitment agencies. The government did not make any discernible efforts to decrease the demand for commercial sex acts. The Borno State government also warned that the recruitment and use of child soldiers was prohibited; however, state government support for some members of the CJTF continued. The government provided anti-trafficking training for its diplomatic personnel and, with foreign donor support, to Nigerian troops prior to their deployment abroad on international peacekeeping missions.

NORWAY: Tier 1

Norway is a destination and, to a lesser extent, transit and source country for women and girls subjected to sex trafficking, and for men and women subjected to forced labor in domestic service, nursing, car washing, and construction. Children are subjected to domestic servitude, forced begging, and forced criminal activity, such as shoplifting and drug sales. Trafficking victims identified in Norway primarily originate from Eastern Europe and Africa—particularly Albania, Bulgaria, Lithuania, Nigeria, and Romania. Increasing numbers of Syrians are subjected to trafficking in Norway. Foreign au pairs, including those from the Philippines, are vulnerable to trafficking in Norway. Some children who had disappeared or had been recruited from asylum centers were subsequently subjected to trafficking by organized trafficking groups.

The Government of Norway fully meets the minimum standards for the elimination of trafficking. The government continued to offer victims a range of assistance through municipal centers and NGOs. Authorities devoted more resources to addressing labor

exploitation, although the government continued to dedicate the bulk of resources and attention to sexual exploitation. Norway's national action plan against trafficking expired in 2014 and was not replaced by the close of the reporting period. The level of law enforcement efforts remained low relative to the number of victims identified; from 2007 to 2013, approximately 2,000 potential trafficking victims received assistance in Norway, yet authorities have secured only 46 convictions since 2003.



RECOMMENDATIONS FOR NORWAY:

Train investigators on compiling evidence additional to victims' testimonies; train prosecutors on the application of Norway's trafficking law; vigorously prosecute and convict sex and labor traffickers; enhance communication between police and immigration authorities and proactively screen foreigners in detention for indicators of trafficking prior to their deportation; adequately resource police departments to investigate trafficking crimes; develop and implement a national action plan; continue collaborative efforts to combat labor trafficking offenses.

PROSECUTION

The government sustained law enforcement efforts. Norway prohibits all forms of sex and labor trafficking through criminal code section 224, which prescribes a maximum penalty of six to 10 years' imprisonment, which is sufficiently stringent and commensurate with punishments prescribed for other serious offenses, such as rape. New revisions to the criminal code, in effect January 2016, introduced two new paragraphs for trafficking offenses (257 and 258). The updated penal code states that the maximum sentence for human trafficking, including forced labor, has increased from five years' to six years' imprisonment. For aggravated trafficking offenses, the maximum sentence is 10 years' imprisonment. Authorities initiated investigations of 43 sex trafficking cases and 18 labor trafficking cases, compared with 36 sex trafficking cases and 68 labor trafficking cases in 2014. The government prosecuted six sex trafficking suspects and five labor trafficking suspects under section 224, compared with four sex trafficking suspects and one labor trafficking suspect in 2014. Authorities obtained convictions for six sex traffickers and five labor traffickers, compared with four sex traffickers and one labor trafficker in 2014. All of the convicted traffickers under the 2015 reporting period received jail sentences ranging up to the maximum five years' imprisonment.

Norway participated in the planning and implementation of training seminars conducted by the Council of the Baltic Sea States expert groups on trafficking in human beings and on children at risk. The government earmarked 15 million kroner (\$1.7 million) annually for the establishment of specialized anti-trafficking units in Norway's five largest police districts, under the supervision of the police directorate. The Bergen police maintained a specialized unit dedicated to combating trafficking. In 2015, Parliament decided that all 12 police districts in Norway were to have a trafficking unit—funds have

been allocated for five of these police districts as of April 2016. Remaining police districts will likely receive funding in the 2017 budget. Many municipalities did not have prosecutors with specialized training in trafficking cases; as a result, prosecutors sometimes brought pimping charges in trafficking cases when the accused trafficker used forms of force, fraud, or coercion other than physical violence. In these cases, victims were not automatically provided the benefits given under the trafficking laws, and convicted offenders could receive penalties that were not dissuasive or proportionate to the crime. If tried under the pimping charges, victims may have been eligible for a residence permit if the authorities believed the person was a victim of trafficking, even if the evidence against the potential trafficker(s) was not clear. Social benefits such as financial support and welfare services may have also been provided if the believed trafficking victim was granted a residence permit. A government report found police dropped a large number of trafficking cases due in part to their lack of capacity and training to deal with trafficking cases, as well as investigators relying solely on victims' testimony rather than gathering additional evidence. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government sustained strong protection efforts through funding for victim services. In 2015, the government reported identifying and providing services for 290 trafficking victims, including 51 men, 198 women and 41 children, compared with approximately 270 victims overall in 2014. Within the total number of trafficking victims reported in 2015, 186 were sex trafficking victims, 95 were forced labor victims, three were a combination of both, and six types of exploitation were unknown. The government provided protection to trafficking victims through municipal crisis centers and government-funded NGOs. These NGOs provided foreign and domestic victims with shelter, legal aid, stipends for food, psychological care, medical assistance, fitness facilities, and Norwegian language classes. The government allocated 6 million kroner (\$680,000) to an NGO specializing in caring for trafficking victims, as well as 4.5 million kroner (\$510,000) to support safe houses for individuals in need, including trafficking victims. Increased funding allowed the government's ROSA (Re-establishment, Organizing safe places to stay, Security, Assistance) project to hire extra staff to offer guidance for victims of forced labor and for an international organization to establish an emergency facility for victims of forced labor. Two apartments were available to house male victims. ROSA received 125 initial contacts from possible victims, in contrast with 132 contacts in 2014; 121 women and 4 men accepted shelter services. Another publicly supported NGO assisted sex trafficking victims who had been granted a reflection period with vocational programs and sponsored internships. Child Welfare Services provided specialized care to child victims, including accommodation in a child protection institution or a foster home. The government supplied the police with "action cards" that detailed appropriate procedures for interacting with and referring victims. GRETA reported Norwegian border officials did not adequately identify potential victims. Experts observed the police were under pressure to deport individuals without legal status and often pursued deportation without screening for indicators of trafficking, particularly among individuals in prostitution.

Authorities granted a six-month reflection period to 22 victims and temporary residence permits to 41 victims in 2015, compared with 27 grants of reflection periods and 41

temporary residence permits in 2014. Observers expressed concern over the lack of communication between the police and immigration authorities, resulting in the deportation of victims who may have merited temporary residency. Victims could receive a longer-term residence permit if they made a formal complaint to the police and the authorities decided they needed the victims' assistance for the investigation and prosecution. Victims facing retribution or hardship in their countries of origin could apply for asylum after law enforcement no longer required their assistance; 11 victims received asylum status in 2015, the same number as in 2014. There were isolated incidents of potential victims being inappropriately detained or fined for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

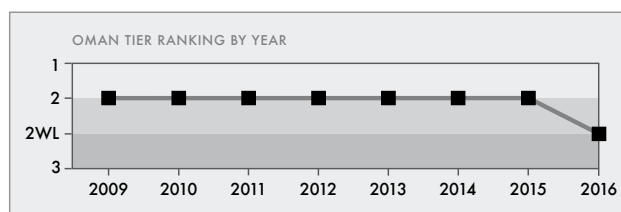
The government maintained modest prevention efforts. Norway did not have an action plan at the close of the reporting period, as the most recent one expired in 2014. The government funded 11 broad-based projects aimed at raising awareness about trafficking in Norway. The government continued to monitor the issue of human trafficking, such as with a 2015 report, conducted by the research center Fafo on identification and assistance of child victims of trafficking. The government-funded report found child victims of exploitation received incomplete police investigations. The government did not report any specific measures to reduce the demand for commercial sex. The government provided anti-trafficking training for its diplomatic personnel.

OMAN: Tier 2 Watch List

Oman is a destination and transit country for men and women, primarily from South Asia and East Africa, subjected to forced labor and, to a lesser extent, sex trafficking. Migrants to Oman travel willingly and legally with the expectation of employment in domestic service or as workers in the construction, agricultural, and service sectors; some are subjected to forced labor, including excessive working hours, passport confiscation, and physical and mental abuse. The approximately 600,000 Bangladeshis working low-wage jobs in Oman are particularly vulnerable to exploitation. Unscrupulous labor recruitment agencies, their sub-agents in South Asia, and labor brokers in United Arab Emirates (UAE) and Oman deceive some workers into accepting work that constitutes forced labor. Such unscrupulous agencies provide false contracts with fictitious employers or wages and charge workers high recruitment fees with exorbitant interest rates, leaving workers vulnerable to trafficking. Some Omani employers obtain foreign domestic workers at the border crossing between Buraimi, Oman and Al Ain, UAE. Female domestic workers from countries without a diplomatic presence in Oman, such as Ethiopia and Vietnam, are especially vulnerable to forced labor. Domestic workers who flee their employers are also susceptible to forced prostitution. Male Pakistani laborers and other workers from India, Bangladesh, Sri Lanka, and East Asia transit Oman en route to UAE, where some are subjected to forced labor. Oman is a destination and transit country for some women from parts of South Asia, North Africa, and East Africa exploited in sex trafficking, often by nationals of their own countries.

The Government of Oman 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 evidence of overall increasing efforts to address human trafficking during the previous reporting period; therefore, Oman is placed on Tier 2 Watch List. The government decreased investigations and prosecutions of trafficking offenses compared to the previous reporting period and did not convict any traffickers. The government treated potential labor trafficking cases as mediation disputes, handled in labor courts. Victim identification efforts remained weak, as authorities did not employ formal procedures to identify trafficking victims among vulnerable groups; authorities relied on victims to voluntarily identify themselves and report abuses. The government identified five sex trafficking victims, compared with 10 the previous reporting period. The government shelter accepts victims on referral from the public prosecutor. The government conducted awareness campaigns through the media and distributed pamphlets advising migrant workers on their rights, including contact information to report abuses. It provided training to law enforcement, private sector employers, labor unions and inspectors, and social service officials, including workshops on interviewing victims and referring them to protective services. The inter-ministerial anti-trafficking committee met twice during the reporting period.



RECOMMENDATIONS FOR OMAN:

Significantly increase efforts to investigate, prosecute, and convict traffickers, especially for forced labor offenses and including government officials; increase and enforce legal protections for domestic workers; institute formal procedures to identify trafficking victims among vulnerable populations, such as migrant workers and people in prostitution; establish a formal mechanism for cooperation between the Ministry of Manpower (MOM) and the public prosecutor to investigate and prosecute cases of labor trafficking, including unscrupulous labor recruitment agencies; expand labor protections to domestic workers; refer suspected trafficking victims to the government shelter, regardless of whether there is a corresponding prosecution of an alleged offender; amend the restrictions on victim referrals to allow broader victim access to shelter care; offer shelter and specialized services to male victims and labor trafficking victims; do not penalize trafficking victims for acts committed as a direct result of being subjected to human trafficking, such as immigration violations or prostitution; enforce strict penalties for employers who withhold their employees' passports; continue to expand training for government officials to recognize and respond appropriately to human trafficking crimes; and continue to conduct public awareness efforts to reduce the demand for forced labor and commercial sex.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Royal Decree No. 126/2008, also known as the Law Combating Trafficking in Persons, prohibits all forms of trafficking and prescribes punishments of three to 15 years' imprisonment, in addition to financial penalties, for trafficking crimes. These punishments are sufficiently stringent and

commensurate with penalties prescribed for other serious crimes, such as rape. The May 2014 Child's Law prohibits holding a child in slavery. A MOM circular (No. 2/2006) prohibits employers from withholding migrant workers' passports, but does not specify penalties for noncompliance. Despite passport withholding being illegal, there are no punitive measures or accountability for withholding passports; therefore, the practice continued during the reporting period.

The government reported investigating five sex trafficking cases and no forced labor cases, and it initiated three prosecutions involving nine suspects, in comparison with two prosecutions involving 11 suspects the previous reporting period. The government did not convict any traffickers during the reporting period, compared with two convictions the previous reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

MOM handled 432 passport retention violations, which is a common indicator of forced labor. Of these violations, 137 were referred to the lower court, 126 were settled through a mediation process, and seven were referred to labor inspection teams comprised of law enforcement to check on the employer. MOM did not refer any of these violations for criminal prosecution of potential labor trafficking offenses. The Ministry of Justice oversees a special judicial department at the appeals court in Muscat to handle trafficking-related cases. The legal mandate for labor inspectors did not include domestic workers, resulting in cases of domestic servitude being treated as non-criminal labor violations rather than criminal offenses. The Royal Oman Police (ROP) continued to train all incoming cadets on victim identification. In October 2015, the Ministry of Justice, in collaboration with the Ministry of Foreign Affairs (MFA), hosted a seminar for law enforcement officials, judges and attorneys to strengthen efforts to address and combat human trafficking and raise awareness on the issue. Additionally, the national committee for combating trafficking, in collaboration with the MFA, organized four lectures for law enforcement, social service, labor, and immigration officials on human trafficking.

PROTECTION

The government made modest efforts to identify and protect victims. The government reported identifying and referring to shelter services five trafficking victims, compared with 10 in the previous reporting period. It largely relied on victims to identify themselves and report abuses to authorities. Victims could only receive government shelter services upon referral from the public prosecutor, as there were no NGO shelters available and no options for assistance to victims identified by NGOs and social service officials. Some source-country embassies operated shelter services for their nationals. The government continued to treat potential forced labor cases as labor violations and did not identify, or provide protection services to, potential forced labor victims. The government's lack of identification and referral procedures left victims vulnerable to being incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Because the labor law does not cover domestic workers, victims of domestic servitude had limited recourse for receiving assistance. Government enforcement of foreign labor contracts effectively provided a disincentive for foreign laborers to identify as trafficking victims or cooperate with authorities. The government publicly reaffirmed its policy that foreign workers are required to adhere to the terms of employment contracts or leave the country for a minimum of

two years before returning to Oman to work for a new employer. Without a legal mechanism by which potential trafficking victims can avoid repatriation or seek employment outside existing contracts, this policy may serve as a disincentive for victims to report their victimization and participate in legal actions against traffickers.

The government continued to operate and fund a permanent shelter that could accommodate up to 50 women and child victims of forced labor or sex trafficking; however, the shelter remained largely underused during the reporting period. The shelter provided lodging, psychological counseling, legal services, and medical care to victims. Victims in the shelter were not able to work and could not leave the premises unchaperoned, but could request shelter employees to accompany them offsite. The government did not provide shelter services for male victims; however, some source-country embassies operated their own shelters for men and women. Victims were permitted to stay in Oman on a case-by-case basis but were not permitted to work while awaiting court proceedings. The government provided foreign victims with legal alternatives to removal to countries in which they may face retribution or hardship; however, it did not report if any victims benefited from this policy.

PREVENTION

The government modestly increased efforts to prevent human trafficking. A working group within the inter-ministerial anti-trafficking committee met twice, but had limited visible effectiveness in coordinating anti-trafficking efforts during the reporting period. The government has maintained an action plan since 2009. In 2015, MOM prepared and distributed pamphlets advising migrant workers on their rights, including contact information to report human trafficking abuses or other violations of their rights. The Ministry of Social Services maintained a hotline in Dar al Wifaq staffed with Arabic, English, Urdu, Hindi, French, and Swahili translators. The government continued to require employers to post labor law regulations in the languages of their workers in prominent locations at worksites. Oman stopped issuing domestic worker visas from Ethiopia, Kenya, Senegal, Guinea, and Cameroon during the reporting period. The government reported having existing signed memoranda of understanding with India, Pakistan, Bangladesh, and Vietnam, some of which included articles prohibiting unlawful labor recruitment and trafficking. The government monitored employment agencies; during the reporting period 497 complaints were registered, 299 of which were settled through mediation and 115 were referred to judicial authorities. The government did not report efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training to its diplomatic personnel.

PAKISTAN: Tier 2 Watch List

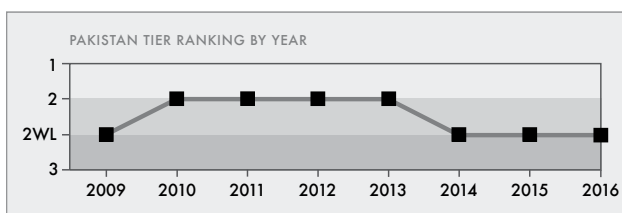
Pakistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The country's largest human trafficking problem is bonded labor, in which an initial debt assumed by a worker as part of the terms of employment is exploited, ultimately entrapping other family members, sometimes for generations. Bonded labor is concentrated in Sindh and Punjab provinces, but also occurs in Balochistan and Khyber Pakhtunkhwa provinces, in agriculture and brick-making and, to a lesser extent, in fisheries, mining, and carpet-making. Some feudal landlords and brick kiln owners are affiliated with political

parties or hold government positions and use their influence to protect their involvement in bonded labor. In some cases, when bonded laborers attempt to escape or seek legal redress, police return them to their traffickers, who hold laborers and their families in private jails. Children are bought, sold, rented, or kidnapped and placed in organized begging rings, domestic servitude, small shops, brick kilns, and prostitution. Begging ringmasters sometimes maim children to earn more money. NGOs report boys are subjected to sex trafficking around hotels, truck stops, bus stations, and shrines. Illegal labor agents charge high recruitment fees to parents in return for employing their children, some of whom are subjected to forced labor and sex trafficking. Trafficking experts describe a structured system for exploiting women and girls in sex trafficking, including offering victims for sale in physical markets. Reports indicate police accept bribes to ignore prostitution in general, some of which may include sex trafficking. Women and girls are sold into forced marriages; in some cases, their new “husbands” prostitute them in Iran or Afghanistan. In other cases, including some organized by extra-judicial courts, girls are used as chattel to settle debts or disputes. Non-state militant groups kidnap children, buy them from destitute parents, or coerce parents with threats or fraudulent promises into giving their children away; these armed groups force children to spy and fight in Pakistan and Afghanistan. Pakistan’s large number of internally displaced persons, due to natural disasters and domestic military operations, are vulnerable to trafficking.

Pakistani men and women migrate voluntarily to the Gulf states and Europe for low-skilled employment—such as domestic service, driving, and construction work; some become victims of labor trafficking. False job offers and high recruitment fees charged by illegal labor agents or sub-agents of licensed Pakistani overseas employment promoters entrap Pakistanis into sex trafficking and bonded labor. Some Pakistani children and adults with disabilities are forced to beg in Iran. Pakistan is a destination country for men, women, and children subjected to forced labor—particularly from Afghanistan, Bangladesh, and Sri Lanka. Women and girls from Afghanistan, China, Russia, Nepal, Iran, Bangladesh, Uzbekistan, and Azerbaijan are reportedly subjected to sex trafficking in Pakistan. Refugees from Afghanistan, Bangladesh, and Burma, as well as religious and ethnic minorities such as Christians and Hazaras, are particularly vulnerable to trafficking in Pakistan.

The Government of Pakistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government approved its national strategic framework against trafficking in persons and human smuggling and reported an increase in the number of victims provided shelter in 2015 compared with 2014. The federal government and Punjab and Khyber Pakhtunkhwa provinces passed trafficking-related legislation, and some provinces investigated, prosecuted, and convicted traffickers. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Pakistan is placed on Tier 2 Watch List for the third consecutive year. Per the Trafficking Victims Protection Act, Pakistan 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. While the government continued to investigate, prosecute and convict traffickers, the overall number of convictions was inadequate, especially for labor trafficking, and law enforcement continued to conflate human trafficking and migrant smuggling. Despite bonded labor being the largest

trafficking problem in Pakistan the government only reported seven convictions for bonded labor in 2015. The government does not prohibit and penalize all forms of human trafficking, and prescribed penalties for forced labor that allowed for fines alone were not sufficiently stringent to deter the crime. Official complicity in trafficking crimes remained a serious problem yet the government reported no investigations, prosecutions, or convictions of complicit officials. Government protection efforts were weak. While a small number of the total victims identified were given shelter, it is unclear what other rehabilitation services victims were provided, especially male victims, and observers alleged traffickers accessed women in some of the shelters and forced them into prostitution.



RECOMMENDATIONS FOR PAKISTAN:

Increase prosecutions and convictions, particularly of labor trafficking, while strictly respecting due process; pass an anti-trafficking law that prohibits and penalizes all forms of human trafficking, including internal trafficking, and prescribes sufficiently stringent penalties, in particular for forced labor; provide additional resources to increase trafficking-specific services for victims, including for men and boys, and ensure victims are not penalized for acts committed as a result of being subjected to trafficking; thoroughly investigate credible allegations of government complicity in trafficking and prosecute officials who are complicit; in partnership with civil society groups, increase efforts to identify trafficking victims among vulnerable populations, including street children, refugees, people in prostitution, and laborers in brick kilns and agriculture; issue policies and provide trainings to government officials that clearly distinguish between human trafficking and human smuggling; strengthen the capacity of provincial governments to address human trafficking, including bonded labor, through training, awareness raising, funding, and encouraging the adoption of provincial-level anti-trafficking action plans; improve efforts to collect, analyze, and accurately report anti-trafficking data, distinct from data on smuggling; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government demonstrated mixed law enforcement efforts against trafficking. The government does not prohibit and penalize all forms of trafficking. Several sections of the penal code criminalize some forms of human trafficking, such as slavery and selling or buying a person for the purposes of prostitution; maximum penalties for these offenses range from seven years' to life imprisonment. These prescribed penalties are sufficiently stringent, and the laws criminalizing sex trafficking have penalties commensurate with those prescribed for other serious crimes, such as rape. However, the penal code criminalizing unlawful compulsory labor only prescribes a maximum penalty of five years' imprisonment, a fine, or both. Prescribed penalties of fines alone are not sufficiently stringent. Transnational trafficking offenses, as well as some non-trafficking crimes—such as human smuggling and fraudulent adoption—are prohibited through the Prevention and Control of Human

Trafficking Ordinance (PACHTO), which prescribes penalties of seven to 14 years' imprisonment. Prescribed penalties for PACHTO offenses are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The anti-trafficking bill, drafted in 2013 to address the gaps in PACHTO, remained pending in ministerial committees. The Bonded Labor System (Abolition) Act (BLSA) prohibits bonded labor, with prescribed penalties ranging from two to five years' imprisonment, a fine, or both. Under a devolution process begun in 2010, some federal laws apply to provinces until corresponding provincial laws are enacted, though most of the provinces have adopted their own legislation on labor. In April 2015, Khyber Pakhtunkhwa adopted the BLSA. Punjab adopted the BLSA in a previous reporting period. In January 2016, Punjab also adopted an ordinance criminalizing child labor younger than age 14 at brick kilns and requiring written contracts between the employer and all brick kiln employees outlining the amount of the wage, wage advance, and the advance payback schedule. The contracts must be sent to a government inspector; if a contract does not exist between the employer and brick kiln worker, bonded labor is assumed and the employer is liable under the BLSA. In March 2016, Parliament approved child protection legislation, which among other crimes included specific language prohibiting trafficking in persons.

The government reported data on investigations, prosecutions, and convictions under the penal code by province; however, data from Balochistan was not reported and the total number of trafficking cases or traffickers was unclear, as the government's data reported how many cases were brought under each provision of the penal code and a case brought under several provisions would therefore be counted multiple times. Moreover, several sections of the penal code relevant to trafficking also include other crimes, and it is unknown if the crimes were disaggregated for reporting. Law enforcement officials continued to conflate human trafficking and migrant smuggling and may have reported statistics conflating the two crimes, as PACHTO criminalizes both trafficking and smuggling. Punjab reported 947 investigations, 928 prosecutions, and 22 convictions for sex trafficking. Punjab also reported 5,113 investigations, 1,956 prosecutions, and 60 convictions for abduction of women for illicit intercourse; it is unclear how many of these cases were identified as sex trafficking. Khyber Pakhtunkhwa reported 27 investigations, 27 prosecutions, and zero convictions for sex trafficking and separately reported 156 investigations, 83 prosecutions, and zero convictions for abduction of women for illicit intercourse. Sindh province and the semi-autonomous territories of Azad Jammu and Kashmir and Gilgit-Baltistan reported zero investigations, prosecutions, and convictions for sex trafficking. For labor trafficking, Punjab, Khyber Pakhtunkhwa, Azad Jammu and Kashmir, and Gilgit-Baltistan reported a total of 21 investigations, 15 prosecutions, and one conviction. Sindh reported zero investigations, prosecutions, and convictions for labor trafficking. Separately, Punjab reported 15 investigations and prosecutions and seven convictions for bonded labor under the BLSA—these were the only law enforcement actions reported by the government on bonded labor, despite reports of land owners exploiting bonded laborers with impunity. The government reported investigating 158 alleged traffickers, prosecuting 59 and convicting 13 under PACHTO in 2015, compared with 70 investigations, 50 prosecutions, and 17 convictions in 2014. The government did not report sentences for convictions in 2015, as compared with convictions resulting in fines in 2014.

The government had 27 anti-trafficking law enforcement

units and circles at the federal, provincial, and local level that investigated human trafficking and smuggling cases. The Federal Investigative Agency (FIA) and an international organization conducted several trainings throughout the reporting period for police and judges who work on trafficking cases. Additionally, in November 2015, the FIA, in partnership with an international organization, hosted an anti-trafficking and migrant smuggling conference to discuss emerging trends and best practices with more than 50 different country representatives. The interagency taskforce held meetings to increase information sharing among Pakistan's various law enforcement groups in an effort to improve the tracking of migrant smugglers and human traffickers. The government specifically targeted for enforcement three districts in Pakistan from which the majority of migrants and trafficking victims originate.

Official complicity in trafficking remained a significant concern. During the reporting period, an allegation of forced labor of domestic workers was raised against a Pakistani diplomat in Portugal. The investigation into the allegation did not go forward, as the diplomat sent the domestic workers back to Pakistan before it could be completed. Some feudal landlords and brick kiln owners were affiliated with political parties or held official positions and used their influence to protect their involvement in bonded labor. In 2015, the Supreme Court requested additional information from the Sindh government in reference to a criminal case filed in 1996 against two landowners, including a former member of the provincial assembly, who reportedly used thousands of forced agricultural laborers in Sindh. The labor group responsible for the original court petition claimed landowners used their influence in the provincial assembly to intimidate bonded laborers and their supporters. The case remained pending at the close of the reporting period as the Sindh government had not yet submitted the requested information. The FIA's report on the most notorious human traffickers in the country included names of several politicians; however, the report's utility was limited due to its conflation of smuggling and trafficking. Some police reportedly acted against trafficking only when pressured by media and activists. Other reports indicate police accepted bribes to ignore prostitution in general, some of which may have included sex trafficking, and some police were accused of sexually harassing female trafficking victims who tried to register criminal complaints. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government made minimal efforts to protect and assist victims. In a previous reporting period, the FIA and police began to use standard operating procedures for the identification of trafficking victims and their subsequent referral to protective services; however, it is unclear how widely the procedures were disseminated and implemented in 2015. The FIA reported anti-trafficking circles identified 104 foreign victims in 2015; however, as the FIA's purview includes both human trafficking and smuggling, it is unclear if those identified were foreign trafficking victims or were voluntarily smuggled into the country but had not experienced exploitation. The Punjab government reported identifying 14,701 victims, including 11,324 females, 2,845 males, and 532 children. The government did not report the categorization of victims between exploitation for commercial sex or forced labor. All other provinces reported identifying a total of 452 female sex trafficking victims in 2015. It is unclear if district vigilance committees set up under the BLSA performed their function of identifying bonded laborers. Authorities

charged sex trafficking victims with moral crimes and detained and charged for immigration violations undocumented foreign nationals and Pakistanis returning from abroad who had crossed the border illegally, without screening to determine whether they had been subjected to human trafficking.

Civil society continued to provide most victim services. Under the government's devolution process, which started in 2010, social service delivery and related governmental functions were devolved from the central government to provincial jurisdictions, which often did not have the financial resources and technical capacity to carry them out. Government-run "women's shelters" were available, on a limited basis, to women in difficult circumstances, including trafficking victims; NGOs noted some of these facilities operated under prison-like conditions and reported traffickers accessed women in the shelters and forced them into prostitution. Observers advised there were only a few shelters designated for trafficking victims, which were ill-equipped to deal with victims' social, economic, and psychological needs. During the reporting period, FIA signed a memorandum of understanding with an international organization and provided land for a trafficking victim shelter to be built in Balochistan. In 2015, Punjab began construction of a center in Multan for female victims of violence to provide shelter and social services in one location and passed legislation requiring the establishment of such centers in all districts. Shelters were available to bonded laborers; however, they generally catered only to women and children, offering little support to men. The government reported 1,486 victims were provided with shelter in 2015, an increase from 876 victims in 2014; of the victims provided shelter in 2015, 1,303 were women, 131 were men, and 52 were children. It is unclear how many of these victims were served in government-run shelters. Bonded laborers who were rescued but lacked identity documents were unable to access government services, including healthcare and food stipends, and sometimes returned to brick kilns or farms and assumed more debt. The government reported it provided protection to victims to encourage their cooperation in investigations; however, it is unclear how often protection was available or adequate. Victims expressed reluctance to testify against their traffickers due to threats of violence against them and their families. The Ministry of Interior granted extensions for foreign victims to stay in the country until a decision was reached on the victims' repatriation by the Federal Review Board of the Supreme Court.

PREVENTION

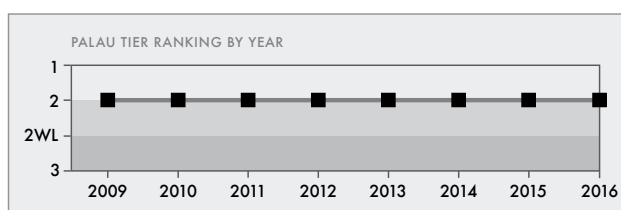
The government demonstrated modest efforts to prevent trafficking. In March 2016, the Minister of Interior approved the national strategic framework against trafficking in persons and human smuggling. FIA's research and analysis center published quarterly newsletters with statistics and information on the government's efforts to combat trafficking and smuggling. FIA partnered with an international organization to raise awareness on trafficking through community forums. The government dismantled a fraudulent migrant worker recruitment center that allegedly sent Pakistani workers to labor camps in Saudi Arabia, although observers asserted the government did not take sufficient steps to inform emigrants about trafficking even though a significant number of migrant workers become trafficking victims. Many of the district vigilance committees mandated by law and charged with curbing bonded labor continued to be inactive or ineffectual. In partnership with NGOs, the Sindh and Punjab provincial governments issued identification documents to bonded laborers and their families, which allowed them to access government benefits and reduced the probability of re-

victimization. The Punjab Department of Labor ran a program to provide brick kiln workers interest-free loans. In January 2016, the Prime Minister announced 1.5 million registered Afghan refugees living in Pakistan were granted an extension of residency until June 30, 2016; however, new cards with this expiration date were not issued, consequently increasing the vulnerability of Afghan refugees to police harassment and abuse and curtailing access to education and employment, which in turn increased vulnerability to human trafficking. The government reduced the demand for commercial sex acts by arresting clients and proprietors of brothels; however, police also arrested potential sex trafficking victims. The government did not demonstrate efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic and peacekeeping personnel. Pakistan is not a party to the 2000 UN TIP Protocol.

PALAU: Tier 2

Palau is a destination country for women subjected to sex trafficking and for women and men subjected to forced labor. Palau's foreign population, about one-third of the country's population of 21,000, is the most vulnerable to trafficking. Filipino, Bangladeshi, Nepalese, Chinese, and Korean men and women pay thousands of dollars in recruitment fees and willingly migrate to Palau for jobs in domestic service, agriculture, restaurants, or construction; upon arrival, some are forced to work in conditions substantially different from what had been presented in contracts or recruitment offers, and some become trafficking victims. Women from China and the Philippines are recruited to work in Palau as waitresses or clerks, but some are subsequently forced into prostitution in karaoke bars or massage parlors—many operated by Taiwanese, Filipino, or Palauan nationals. Foreign workers on fishing boats in Palau waters experience conditions indicative of human trafficking. Regulations that make it difficult for foreign workers to change employers once they arrive in Palau place foreign workers at increased risk of involuntary servitude and debt bondage. Official complicity plays a role in facilitating trafficking; government officials—including a governor, a police officer, a labor official, and an immigration official—have been investigated for complicity in trafficking crimes during previous reporting periods.

The Government of Palau 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 two investigations of trafficking cases, assisted potential victims involved in court cases to find new employment, and convicted one labor trafficker. The government instituted a sex offender registry and deported some fraudulent labor recruiters. It held weekly anti-trafficking taskforce meetings. The government, however, did not apply sufficiently stringent punishments, as it regularly charged suspected traffickers with lesser crimes and sentenced convicted traffickers to probation or inadequate prison sentences. The government did not provide shelter or protection services to identified victims.



RECOMMENDATIONS FOR PALAU:

Using the 2005 anti-trafficking law, increase efforts to investigate and criminally prosecute trafficking offenses, convict sex and labor traffickers, and impose stringent penalties on convicted traffickers—including complicit officials; establish formal procedures for front-line officers to identify trafficking victims among vulnerable groups and increase availability of protective services; use funds obtained through asset seizure or fines on convicted traffickers to support victims; increase financial and human resources devoted to victim protection efforts; do not penalize trafficking victims for illegal acts committed as a result of trafficking; develop systematic procedures to provide necessary authorization for foreign victims to remain in the country and obtain alternate employment; develop a national action plan to combat trafficking; implement anti-trafficking information and education campaigns targeting vulnerable populations; enforce laws punishing employment agents for illegal practices that facilitate trafficking; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government modestly increased anti-trafficking law enforcement efforts, but did not impose sufficiently stringent penalties on convicted traffickers. Palau's Anti-Smuggling and Trafficking Act of 2005 prohibits all forms of trafficking in persons and prescribes penalties for these offenses ranging from 10 to 50 years' imprisonment and fines of up to \$500,000; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government prosecuted most suspected traffickers with labor violations or prostitution-related offenses instead of trafficking crimes that carry more severe penalties; offenders convicted under these other statutes received probation or nominal prison sentences.

The attorney general's office held weekly anti-trafficking taskforce meetings with labor and immigration officers to focus on investigations and build cases. The government investigated one case of sex trafficking that involved three traffickers and six victims who were subjected to debt bondage, passport confiscation, and forced prostitution at bars. The government convicted two of the traffickers for misdemeanor labor and assault violations and sentenced them to probation, while a third is awaiting trial. Some of the traffickers are repeat offenders who faced similar charges in a separate, prior case. One defendant involved in a December 2012 sex trafficking case, previously allowed to travel to his home country, remained abroad. The government investigated and prosecuted one labor trafficking case involving two foreign labor recruiters. One perpetrator entered a plea agreement in which he pled guilty to labor trafficking and was voluntarily deported. The other is pending trial. During the reporting period, the government charged one labor official for misconduct that contributed to foreign nationals becoming trafficking victims in Palau. Given previous cases of official complicity in trafficking, the government ordered labor and immigration officials to file criminal citations rather than civil fines, which are not subject to public scrutiny, when labor violations were discovered, in an attempt to increase transparency.

PROTECTION

The government made limited efforts to identify and protect victims. In 2015, the government reported its identification of 32 potential trafficking victims from civil and criminal cases filed. While identified victims were given access to a

government counselor, the government did not fund or provide any additional protective services for victims; nor did it report whether any victims received shelter or support from other entities. The lack of support services reportedly led some potential trafficking victims to leave the country rather than pursue legal recourse. Although several trafficking-related convictions in 2014 included fines or asset forfeiture, none of these funds were used to support victims. The government did not train officers to identify victims proactively among vulnerable populations, such as foreign workers or women in prostitution. It offered only short-term legal alternatives, on an ad hoc basis, to the removal of foreign victims to countries where they might face hardship or retribution; the attorney general could designate victims as "vulnerable," making them eligible for alternate employment and accommodation assistance. During the year, the government assisted some victims who filed cases against their employers to seek other employment. The government did not provide witness protection. There were reports that victims were sometimes detained, fined, or jailed for unlawful acts committed as a result of being subjected to trafficking.

PREVENTION

The government made modest efforts to prevent trafficking. It prohibited entry into the country for some foreign recruiters implicated in cases of charging migrant workers excessive fees and failing to provide employment opportunities, although it denied their entry due to visa violations rather than criminally charging them. The government instituted a sex offender registry during the reporting period that requires all visitors to Palau with a conviction for a sexual offense to register in an attempt to deter child sex tourism. The government neither developed a national action plan against trafficking nor conducted educational or anti-trafficking public awareness campaigns. 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. Palau is not a party to the 2000 UN TIP Protocol.

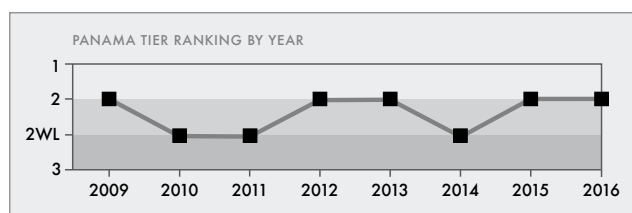
PANAMA: Tier 2

Panama is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Panamanian women are vulnerable to sex trafficking in other countries, including The Bahamas and Guyana. In Panama, most identified trafficking victims are foreign adults exploited in sex trafficking, especially women from Brazil, Colombia, Venezuela, Cuba, the Dominican Republic, Honduras, and Nicaragua. Traffickers recruit female victims with promises of good jobs and high salaries in the housekeeping and restaurant industries, as well as for modeling and prostitution, but exploit them in sex trafficking or, to a lesser extent, domestic servitude. Nicaraguan and, to a lesser extent, Colombian men are subjected to labor trafficking in construction, agriculture, mining, and other sectors; most labor trafficking victims come from Nicaragua via bus and enter Panama from Costa Rica. Colombian refugees are also vulnerable to trafficking due to their lack of knowledge of the refugee process and irregular status. In recent years, men and women from China have been subjected to debt bondage in supermarkets, laundries, and other small businesses operated by Chinese citizens; traffickers have subjected Colombian men to forced labor in restaurants; an international organization has identified cases of debt bondage among Indian men in door-to-door peddling; and authorities

have identified potential sex trafficking victims among Eastern European women working in nightclubs. Men from the United States have been investigated as child sex tourists in Panama. Panamanian and European officials report some men and women from Central America who transit Panama en route to the Caribbean or Europe are subjected to sex or labor trafficking in their destination countries. In previous years, immigration officials have been investigated for labor trafficking.

Traffickers often charge foreign workers exorbitant travel and lodging fees to keep them in debt bondage, often restricting victims' movement until they pay off such debts. Victims report traffickers threaten to harm family members in their countries of origin if they do not comply. Traffickers increasingly exploit sex trafficking victims in private residences, as opposed to brothels or bars, which makes such offenses harder to detect. Traffickers from Brazil, Colombia, Cuba, El Salvador, Venezuela, and Panama operated in Panama during the reporting period. In a change from previous years, government officials report more traffickers are creating legal businesses as facades to mask their income from trafficking. In addition, more identified traffickers had links to international organized criminal groups than in past years.

The Government of Panama does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities identified significantly more trafficking victims and initiated more trafficking investigations than the previous reporting period and continued to provide and fund anti-trafficking training for officials. However, victim protection measures remained severely inadequate; the government did not allocate funding to its trafficking victim assistance fund, and the majority of identified victims did not receive services beyond an initial medical evaluation. The government convicted fewer traffickers, and a lack of coordination between ministries and resource constraints hampered the effectiveness of the national anti-trafficking commission.



RECOMMENDATIONS FOR PANAMA:

Significantly increase funding for specialized victim services, including by allocating funds to and implementing the dedicated victim assistance fund and funding civil society organizations to provide services to victims; intensify law enforcement efforts to proactively investigate and prosecute labor and sex trafficking crimes—including cases involving Panamanian victims exploited within the country—and convict and sentence traffickers, including complicit government officials; strengthen interagency coordination mechanisms, including between regional law enforcement, and institute standardized protocols on victim identification, referral procedures, and data reporting to the national commission; train officials—including border and immigration officials—on victim identification and referral procedures, especially among populations vulnerable to trafficking; develop and institutionalize government-provided anti-trafficking training for officials; in partnership with civil society, make specialized services available to male victims;

continue efforts to implement the 2012-2017 anti-trafficking national action plan and allocate specific funds to the national commission for execution of the plan; educate refugees on the processes to apply for asylum and citizenship; and amend the anti-trafficking law to adopt a definition of human trafficking consistent with the 2000 UN TIP Protocol.

PROSECUTION

The government modestly increased its anti-trafficking law enforcement efforts. Law 79 of 2011 prohibits all forms of trafficking, prescribing sentences from six to 30 years' imprisonment, depending on the nature of the offense. These punishments are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. This law also prohibits moving adults for the purposes of prostitution (without requiring the use of force, fraud, or coercion) and illegal adoption (without requiring evidence of exploitation) as forms of trafficking, offenses that are not considered human trafficking under the 2000 UN TIP Protocol. Although law 79 does not define trafficking to require movement of the victim, Panamanian officials continued to investigate and prosecute human trafficking cases that did not involve movement as other crimes, such as commercial sexual exploitation. Officials speculated some traffickers who committed child sex trafficking, which carries sentences of 20 to 30 years' imprisonment, were charged with child sexual exploitation, which carries lighter sentences of eight to 10 years' imprisonment. Article 89 of law 3 establishes financial penalties for employers who confiscate foreign workers' identity documents.

During the reporting period, authorities initiated 17 investigations—10 for sex trafficking and seven for labor trafficking—and detained 38 traffickers, a modest increase from 11 new investigations the previous reporting period. While it initiated three prosecutions compared with none the previous reporting period, the government convicted only one sex trafficker who was released pending appeal, compared with five convictions the previous reporting period with sentences between 10 years' and 12 years and six months' imprisonment. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Officials continued to detain two suspected labor traffickers in a case from the previous reporting period, pending additional evidence. The national police had between nine and 12 officers who specialized in trafficking investigations, and they worked with the organized crime office to investigate trafficking cases. Panamanian authorities cooperated with Bahamian officials on one sex trafficking investigation. The government funded and conducted several trainings and awareness sessions on human trafficking for officials, and it provided financial or in-kind support for other anti-trafficking trainings led by NGOs.

PROTECTION

The government increased victim identification efforts but continued to identify trafficking victims through movement-based crimes, and victim services remained inadequate. The government identified 56 victims—54 foreigners and two Panamanians, 49 victims of sex trafficking and seven of forced labor—more than double the 25 victims identified the previous reporting period. In one case, 11 Venezuelan and one Colombian woman paid approximately \$3,800 each to be smuggled into Panama for jobs as models and waitresses. Upon arrival, the traffickers forced the women to perform commercial sex acts at a local bar to cover the cost of "rent." Officials referred all 56

victims identified to the victim and witness protection office's technical unit (UPAVIT) for psycho-social evaluation, but the government did not provide or fund trafficking-specific shelters or victim services. Three of the 56 victims chose to receive short-term shelter at a government facility for female victims of domestic and sexual abuse; many victims chose to reside with family or friends, due to the shelter's strict security policies. Victims were not permitted to leave the shelter unchaperoned, and they were only allowed to leave with an escort for official affairs, such as to assist with law enforcement investigations. In 2015, authorities identified land outside the capital for the construction of a shelter dedicated to trafficking victims. The government committed funds to construct the shelter but did not begin construction or secure funding for the shelter's operation and maintenance. There were no government shelters, NGO shelters, or specialized services available for adult male victims. Some NGOs who assisted refugees and irregular migrants have assisted male trafficking victims with placement in local hotels for short-term shelter; one male victim received legal assistance from an NGO during the reporting period. The government provided neither long-term services nor permanent residency to any trafficking victims. Due to the lack of shelters and victim services, many victims requested repatriation assistance, which limited the provision of follow-up assistance.

The Ministry of Health provided training on the identification of trafficking victims to 70 hospital workers and health care staff, including those who conducted mandatory health screenings of foreign women holding entertainment worker's visas, a population vulnerable to trafficking. The training also addressed the identification of victims in domestic servitude and forced begging. An international organization developed protocols to protect victims and reduce trauma during psychological interviews and provided training manuals on these procedures to all five UPAVIT units, which implemented the protocols. However, the government did not have systematic procedures to proactively identify victims among vulnerable populations, such as people in prostitution and undocumented migrants in detention. The government did not implement guidelines for victim identification and protection that an international organization had drafted and published during the previous reporting period. Panamanian authorities took written statements from victims and typically did not encourage them to participate further in the investigation and prosecution of their traffickers. While victims could file civil suits against traffickers, no victims did so during the reporting period. The government did not implement a 2013 law mandating that any assets seized that were derived from human trafficking activities be allocated to provide services for trafficking victims. Panamanian law provides short-term legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution, including provisional residency for between three and 12 months; it is unclear if any victims availed themselves of this service during the reporting period. The government, with assistance from foreign law enforcement, repatriated one Panamanian sex trafficking victim from The Bahamas. While there were no reports of victims penalized for unlawful acts committed as a direct result of being subjected to trafficking, insufficient efforts to identify victims and screen vulnerable populations for indicators of trafficking may have led to some victims being penalized.

PREVENTION

The government sustained prevention efforts. Government ministries continued to implement the 2012-2017 anti-trafficking national action plan. The Ministry of Public

Security disbursed \$105,000 from its 2016 budget to create an office for the national anti-trafficking commission. The commission met five times during the reporting period but lacked funding, which hampered its ability to coordinate anti-trafficking trainings for officials and conduct prevention efforts. Interagency coordination remained weak, due in large part to the lack of standardized protocols for conducting and reporting activities across agencies. Individual government institutions and international organizations used their own funds to conduct anti-trafficking activities. Several government ministries conducted awareness raising events, including radio and television interviews with members of the commission, and disseminated brochures and banners with the number of the anti-trafficking helpline. The labor ministry implemented a "Know your rights" campaign to inform workers—including foreign migrants in Panama and Panamanians preparing to migrate—of their rights as workers. The government made efforts to reduce the demand for forced labor and commercial sex acts; as part of its national action plan to eradicate child labor, it held several national awareness campaigns to reduce civil society's acceptance of child labor and forced labor. There were no reports of child sex tourism during the reporting period, but the Panamanian Commission against Sexual Exploitation Crimes continued its campaign against the sexual exploitation of minors—including child sex trafficking—in collaboration with tourism authorities. The government provided anti-trafficking training for its diplomatic personnel.

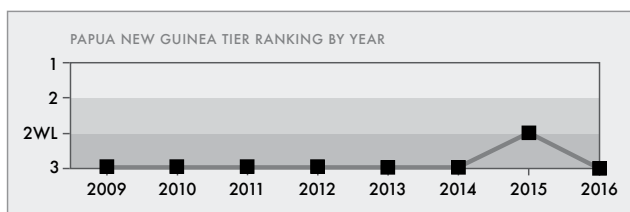
PAPUA NEW GUINEA: Tier 3

Papua New Guinea is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Foreign and local women and children are subjected to sex trafficking, domestic servitude, and forced begging or street vending. Foreign and local men are subjected to forced labor in logging and mining camps as well as on fishing vessels operating in Papua New Guinea's exclusive economic zone. An estimated 19 percent of the country's labor market is comprised of child workers—some of whom are subjected to forced labor or prostitution. "*Mosko Girls*"—young girls employed in bars to provide companionship to patrons and sell an alcoholic drink called *mosko*—are vulnerable to human trafficking, especially around major cities. NGO sources indicated that the number of children exploited in prostitution increased by 30 percent in 2013. Boys as young as 12 years old are exploited as "market taxis" in urban areas and required to carry extremely heavy loads for low pay; some may be victims of forced labor. Parents force children to beg or sell goods on the street as sources of income. Within the country, women and girls from rural areas are deceived with promises of legitimate work to travel to different provinces where they are subjected to sex trafficking. Children, including girls from tribal areas as young as 5 years old, are reportedly subjected to sex trafficking or forced labor by members of their immediate family or tribe. Tribal leaders reportedly trade with each other the exploitative labor and service of girls and women for guns and to forge political alliances. Traditional customs permit parents to sell or give away their daughters for forced marriages—often to wealthy men and politicians—to settle debts or as peace offerings, leaving the girls vulnerable to domestic servitude. Young girls sold into polygamous marriages may be forced into domestic service for their husbands' extended families. In urban areas, parents reportedly prostitute their children directly or in brothels as a means to support their families or to pay for school fees. Government officials reportedly facilitate

trafficking by accepting bribes to allow undocumented migrants to enter the country or ignore trafficking situations, and some may procure trafficking victims for other individuals in return for political favors or votes.

Malaysian and Chinese logging companies and foreign businesspeople arrange for some foreign women to enter the country voluntarily with fraudulently issued tourist or business visas. After their arrival, many of these women—from countries including Indonesia, Malaysia, Thailand, China, and the Philippines—are turned over to traffickers who transport them to logging and mining camps, fisheries, and entertainment sites, and exploit them in forced prostitution and domestic servitude. Chinese, Malaysian, and local men are subjected to forced labor at commercial mines and logging camps, where some receive little pay and are compelled to continue working for the company indefinitely through debt bondage. Employers exacerbate workers' indebtedness by paying extremely low wages, which compel employees to purchase food and other necessities from the employers at usurious interest rates.

The Government of Papua New Guinea 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 assisted an international organization in the identification of 21 victims of labor trafficking on fishing vessels and referred them to civil society organizations to receive assistance. This was a significant increase from victims identified in the previous year; however, authorities then arrested and sentenced 12 of the victims to prison for illegal entry into the country. The government did not prosecute any trafficking offenses or convict any traffickers; nor did it provide financial or in-kind support for any protective services. The national action plan, drafted during the previous reporting period, was not approved or implemented.



RECOMMENDATIONS FOR PAPUA NEW GUINEA:

Finalize and fully implement formal procedures to identify victims among vulnerable groups, guide their subsequent referral to care, 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 officers, prosecutors, and judges on human trafficking and the criminal code's trafficking provisions; investigate and prosecute trafficking offenses and punish traffickers, including parents and officials who facilitate or directly benefit from trafficking; approve and implement the anti-trafficking national plan of action; train law enforcement officers on victim identification and referral procedures and ensure their ability to effectively and appropriately conduct victim interviews; allocate sufficient resources to the National Human Trafficking Committee for anti-trafficking awareness campaigns and trainings; work with NGOs and international organizations to increase protective services for victims of trafficking; increase collaboration with civil society, private sector, religious, and tribal leaders to raise awareness of and reduce demand for forced labor and commercial sex acts, especially of children; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government did not prosecute or convict any traffickers during the reporting period. The Criminal Code Amendment of 2013 prohibits all forms of trafficking and prescribes penalties for adult sex and labor trafficking of up to 20 years' imprisonment and for child sex and labor trafficking of up to 25 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

The government initiated investigations into two cases of sex trafficking involving Papua New Guinean women and children. Although government officials assisted an international organization in the identification of trafficking victims on foreign fishing vessels in two separate incidents in 2015, they failed to investigate alleged trafficking offenses in these cases. The government did not prosecute any trafficking offenses or convict any traffickers. Cases from previous years appear to have been dropped due to lack of evidence. Government officials often did not prosecute trafficking-related crimes in criminal courts; rather, trafficking-related cases were often referred to village courts, which administered customary law. Cases adjudicated in these courts sometimes resulted in restitution paid by the trafficker to the victim, but village courts did not order imprisonment of offenders. Some victims of internal trafficking who received compensation from the trafficker, or their parents, were reluctant to notify police to pursue criminal charges against traffickers.

With foreign funding, the Department of Justice and Attorney General included human trafficking in its country-wide training programs, and the customs service conducted anti-trafficking training for officials in Kokopo in September 2015. Nonetheless, provincial officials' limited understanding of trafficking hindered effective law enforcement activity. The government continued to underfund law enforcement agencies and most government offices remained weak as a result of corruption, cronyism, a lack of accountability, and a promotion system based on patronage. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses, although some public officials allegedly condone, are engaged in, or benefit from sex trafficking.

PROTECTION

The government's victim protection efforts were mixed; although it assisted in the identification of more victims, it subjected some identified victims to punishment for crimes committed as a direct result of being subjected to trafficking. Through cooperation with an international organization, the government assisted in the identification of 21 victims, a medical professional identified one victim, and an international organization identified nine victims; no victims were identified in 2014. Among the identified victims, six Papua New Guinean women and two Papua New Guinean girls were subjected to sex trafficking, while two men from Papua New Guinea were subjected to forced labor in a motel and 20 men and one boy from Burma, Cambodia, and Vietnam were subjected to forced labor on fishing vessels. The government continued to lack formal procedures for victim identification and referral, although it drafted and piloted standard operating procedures for a national referral mechanism. The government referred identified victims on an ad hoc basis to NGOs and international organizations, which provided medical and shelter services without financial or in-kind support from the government. Authorities imprisoned 12 Vietnamese victims of labor trafficking on charges of illegal entry into the country and

illegal fishing activities; they were released from prison and repatriated by an international organization in March 2016. Local media outlets published photographs of the victims, characterizing them as undocumented migrants. There were no services in the country specifically tailored to the needs of trafficking victims. The law provides legal alternatives to the removal of foreign victims of trafficking to countries where they may face hardship or retribution, but no victim was afforded this protection in 2015. The government allowed “ongoing stay” for trafficking victims, but lacked provisions for victims to seek compensation through civil suits. One victim assisted in an investigation during the reporting period.

PREVENTION

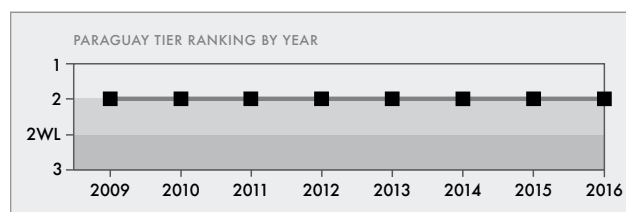
The government took limited steps to prevent human trafficking. The National Human Trafficking Committee met four times in 2015, but a national plan of action, drafted during the previous reporting period, was not formally approved or implemented. Following the identification of trafficking victims aboard a foreign vessel detained in Papua New Guinea, the prime minister made public statements denouncing this crime and pledging the government’s commitment to identifying victims and holding traffickers accountable. The government took no discernible actions to decrease the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel. Papua New Guinea is not a party to the 2000 UN TIP Protocol.

PARAGUAY: Tier 2

Paraguay is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Paraguayan women and girls are subjected to sex trafficking within the country, and transgender Paraguayans are vulnerable to sex trafficking. Thousands of Paraguayan children work as domestic servants in exchange for food, board, and occasionally education or a small stipend in a system called *criadazgo*; many of these children are subjected to domestic servitude and are highly vulnerable to sex trafficking. Indigenous persons are particularly at risk for forced labor and sex trafficking. Children engaged in street vending and begging and working in agriculture, mining, brick making, and ranching are vulnerable to human trafficking. In 2015, authorities reported at least 24 Paraguayan women were recruited for work in Turkey and later exploited in forced prostitution in brothels throughout Turkey, Spain, and the northern area of Cyprus administered by Turkish Cypriots. The reliance of international trafficking rings on local recruiters remains a problem. Traffickers offer victims their freedom or pardon of debts if they recruit other victims and often rely on social media outlets as recruiting tools. Foreign victims of sex and labor trafficking in Paraguay are mostly from other South American countries. Paraguayan victims of sex trafficking and forced labor are found in Argentina, Spain, Brazil, Chile, Mexico, China, Colombia, and other countries. Paraguayan women are recruited as couriers of illicit narcotics to Europe and Africa, where they are subjected to forced prostitution. Paraguayan children, as well as men and boys from Brazil, are reportedly subjected to forced labor in the cultivation and sale of illicit drugs within Brazil. Two Paraguayan women were arrested in China as “drug mules” in 2012 and 2013, and were sentenced to death. Following their identification by the Government of Paraguay as trafficking victims, the Chinese government commuted the two victims’ sentences to life in prison in 2015.

NGOs and authorities reported government officials—including police, border guards, judges, and public registry employees—facilitated human trafficking, including by taking bribes from brothel owners in exchange for protection, extorting suspected traffickers in order to prevent arrest, and producing fraudulent identity documents. Reports indicated isolated instances of the Paraguayan People’s Army (EPP) and the Armed Peasant Association (ACA) forcibly recruiting children and adolescents from San Pedro, Concepcion, and Amambay to participate in military operations and serve in logistical and communication support roles. There were also reports of isolated instances in which female child soldiers entered into informal marriages with other older EPP and ACA members.

The Government of Paraguay does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued anti-trafficking law enforcement and training efforts and cooperated with foreign governments in several operations during the reporting period. However, efforts to prosecute, convict, and sentence traffickers under the 2012 anti-trafficking act or combat labor trafficking were inadequate to address the problem. The government continued to provide limited protective services to female and child trafficking victims. However, the government did not create and fund an anti-trafficking secretariat or victim compensation fund, as required by law, and the draft national action plan remained awaiting approval for the second consecutive year.



RECOMMENDATIONS FOR PARAGUAY:

Fully implement the 2012 trafficking law and develop implementing regulations to most effectively do so; develop formal procedures for the proactive identification of trafficking victims; increase access to comprehensive services and shelter for victims of sex and labor trafficking through increased funding and enhanced partnerships with NGOs; intensify efforts to investigate and prosecute trafficking offenses and to convict and punish traffickers with dissuasive prison sentences; mandate specialized law enforcement officers and service providers to screen potential victims engaged in crimes to ensure victims are not penalized for unlawful acts committed as a direct result of being subjected to trafficking; increase efforts to hold officials complicit in trafficking criminally accountable; increase efforts to proactively investigate forced labor cases and identify labor trafficking victims; increase training for government officials, including law enforcement officials, labor officials, judges, and social workers, and offer guidelines on how to identify and respond to trafficking cases; institute formal referral mechanisms to ensure that all identified victims can access care services; and improve data collection on human trafficking.

PROSECUTION

The government maintained modest prosecution efforts. The Comprehensive Anti-Trafficking Law 4788 of 2012 prohibits all forms of trafficking and prescribes penalties of up to eight years’ imprisonment; these penalties are sufficiently stringent

and commensurate with penalties prescribed for other serious crimes, such as rape. However, law 4788/12 is inconsistent with international law in that it establishes the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime, and conflates facilitating or profiting from the prostitution of others and the illegal extraction of organs with human trafficking. In 2015, authorities failed to issue implementing regulations for law 4788/12 to ensure consistent enforcement of the law among all government agencies. Moreover, the implementing regulations are required to establish a national anti-trafficking secretariat and victim compensation fund. Prior to the enactment of law 4788/12, international trafficking was specifically outlawed under law 3440/08, but domestic trafficking cases were typically prosecuted using other statutes such as pandering and profiting from prostitution. Law 3440/08, which expands the list of predicate offenses in trafficking crimes, including pandering, is still used occasionally in international trafficking cases.

In 2015, prosecutors with the Anti-Trafficking Unit (ATU) reported 68 new investigations under the 2012 anti-trafficking act, compared with 80 in the previous reporting period, including 17 for labor trafficking, 40 for sex trafficking, and 11 for which the type of trafficking was unknown. ATU prosecutors also reported investigations, including 22 for pimping, 16 related to profiting from prostitution, and five related to other offenses; it is unclear how many of these cases involved trafficking. Authorities initiated prosecutions against 59 defendants (17 defendants for human trafficking and 42 defendants for sex pandering, profiting from prostitution, and other charges) and convicted 35 defendants under both laws 3440 and 4788 for pimping and prostitution charges, compared with 29 defendants prosecuted (10 defendants for human trafficking and 19 defendants for sex pandering or profiting from prostitution) and 19 convictions (12 under the trafficking law and seven under other statutes) in the previous reporting period. The government made inadequate efforts to investigate and prosecute labor trafficking crimes. Nine cases received sentences in 2015, some following previous years' convictions, while sentencing remained pending for some convictions reached in 2015. In one case, an Argentinian trafficker was sentenced to eight years in prison for sexual and labor exploitation within Paraguay and ordered to pay 25,000,000 guaranies (\$5,000) in reparations to the victim. One Colombian citizen received a suspended sentence for labor trafficking of Colombian citizens in Paraguay. In cooperation with Argentine and Spanish anti-trafficking units, Paraguayan officials conducted 28 raids of illegal and legal brothels within Paraguay and abroad and rescued 86 trafficking victims, 66 of whom were in Paraguay and 20 of whom were abroad. Paraguayan authorities arrested and charged 20 individuals operating in Alto Parana department involved in sending at least 24 victims to Turkey; these cases remained pending at the close of the reporting period. During the reporting period, ATU secured its first conviction without victim testimony and allowed video conferences in court. ATU held five workshops to train 150 officials from the prosecutor's and attorney general's offices and 30 police officers from the interior ministry, often with support from international organizations or foreign donors. ATU also trained 503 public employees from various levels of government in anti-trafficking prevention, prosecution and protection. Authorities did not report any new investigations, prosecutions, or convictions of officials complicit in human trafficking.

PROTECTION

The government maintained uneven efforts to protect victims. The government lacked formal procedures for use by all officials for the proactive identification of victims among vulnerable populations, such as persons in prostitution, domestic workers, or street children. Paraguayan officials did not collect comprehensive data on victim protection efforts and did not collectively nor comprehensively report how many trafficking victims government agencies identified or assisted in 2015.

Most victims lacked access to comprehensive care. The Ministry of Women's Affairs (MWA) provided female victims psychological support, social assistance, legal advice, and funding for victim care, including for shelters, food, and reintegration programs. During the reporting period, the MWA assisted 41 female trafficking victims who received services for the first time, 35 women for additional follow-up, provided 71 specialized services that included legal, psychological and social services, and assisted 63 women through its hotline. As of August 2015, MWA supported 24 child trafficking victims with shelter, food, housing and counseling. The Children and Adolescent's Secretariat (SNNA) provided limited services to minors. The SNNA-run shelter assisted 50 child victims in 2015. In October 2015, the SNNA, in partnership with a local non-profit, opened Paraguay's second trafficking shelter to provide services to girls and female adolescent victims. The Ministry of Foreign Affairs reported its identification of 28 sex trafficking victims in Turkey, Brazil, Argentina, Chile, Bolivia, and Mexico who were recruited for work and later exploited in forced prostitution in brothels. Turkish and Spanish authorities identified the victims through government papers and self-identification. Spanish authorities rescued 12 of the 28 victims and repatriated them to Paraguay, while the other 16 victims allegedly remained in those countries. Services for male victims remained virtually non-existent. The government lacked effective programs for trafficking victims to reintegrate into their communities. The government did not establish a national fund for trafficking victim assistance or a trafficking victims compensation fund, both required by the 2012 law.

Paraguayan authorities encouraged victims to participate in the investigation and prosecution of traffickers, and many victims did so. Some victims avoided the court system due to social stigma, fear of reprisal, and concerns over the lengthy judicial process. The government offered social and legal assistance to trafficking victims and arranged transportation to facilitate victim testimony. Under current law, victims are entitled to file civil lawsuits, although none did in 2015. All victims sought criminal action, and one victim received monetary restitution from a trafficker as part of their sentencing in 2015. While there are statutes in place that allow the government to inspect brothels, NGOs report that municipalities have failed to combat trafficking by continuing to issue certifications allowing ongoing operation of brothels where the public ministry's ATU had previously discovered victims. Government officials arrested and detained some child soldiers in centers for youth offenders for alleged participation in guerilla activities. Labor inspectors did not have the capacity or expertise to screen for potential labor trafficking and, when discovered, did not typically refer potential labor trafficking cases to law enforcement for criminal investigation. The government could offer temporary residency status to foreign trafficking victims, but did not report doing so in 2015.

PREVENTION

The government made modest prevention efforts. The

government did not establish, or provide funding for, a national anti-trafficking secretariat, a key measure of the 2012 anti-trafficking law. However, the anti-trafficking roundtable, responsible for national working-level coordination, remained active and worked closely with MWA, the SNNA and the ATU, although it had limited effectiveness given a lack of funding and limited interagency coordination. The national anti-trafficking action plan, drafted by the anti-trafficking roundtable in 2015, had not received presidential approval. MWA continued to support 11 regional and four municipal anti-trafficking roundtables that varied in effectiveness. Authorities conducted a variety of workshops and several trafficking awareness campaigns for public employees, prosecutors, and other staff explaining how to detect and report trafficking cases. MWA coordinated various anti-trafficking awareness campaigns for the general public, reaching 755 people. ATU utilized four regional centers to provide anti-trafficking training to 11,428 individuals. In October 2015, a new domestic employment law was signed that raised the minimum age for domestic workers from 14 to 18 years old. The law targets *criadazgo*, where children work as domestic servants in exchange for room, board, and basic education. 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 or peacekeepers prior to their deployment abroad on international peacekeeping missions.

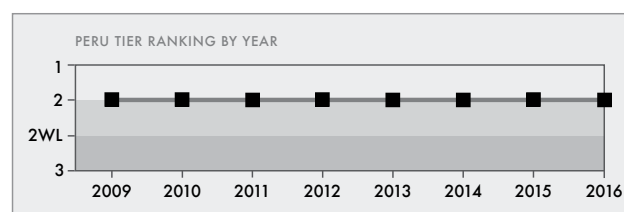
PERU: Tier 2

Peru is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Indigenous Peruvians are particularly vulnerable to trafficking. Peruvian women and girls, and to a lesser extent boys, are exploited in sex trafficking within the country, often recruited through false employment offers. Women and girls exploited in sex trafficking near mining communities are often indebted due to the cost of transportation and unable to leave due to remoteness of camps and the demand for commercial sex by miners in these communities. Peruvian women and children are exploited in sex trafficking in other countries, particularly within South America, and women and girls from neighboring countries are found in sex trafficking in Peru. Child sex tourism is present in areas such as Cuzco, Lima, and the Peruvian Amazon.

Peruvian men, women, and children are exploited in forced labor in the country, principally in gold mining and related services, logging, agriculture, brick-making, unregistered factories, organized street begging, and domestic service. A public report revealed 17 percent of the cases of 3,911 known Peruvian trafficking victims involved male victims, and government officials and NGOs also acknowledged male victims of forced labor or bonded labor in illegal mining. Peruvians working in artisanal gold mines and nearby makeshift camps that provide the miners services experience forced labor, including through deceptive recruitment; debt bondage; restricted freedom of movement or inability to leave; withholding of or non-payment of wages; and threats and use of physical violence. Forced child labor occurs in begging, street vending, cocaine production and transportation, and other criminal activities. The terrorist group *Sendero Luminoso*, or Shining Path, recruits children using force and coercion to serve as combatants and children and adults into the illicit narcotics trade and domestic servitude. The ombudsman's office reported no cases of underage recruits in the Peruvian military in 2015. Peruvian men, women, and

children are found in forced labor in other South American countries, the United States, and other countries. Migrants from South America, China, and Senegal transiting Peru to Brazil were reportedly vulnerable to trafficking.

The Government of Peru does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government established specialized anti-trafficking regional prosecutor offices in Callao, Cusco, Lima, Loreto, Puno, Tacna, and Tumbes; increased anti-trafficking operations and arrests; increased efforts to identify and assist victims; and investigated and convicted sex tourists. However, official complicity in trafficking and related crimes as well as overall corruption undermines government efforts to combat human trafficking. Convicted traffickers received sentences insufficient to the gravity of their crimes. Detention of trafficking victims discourages victims from coming forward and cooperating with authorities. The government made inadequate efforts to identify and assist forced labor victims and to prosecute labor traffickers. Overlapping government data on trafficking victims and prosecutions made interagency coordination difficult.



RECOMMENDATIONS FOR PERU:

Increase funding for, and access to, specialized, comprehensive services for all victims, including adults and victims outside the capital, in partnership with NGOs; follow through on investigations of trafficking-related complicity by prosecuting and convicting officials guilty of such crimes; significantly increase efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, especially for forced labor; initiate proactive labor trafficking investigations through enhanced partnerships between law enforcement officials, labor officials, and civil society organizations; create and implement victim-centered identification and referral mechanisms that focus on avoiding re-victimization and coordinating interagency efforts, including during law enforcement operations; establish systematic training efforts to improve victim identification by government officials; verify through ongoing oversight that police and prosecutors conduct intelligence-based raids and employ effective victim screening and referrals; dedicate funding in ministry and regional government budgets to carry out anti-trafficking responsibilities; and improve data collection.

PROSECUTION

The government made uneven law enforcement efforts, increasing anti-trafficking operations and arrests, but decreasing prosecutions and convictions. Article 153 of the penal code prohibits all forms of trafficking in persons, prescribing penalties of eight to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law defines exploitation more broadly than the international definition by including all forms of labor exploitation, rather than forced labor or services, and "any other similar form of exploitation". Peruvian law also criminalizes profiting from sex trafficking and prescribes

penalties of three to eight years' imprisonment or eight to 12 years' imprisonment if the victim is a child younger than 14 or the victim is the spouse or child of the individual profiting. Peru criminalizes promoting the prostitution of others and prescribes penalties of two to five years' imprisonment. The penalty is raised to four to five years' imprisonment if the victim is younger than 18, the offender uses violence, the offender is a relative of the victim, or the victim is forcibly displaced from home. Article 168 of the penal code criminalizes an employer's threats to life, health or physical health of employees and prescribes a penalty of one to four years' imprisonment or four to eight years' imprisonment in case of death or grave injuries. Some police and prosecutors classified trafficking cases as other crimes, such as pimping or enabling prostitution, which carry lower penalties. Judges often downgraded trafficking charges to lesser charges related to promoting prostitution and frequently failed to sentence traffickers for aggravated trafficking in cases involving child victims, as required by law. The government recognized the problem of downgraded charges and provided training to police and judges on the definition of trafficking.

The government recognized the need for data standardization to ensure Peru accurately reflects anti-trafficking law enforcement efforts and acknowledged that different ministries collect overlapping statistics, which they are currently unable to disaggregate. The Ministry of Interior conducted 85 trafficking operations compared with 24 in 2014, and arrested 206 potential traffickers compared with 59 in 2014. The attorney general reported opening 259 trafficking cases compared with 114 in 2014 and initiating prosecutions of 15 individuals for trafficking compared with 20 individuals in 2014. The government reported convicting four traffickers under the trafficking statute, a decrease from 19 traffickers convicted in 2014. Authorities did not report the lengths of sentences or how many sentences were suspended.

Government officials, NGOs, and victims report police used extortion for personal gain by threatening nightclub and brothel owners with sex trafficking charges; falsely charging victims trying to escape bars or brothels with crimes such as theft or trafficking; forcing victims to sign declarations absolving their traffickers, in exchange for payment from the alleged trafficker or due to personal complicity; and accepting money to cease investigations, drop charges, or exonerate traffickers. Some officials' involvement in the mining industry posed a conflict of interest that impeded law enforcement action against trafficking in mining areas. Congress expelled a member for 120 days following an investigation for allegedly operating a hotel where child sex trafficking occurred. However, the government did not report any prosecutions or convictions of government officials complicit in human trafficking, and the member returned to Congress later in the year.

In August 2015, the government established specialized anti-trafficking regional prosecutor offices in Callao, Cusco, Lima, Loreto, Puno, Tacna, and Tumbes. Poor communication and coordination between police and prosecutors compromised efforts to rescue victims and investigate cases. The government's efforts to combat trafficking were hindered by coordination problems between the national and regional levels of government on consistent implementation of the new criminal procedure code; inadequate budgets; corruption in the criminal justice system; and rapid turnover in the police force. The ombudsman's office reported judges applied lower sentences than prescribed in the anti-trafficking law for cases involving minor victims. In partnership with NGOs and an international organization, officials trained police, prosecutors, and other

officials. Authorities coordinated with foreign governments on trafficking investigations. In 2015, authorities continued to detain, prosecute, and administratively discipline two police officers accused of collaborating with traffickers and raping a child victim.

PROTECTION

The government significantly increased efforts to identify and assist trafficking victims, including forced labor victims; however, most victims lacked access to specialized services. The anti-trafficking law (law 28950) required the government to assist and protect victims by providing temporary lodging, transportation, medical, psychological, and legal assistance, as well as help in re-adapting the victim to family and society. The law also has provisions for witness protection, including new identities, safe houses, police protection, and new jobs. The government opened 22 new emergency centers for women and operated 48 residential centers for children and adolescents, which provided some of these services. The government operated two shelters exclusively for trafficking victims that assisted 119 victims during the reporting period. The government maintained a registry of NGOs able to assist trafficking victims with shelter and other assistance. The government had not fulfilled its mandate to provide these social services for all crime victims, including trafficking victims.

The anti-trafficking law assigns responsibility for victim identification to several government ministries. Police identified 699 potential trafficking victims—589 adults and 110 children—in 2015 compared with 165 potential trafficking victims in 2014. Government officials identified 54 indigenous individuals—20 adults and 34 children—subjected to forced labor by the Shining Path in 2015; they were referred to NGOs for shelter, food, medical attention, and reunification with their families. The Ministry of Women and Vulnerable Populations (MIMP) assisted 505 trafficking victims in 2015, 286 females and 209 males, in 2015, compared with 177 victims—122 girls, 17 boys, 38 women, and no men—in 2014. Seventy-two trafficking victims received legal services. The attorney general's office trained other government officials to differentiate sex trafficking victims from those engaged voluntarily in prostitution based on whether the individual had access to identity documents and a required public health certificate.

Shelter and specialized psychological, employment, and other services remained unavailable in most areas and for most adults and labor trafficking victims. Several ministries had victim assistance protocols, some of which were published in 2014, though most were implemented unevenly. MIMP was required by law to coordinate and provide services to trafficking victims in partnership with regional governments, and spent 2,764,900 soles (\$866,750) on victim services and prevention. According to the UN, the government treats foreign national trafficking victims as refugees, and the UN assists victims in filing a complaint with appropriate Peruvian officials and places victims in the government's care to support the victim during the judicial process. Authorities did not assist and reintegrate any Peruvian victims abroad in 2015, and there was a lack of funding for reintegration.

The prosecutorial program for victims and witnesses assisted 505 trafficking victims in 2015, compared with 144 victims assisted in 2014. The government was required to provide a public defender for trafficking victims to safeguard the victims' legal rights, support through the attorney general's victim and witness protection and assistance program, and a single-interview

process using specialized equipment where available. Despite such protections, experts reported the criminal justice system sometimes revealed victims' names and other information, which undermined victim safety and confidentiality. The government did not report any victims receiving restitution. Authorities sometimes detained victims in local police stations for unlawful acts committed as a direct result of being subjected to human trafficking. Foreign victims were eligible for temporary and permanent residency status under Peruvian refugee law but the government did not report how many victims, if any, received this status in 2015.

PREVENTION

The government sustained prevention efforts. The interagency committee, which also included NGOs and international organizations, met regularly, although participants reported that some ministries did not fully participate. The committee continued to implement the 2011–2016 national anti-trafficking action plan, and devoted 8,533,670 soles (\$2,675,130) to combat trafficking in persons in 2015. The committee had not issued an annual report on anti-trafficking efforts at the close of the reporting period. The government had a separate commission and inter-ministerial protocol and plan against forced labor, which established a registry of employers and workers; reiterated worker rights to health and pension plans; provided the authority to conduct labor inspections at employment agencies; improved prevention processes and victim response mechanisms for victims of child labor, forced labor, and human trafficking; and required employment agencies to become certified for operation. The new protocol resulted in registration of employers and workers and the identification of 116 children working illegally in Lima, Loreto, and Tumbes who may have been vulnerable to forced labor. The government held workshops on how agencies should address forced labor cases, monitor forced labor risk factors, and establish strategies to identify victims and provide victim services. Twenty-three regional governments maintained anti-trafficking working groups and 18 established regional plans, which varied in effectiveness and some of which relied on NGOs for coordination. Most government entities lacked adequate funding to implement their duties as outlined in the national anti-trafficking action plan.

Various ministries conducted awareness-raising efforts, often in partnership with international organizations and NGOs and with foreign donor funding. Some of these efforts focused on preventing child sex tourism. The labor inspection unit focused on child and forced labor, established in 2013, did not identify any forced labor victims in 2015. The government worked closely with U.S. law enforcement to arrest six individuals—five Peruvians and one American—engaged in sex tourism and trafficking and identified 36 victims, including 11 minors. The Peruvian attorney general's office is handling the prosecution and, if convicted, the defendants face a minimum of 25 years in prison. In addition, authorities cooperated with U.S. law enforcement to prosecute two American citizens for acts of child sex tourism with Peruvian children in 2013, one of whom pleaded guilty and was sentenced to 30 years in prison and a \$250,000 fine. The government, in partnership with civil society, took efforts to reduce the demand for commercial sex acts involving children, but did not report efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. The government provided Peruvian peacekeepers with specific training on human trafficking prior to their deployment abroad on international peacekeeping missions.

PHILIPPINES: Tier 1

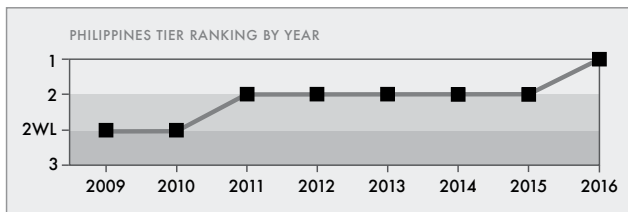
The Philippines is a source country and, to a lesser extent, a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. An estimated 10 million Filipinos work abroad, and a significant number of these migrant workers are subjected to sex trafficking and forced labor—predominantly via debt bondage—in the fishing, shipping, construction, education, nursing, and agricultural industries, as well as in domestic work, janitorial service, and other hospitality-related jobs, particularly across the Middle East, Asia, and North America. Traffickers, typically in partnership with small local networks, engage in unscrupulous recruitment practices that leave migrant workers vulnerable to trafficking, such as charging excessive fees and confiscating identity documents. Traffickers use email and social media to fraudulently recruit Filipinos for overseas work. Illicit recruiters use student, intern, and exchange program visas to circumvent the Philippine government and destination countries' regulatory frameworks for foreign workers. Many victims experience physical and sexual abuse, threats, inhumane living conditions, non-payment of salaries, and withholding of travel and identity documents.

Forced labor and sex trafficking of men, women, and children within the country remains a significant problem. Women and children from indigenous families and remote areas of the Philippines are most vulnerable to sex trafficking and some are vulnerable to domestic servitude and other forms of forced labor. Men are subjected to forced labor and debt bondage in the agricultural, fishing, and maritime industries. Many people from impoverished families and conflict-areas in Mindanao, undocumented returnees, and internally displaced persons in typhoon-stricken communities are subjected to domestic servitude, forced begging, forced labor in small factories, and sex trafficking in Metro Manila, Metro Cebu, central and northern Luzon, and urbanized areas in Mindanao. Trafficking also occurs in tourist destinations such as Boracay, Angeles City, Olongapo, Puerto Galera, and Surigao where there is a high demand for commercial sex acts. Child sex trafficking remains a pervasive problem, typically abetted by taxi drivers who have knowledge of clandestine locations. Very young Filipino children are coerced to perform sex acts for live internet broadcast to paying foreigners; this typically occurs in private residences or small internet cafés and is facilitated increasingly by victims' close family relatives. NGOs report greater numbers of child sex tourists in the Philippines, many of whom are nationals of Australia, Japan, the United States, and countries in Europe; Filipino men also purchase commercial sex acts from child trafficking victims. Organized crime syndicates allegedly transport sex trafficking victims from China through the Philippines en route to other countries. The UN reports armed militia groups operating in the Philippines, including the New People's Army, the Moro Islamic Liberation Front, the Abu Sayyaf Group, and the Bangsamoro Islamic Freedom Fighters, continue to recruit and use children, at times through force, for combat and noncombat roles.

Officials, including those in diplomatic missions, law enforcement agencies, and other government entities, allegedly have been complicit in trafficking or allowed traffickers to operate with impunity. Some corrupt officials, particularly those working in immigration, allegedly accept bribes to facilitate illegal departures for overseas workers, reduce trafficking charges, or overlook unscrupulous labor recruiters. Reports in previous years asserted police conduct indiscriminate or fake raids on

commercial sex establishments to extort money from managers, clients, and victims. Some personnel working at Philippine embassies reportedly withhold back wages procured for their domestic workers, subject them to domestic servitude, or coerce sexual acts in exchange for government protection services.

The Government of the Philippines fully meets the minimum standards for the elimination of trafficking. The government convicted 42 traffickers, including five for online child sex trafficking and two for forced labor. Although pervasive corruption undermined efforts to combat trafficking, the government convicted two immigration officers and charged five officials allegedly complicit in trafficking. In an effort to prevent trafficking of migrant workers, the government increased its funding for the Commission on Filipinos Overseas (CFO) to facilitate anti-trafficking prevention campaigns for migrant workers, and authorities expanded training and awareness events for government officials, prospective employees, and the general public, doubling the number of persons reached. Officials proactively identified trafficking victims exploited within the country and assisted roughly 1,500 during the reporting period; however, it did not identify any foreign victims. Although domestic protection for male victims remained limited, the government opened and fully funded a temporary shelter for male Filipino trafficking victims in Saudi Arabia. To reduce the demand for commercial sex acts, justice officials prosecuted eight cases against foreign child sex tourists during the reporting year.



RECOMMENDATIONS FOR THE PHILIPPINES:

Increase the availability of shelter and protection resources that address the specific needs of trafficking victims, with a particular focus on male victims and mental health provisions; develop and implement programs aimed at reducing the demand for commercial sex acts, including child sex tourism and online child sexual exploitation; increase efforts to identify labor trafficking victims, especially children subjected to forced labor, including via training for Department of Labor and Employment inspectors on proactive identification mechanisms; increase efforts to investigate, prosecute, and convict labor traffickers who exploit victims within the country; increase efforts to investigate and prosecute government officials for trafficking and trafficking-related offenses; expand efforts to ensure victim-friendly criminal justice proceedings for victim witnesses, particularly child victims, to prevent re-traumatization from multiple interviews and protracted shelter stays throughout the duration of court cases; widely implement the continuous trial mechanism pilot program to increase the speed of trafficking prosecutions; expand prevention efforts against the recruitment and use of child soldiers and vigorously investigate any such allegations and hold accountable those who are involved; and broaden trainings for front-line officers on appropriate methods to assist children apprehended from armed groups.

PROSECUTION

The government continued vigorous law enforcement efforts.

The Philippines prohibits sex and labor trafficking through its 2003 and 2012 anti-trafficking acts and prescribes penalties of six years' to life imprisonment plus fines up to five million pesos (\$112,000), which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Philippine law defines purchasing commercial sex acts from a child as a trafficking offense. During the reporting period, police investigated 329 alleged trafficking cases, a steady increase from the 282 and 155 suspected cases it investigated in 2014 and 2013, respectively. The National Bureau of Investigation conducted 40 operations leading to the arrest of 151 suspected traffickers, and separately investigated 67 sex trafficking cases and four for forced labor. In 2015, the government prosecuted at least 569 alleged traffickers, compared with 595 during the previous year. Authorities convicted 42 traffickers during the reporting year, compared with 53 convictions in 2014; of these convictions, five were for online child sex trafficking and two for forced labor. Sentences for those convicted ranged from eight years' to life imprisonment, with most offenders sentenced to life imprisonment. The government did not take any law enforcement action to punish the recruitment and use of child soldiers as no cases were reported; reporting was inhibited by the ongoing insurgency in volatile areas where armed militias, which recruit and use child soldiers, operate. During the year, the Supreme Court employed the continuous trial system pilot project, which continued to expedite trafficking prosecutions; however, endemic inefficiencies, and in some cases corruption, in the judicial system left some cases pending prosecution. Courts resolved the cases of 17 of the 42 convicted traffickers within two years, which is significantly faster than other types of criminal cases. Prosecutions for labor trafficking remained low; law enforcement officials reported difficulties in securing forced labor convictions, sometimes due to misconceptions that this crime requires an element of movement to be tried under the anti-trafficking law.

The government continued to make strong efforts to provide anti-trafficking training to authorities. The Interagency Council Against Trafficking (IACAT) conducted 36 trainings in 2015, reaching more than 1,000 government officials, including new investigators and prosecutors. IACAT also led and co-coordinated 280 anti-trafficking trainings, which reached 7,300 government personnel and more than 11,000 civil society attendees across the country, including students, hospitality staff, and bus and taxi drivers. In addition, Philippine regional police facilitated 24 specialized courses on cross-border trafficking issues with Malaysian royal police. Officials also hosted seminars in Cebu and Davao to enhance the capacity of respective law enforcement personnel. Philippine officials continued to cooperate with foreign governments to pursue international law enforcement action against suspected traffickers; officials initiated at least nine such investigations in 2015. During the reporting year, the government investigated 24 allegedly complicit immigration officers and convicted two; it sentenced one official to 15 years' imprisonment plus a fine of 500,000 pesos (\$10,800). The government also issued administrative charges—including job dismissal—against five potentially complicit immigration officers; the remaining 17 cases are either pending, referred for additional investigation, or awaiting approval for criminal proceedings. Philippine officials dismissed for lack of merit and insufficient evidence two cases: a 2013 case of an embassy official in Kuwait who allegedly violated the Philippines' anti-trafficking law, and a 2014 case involving a Philippine diplomat and her spouse in Canada who allegedly compelled an individual into domestic servitude.

PROTECTION

The government sustained its proactive identification of victims and increased provision of protective services. Although comprehensive statistics for the total number of victims identified and assisted were unavailable, IACAT reported identifying at least 807 victims, mostly female and children. The Department of Social Welfare and Development (DSWD) reported serving 1,465 trafficking victims, of whom 1,037 were female, compared with 1,395 victims in 2014. The government followed formal procedures to identify victims and refer them to official agencies or NGO facilities for care; it also continued to assist its nationals subjected to trafficking abroad. Philippine officials identified victims through rescue operations, border screenings, reports to embassies abroad, and calls to the national anti-trafficking help line, which led to assistance for 62 potential trafficking victims.

The government, through its recovery and reintegration program and in partnership with NGOs, provided victims with shelter, psycho-social support, medical services, legal assistance, and vocational training. It sustained an allocation of approximately 23 million pesos (\$490,000) to implement this program. DSWD operated 44 residential care facilities, an increase from 26 in 2015, which delivered services to victims of trafficking and other related abuses; however, available services remained inadequate to address the specific needs of victims, particularly for mental health. The DSWD reported providing temporary shelter to 1,889 victims during the reporting period, an increase from 853 in 2015. An improvement for victims in 2015 saw adult victims residing in shelters being permitted to leave unchaperoned, provided there were no threats to their personal security or psychological care issues. Domestic protective services for male victims remained limited; however, during the reporting period Philippine officials opened and funded a temporary shelter for male Filipino trafficking victims in Saudi Arabia. The government provided an unknown funding amount to NGOs, which delivered the vast majority of specialized services to trafficking victims; however, the lack of long-term care, absence of mental health services, and familial involvement in facilitating exploitation left many victims vulnerable to re-trafficking.

Under its witness protection program, justice officials protected witnesses from reprisals by providing security, immunity from criminal prosecution, housing, livelihood and travel expenses, medical benefits, education, and vocational placement; however, victims were often interviewed multiple times, which resulted in lengthy shelter stays. During the year, civil society representatives observed judicial officials utilizing victim restitution provisions and awarding damages to victims; however, these monetary penalties imposed upon offenders often went unpaid due to perpetrators' financial incapacity and protracted court proceedings. NGOs confirmed government officials did not punish victims for unlawful acts committed as a result of being subjected to trafficking. While the government did not identify foreign victims in the Philippines during the year, it had long-term alternatives to deportation of victims to countries where victims may face hardship or retribution.

PREVENTION

The government increased its robust efforts to prevent trafficking. The government continued implementation of its 2012-2016 strategic plan to combat trafficking, and IACAT and other government anti-trafficking taskforces met regularly during the year to share data and coordinate interagency policies. IACAT increased funding from 200,000 pesos (\$4,500) in

2014 to over 850,000 pesos (\$18,200) in 2015 for the CFO to facilitate anti-trafficking prevention campaigns. Consequently, the CFO expanded its community education programs on trafficking and safe migration tactics across 24 provinces, which reached more than 6,300 participants, including prospective migrant workers; it conducted a similar campaign in Hong Kong for approximately 150 Filipino migrants employed there. The CFO also facilitated an awareness campaign in Cebu, focusing on cybercrime and online child sexual exploitation, and disseminated related informational materials to more than 60,000 local residents. During the reporting period, police led 38 awareness-raising programs for 1,500 participants on preventing exploitation of women and children, to include trafficking; they also produced and distributed thousands of flyers, posters, and manuals at the community level nationwide and hosted 28 television and social media engagements for the general public.

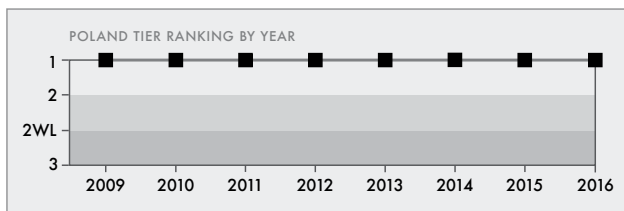
The Philippine Overseas Employment Agency (POEA) conducted public seminars and community forums across the country on warning signs of illegal recruitment tactics and trafficking. POEA officials investigated 98 cases involving 231 complainants of illegal recruitment and an unknown number of trafficking victims in 2015, which resulted in the closure of 12 non-licensed establishments; officials referred 84 cases for criminal investigation proceedings, as compared with 124 the previous year, and reported six illegal recruitment convictions compared to eight in 2014. The Bureau of Immigration continued to screen for potential victims at airports and seaports, and officials issued amended guidelines on departure formalities for international-bound persons, which set clearer rules for inspections intended to prevent trafficking and other related offenses without deterring legal travelers. Despite significant local and foreign demand in the country's vast commercial sex trade, the government's efforts to reduce the demand for commercial sex acts were negligible, and authorities reported no tangible efforts to reduce the demand for forced labor. Justice officials prosecuted 17 cases against six foreign child sex tourists during the reporting year; however, including previous years, 79 cases remain pending trial. The government conducted three monitoring, reporting, and response training events for 146 local service providers addressing child soldiering issues in Mindanao due to protracted armed conflict and high likelihood for the recruitment and use of child soldiers there; however, the government did not report assisting any demobilized child soldiers. Government military personnel disseminated information against child soldier recruitment in various provinces nationwide, but no law enforcement actions were taken to punish the recruitment and use of child soldiers as no cases were reported. The government provided anti-trafficking training to Philippine troops prior to their deployment abroad on international peacekeeping missions, and for its diplomatic personnel.

POLAND: Tier 1

Poland is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Labor trafficking is increasing in Poland; victims originating from Europe, Asia, and Africa. Children, particularly Romani children, are recruited for forced begging in Poland. Men and women from Poland are subjected to forced labor in Europe, primarily Western and Northern Europe. Women and children from Poland are subjected to sex trafficking within the country and also in other European countries. Women and

children from Eastern Europe, particularly Bulgaria, Romania, and Ukraine, are subjected to sex trafficking in Poland. A growing number of Vietnamese victims transit Poland en route to Western Europe after being subjected to labor trafficking in Russia.

The Government of Poland fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government provided training to law enforcement authorities, as well as judges and prosecutors. The police established provincial-level anti-trafficking teams, and the interior ministry installed and trained provincial-level coordination committees in all 16 regions. However, the number of final convictions decreased for the second consecutive year and most convicted traffickers received suspended sentences. Overall law enforcement action against forced labor was insufficient, despite a large number of labor trafficking victims identified. While the government continued to fund services for adult victims, there was no specialized care available for child victims of trafficking.



RECOMMENDATIONS FOR POLAND:

Ensure traffickers receive sentences commensurate with the severity of the crime, such as by continued training for prosecutors and judges; improve measures to identify child victims; provide specialized care to child victims of trafficking; vigorously investigate and prosecute trafficking crimes, particularly forced labor cases; increase training to law enforcement on how to investigate and prosecute labor trafficking cases and consider creating specialized prosecution units for trafficking crimes; educate and incentivize foreign victims to enroll in the witness protection program and assist prosecutions; improve training and efforts to identify victims proactively, particularly among unaccompanied children, irregular migrants, and children exploited in prostitution; facilitate victims' access to compensation by encouraging prosecutors to request compensation during criminal cases and systematically informing victims of their right to pursue civil suits against their traffickers; consider providing foreign victims enrolled in the witness protection program the right to work in Poland; ensure adult male victims have access to care services and emergency shelter; and improve central operational coordination and data collection for anti-trafficking activities.

PROSECUTION

The government maintained law enforcement efforts, but did not provide effective sentencing for convicted traffickers or increase the number of upheld final convictions. In collecting data, the government only considered convictions and sentences issued after appeals to be final. Poland's penal code defines a trafficking crime in article 155.22, while article 189a prohibits all forms of trafficking and prescribes punishments of three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In addition, article 203 prohibits inducing an adult into prostitution through force, fraud, or coercion, and article 204.3 prohibits inducing a child into prostitution; both articles prescribe punishments of one to 10

years' imprisonment.

The government lacked a central mechanism to cross-reference and consolidate law enforcement statistics, but authorities launched 30 investigations under article 189a in 2015, compared with 28 in 2014. Authorities reported prosecuting 23 suspected traffickers under article 189a in 2015, compared with 28 in 2014. In 2015, 17 prosecutorial investigations conducted involved forced labor, compared with eight in 2014. First-level courts convicted 36 traffickers under article 189a in 2015, compared with 17 in 2014, the highest number of first-level convictions since 2012. In 2014, the most recent year for which post-appeal judgements were available, nine convictions were upheld, compared with 13 in 2013 and 18 in 2012. Courts also upheld 12 convictions under article 203 and 16 convictions under article 204.3, compared with 13 and 15 convictions, respectively, in 2013. In total, judges issued 37 final convictions in 2014 under these three statutes, compared to 41 in 2013 and 64 in 2012. Prison terms ranged from one year, to three to five years; 78 percent of sentences were for two years or less. Authorities suspended a greater proportion of prison sentences for trafficking convictions, from 41 percent in 2013 to 62 percent in 2014. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Authorities collaborated on investigations with counterparts in several foreign countries. The government provided trafficking-specific training for the police and border guards during 2015. In November 2015, authorities held a training session for 100 prosecutors on trafficking, as well as seven trainings throughout 2015 for prosecutors and judges on international crime that included transnational trafficking. Authorities reported there were very few prosecutions for forced labor because police had difficulty identifying this type of crime, despite NGOs assisting over 290 victims of forced labor and forced begging from 2013 to 2015. Experts noted prosecutors and judges often lacked expertise in labor trafficking cases. Observers reported prosecutors were sometimes reluctant to prosecute suspected traffickers due to the complexity and difficulty of those cases. In June 2015, the police issued an internal regulation creating provincial-level anti-trafficking teams.

PROTECTION

The government demonstrated limited progress in some areas of protection, but authorities did not provide specialized care for child victims or establish a standard protocol to determine whether unaccompanied minors may be victims of trafficking. Authorities trained police, border guards, about 120 consular officers, 21 labor inspectors, 95 employees of crisis intervention centers, and 270 tourism students and hotel representatives on trafficking victim identification. Sixty-six border guard officers attended specialized training on identification of victims of forced labor provided by an international organization. In the first quarter of 2015, the national police adopted a new identification tool designed to assist police in identifying potential trafficking victims. Police and prosecutors acknowledged they still lacked the expertise to identify forced labor victims. Observers reported authorities did not treat some children exploited in prostitution as victims. Some victims avoided reporting their exploitation because participation in the protection program did not provide for the right to work. In 2015, the government allocated 1.1 million zloty (\$280,800) to two NGOs that run the National Intervention-Consultation Center for Victims of Trafficking (KCIK), which covered the majority of operating expenses; this marked an increase from 1 million zloty (\$255,300) in 2014. KCIK provided assistance

to 229 victims in 2015, compared with 207 in 2014. Of the 229 victims, 126 were foreign nationals and 127 were victims of forced labor and forced begging. KCIK offered victims medical and psychological care, legal counseling, shelter referrals, and welfare support. KCIK included two shelters for adult female victims. KCIK was responsible for finding safe shelter for male trafficking victims and used crisis centers, hotels, and hostels for this purpose. The national system of victim assistance did not always address the needs of unaccompanied children, as there was no standardized system of screening unaccompanied minors as potential trafficking victims. The government could place child victims in orphanages, with foster families, or in child assistance centers based on their needs. Observers reported some unaccompanied minors, who may have been trafficking victims, ran away from orphanages and were not recovered. Local governments also funded and operated crisis intervention centers; 18 were designated specifically for trafficking victims in 2015, compared with 23 in 2014.

The government's witness protection program provided foreign victims with a temporary residence permit, medical and psychological care, and shelter for those who cooperated with a prosecution. The government enrolled 38 trafficking victims into this program in 2015, compared with 62 in 2014. Foreign victims were entitled to a three-month reflection period, during which they could stay legally in Poland to decide whether to assist in the criminal process; 33 victims received this reflection period in 2015. GRETA reported authorities did not systematically inform victims about the reflection period. In 2015, 27 foreign victims who joined the witness protection program agreed to participate in the prosecution of their traffickers, compared with 52 in 2014. Although victims could file civil suits against traffickers and judges could order compensation for victims in criminal cases, observers reported very few trafficking victims have ever received compensation from their traffickers. Six trafficking victims were convicted for illegally crossing the Polish border in 2014; in 2015, the Supreme Court returned the case to the lower court for reconsideration.

PREVENTION

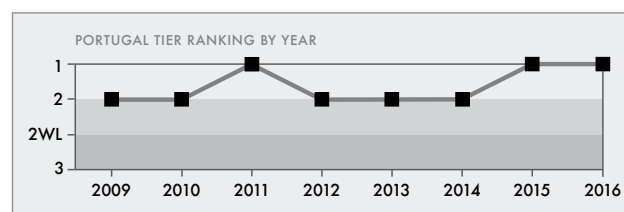
The government demonstrated progress in prevention. In 2015, the government again allocated 135,000 zloty (\$34,500) for the implementation of tasks related to the 2013-2015 national action plan for combating trafficking. The government drafted and began the implementation of the 2016-2018 action plan, although the government had not formally approved it by the close of the reporting period. The interior ministry continued to lead the inter-ministerial anti-trafficking team, as well as a working-level group of experts, which met regularly to coordinate efforts and develop national anti-trafficking policies. However, observers reported Poland lacked effective central operational coordination for all anti-trafficking activities. During the reporting period, the government completed the establishment of provincial interagency anti-trafficking teams in all 16 regions of the country to improve cooperation at the regional level. Between June and November 2015, the interior ministry conducted 15 trainings for members of all provincial interagency teams. The interior ministry released an assessment of the government's 2014 anti-trafficking activities in 2015. The government lacked a central mechanism to cross-reference and consolidate trafficking-related statistics, hindering officials' ability to assess the scope of trafficking in Poland and the efficacy of law enforcement efforts. The government sponsored information campaigns, several of which targeted schoolchildren, migrant workers in Poland, and Poles seeking work abroad. The labor inspectorate continued to inspect job

recruitment agencies for fraud, which resulted in the removal of several agencies from its official register. The government provided anti-trafficking training for its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex and forced labor.

PORTUGAL: Tier 1

Portugal is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Trafficking victims primarily originate from Africa and Eastern Europe, and, to a lesser extent, Latin America and Asia. Most victims are subjected to forced labor. Foreign labor trafficking victims are exploited in agriculture and domestic service, while Portuguese victims are exploited in restaurants, agriculture, and domestic service, primarily in Portugal and Spain. Poor and uneducated Portuguese in the country's rural interior are especially vulnerable to forced labor networks in Spain, which may extend into Northern and Eastern Europe. Although most forced labor victims are men, authorities noted an increase in the number of female forced labor victims in 2015. Foreign women and children, mostly from Africa and Eastern Europe, and Portuguese women and children are subjected to sex trafficking within the country. Portuguese victims have also been subjected to sex trafficking in other countries, mostly in Europe. Children from Eastern Europe, including those of Roma descent, are subjected to forced begging and forced criminal activity in Portugal. Organized criminal networks operate trafficking rings in the country; some recruit victims abroad to exploit in Portugal, while others recruit domestically to exploit both within Portugal and abroad. Authorities report traffickers bring women and children, many from African countries, to Portugal to claim asylum before bringing victims to other European countries to be exploited in trafficking.

The Government of Portugal fully meets the minimum standards for the elimination of trafficking. Authorities increased the number of trafficking investigations, although the number of convictions decreased significantly. The government continued to fund three NGO-operated shelters and multidisciplinary teams to assist victims. Authorities identified more potential trafficking victims than the previous year. While authorities continued efforts to identify labor trafficking victims and hold labor traffickers accountable, the government identified few sex trafficking victims. The government sometimes prosecuted sex trafficking cases under pimping statutes, which carried less stringent penalties.



RECOMMENDATIONS FOR PORTUGAL:

Increase efforts to investigate and prosecute trafficking offenses and convict traffickers, issuing sufficiently dissuasive sentences; release guidance for law enforcement, justice officials, and service providers clarifying all prostitution of children is child sex trafficking, regardless of force, fraud, or coercion, to ensure these crimes are prosecuted under appropriate statutes;

implement required and systematic training for all police, prosecutors, and judges to increase trafficking investigations and to encourage the use of trafficking laws for convictions with dissuasive sentences; continue to increase and document use of victim services, such as shelters and residence permits; provide specialized shelter and assistance for child trafficking victims, including Portuguese child sex trafficking victims; continue to train immigration and social workers, law enforcement, labor inspectors, and NGOs on victim identification and referral; increase efforts to reduce the demand for commercial sex; and continue to conduct trafficking awareness raising campaigns on forced labor and sex trafficking.

PROSECUTION

The government decreased law enforcement efforts. Article 160 of the penal code prohibits all forms of trafficking and prescribes penalties of three to 12 years' imprisonment, which are sufficiently stringent and commensurate with those for other serious crimes, such as rape. Article 160 also encompasses illegal adoption and organ removal. Article 159 prohibits slavery and prescribes penalties of five to 15 years' imprisonment. Article 175 prohibits child sex trafficking, with penalties of one to 10 years' imprisonment, although it classifies these crimes as pimping rather than trafficking.

In 2015, the government investigated 68 potential trafficking cases, compared with 44 cases in 2014. Authorities did not report how many cases involved labor or sex trafficking. In 2015, authorities prosecuted four individuals for forced labor under articles 159 and 160 (three and one prosecutions, respectively); the government did not report the total number of trafficking prosecutions initiated in 2014, although prosecutors charged at least five defendants in three labor trafficking cases. Authorities convicted four traffickers in 2015: one labor trafficker under article 160 and three labor traffickers under article 159, a significant decrease from the 36 total convictions in 2014. The trafficker convicted under article 160 received 15 years' imprisonment, while the three convicted under article 159 received sentences of eight, 12, and 20 years' imprisonment. An unknown number of these convictions had appeals pending. In January 2016, authorities arrested the leader of a labor trafficking ring convicted in absentia in 2011; he is currently serving a 16-year prison term. The government also investigated and prosecuted human trafficking as other crimes, such as pimping (article 169), criminal association, or abetting legal aliens, for which a lesser burden of proof is required and convictions were easier to obtain, although these convictions often resulted in less stringent sentences. Authorities prosecuted two individuals for trafficking crimes under article 169, one of whom also faced prosecution for forced labor under article 160. The government reported two convictions for trafficking crimes under article 169; courts sentenced one defendant to 39 months' imprisonment, while the second defendant received a suspended sentence of two years' imprisonment. GRETA recommended increased training for law enforcement, prosecutors, and judges, who sometimes categorized trafficking as other crimes, such as domestic violence or pimping. Authorities provided anti-trafficking training to front-line responders, including police officers, labor inspectors, and social workers. The government did not report any investigations, prosecutions, or convictions of government employees for alleged complicity in trafficking-related offenses.

PROTECTION

The government sustained victim identification and protection

efforts. The government's national referral system guided victim identification procedures, and its anti-trafficking agency provided a checklist to law enforcement and other front-line responders on identifying trafficking victims. First responders and social service providers could refer potential victims to services, but only police or prosecutors could confirm victims. Authorities identified 18 confirmed victims and more than 150 additional potential victims in 2015, compared with 20 confirmed and 26 potential victims in 2014. Fifteen of the 18 confirmed victims were victims of forced labor (including three forced begging victims) and three were sex trafficking victims; six of the confirmed victims were children. In November 2015, authorities conducted operations throughout the country during which they identified more than 100 potential victims and detained 18 suspects. The government reported it provided approximately 1.25 million euros (\$1.36 million) in 2015 for prosecution and protection activities; in 2015 it allocated an additional 490,000 euros (\$533,000) for victim services and to support its four interdisciplinary regional teams' efforts to identify and assist victims. Victims had the right to shelter, health, psycho-social, legal, and language services, as well as education and employment training. The government funded three NGO-operated shelters exclusively for trafficking victims—two for female victims and their minor children and one for adult male victims. Adult victims could leave the shelters at will unless authorities determined victims' safety was at risk. There were no specialized services for child trafficking victims; child victims were placed in institutions if they could not be placed with family members. Of the 18 confirmed victims in 2015, five accepted shelter and services, nine refused shelter, and one returned to his or her country of origin; the status of the remaining three victims was unknown. The government hosted training workshops for health, security, and social services professionals to identify victims of labor trafficking.

Authorities encouraged victims to assist with investigations and prosecutions and informed victims of their right to protection, assistance, and return to their country of origin. The government provided comprehensive witness protection to victims participating in trials; victims could testify by deposition or videoconference and had access to medical and psychological services to prevent re-traumatization. The government offered victims a reflection period of 30 to 60 days, during which they could recover before deciding whether to cooperate with law enforcement. The law also provides for a one-year residence permit for victims cooperating with law enforcement or based on a personal situation; this permit can be renewed for one year if authorities determine it is necessary to protect the victim. Authorities issued two residence permits in 2015, compared with one permit in 2014; both recipients were female sex trafficking victims. The government reported it provided one victim with transportation to return to his or her country of origin. NGOs and law enforcement reported some victims were hesitant to speak with authorities, which may have hindered victim identification. The government did not report whether any victims received compensation from their traffickers or the government. There were no reports the government penalized victims for unlawful acts committed as a result of being subjected to trafficking.

PREVENTION

The government maintained prevention efforts. The government continued to implement its national action plan for 2014-2017 and maintained a multi-stakeholder anti-trafficking network, including a national rapporteur, representatives from various government agencies, and three NGOs. The national rapporteur

served as the national anti-trafficking coordinator and issued an annual report on the implementation of the national action plan. The national rapporteur also had the authority to propose new legislative measures to protect victims and prevent trafficking. The government's anti-trafficking agency published an annual report detailing the trafficking situation in the country. The government conducted an awareness campaign to help workers avoid becoming trafficking victims by informing them about fraudulent recruitment offers and providing a hotline workers could call for help or additional information. Labor authorities conducted inspections in an effort to prevent labor exploitation and maintained a registry of contracts for foreign migrants working in the country. The government also screened visa applicants to ensure their job offers were legitimate. The government did not make efforts to reduce the demand for commercial sex but did make efforts to reduce the demand for forced labor. The government conducted awareness campaigns to prevent child sex tourism. Laws prohibiting sexual crimes against children have extraterritorial reach, allowing the prosecution of suspected child sex tourists for offenses committed abroad; there were no reports of Portuguese citizens engaging in child sex tourism abroad during the year. The government provided anti-trafficking training to its diplomatic personnel.

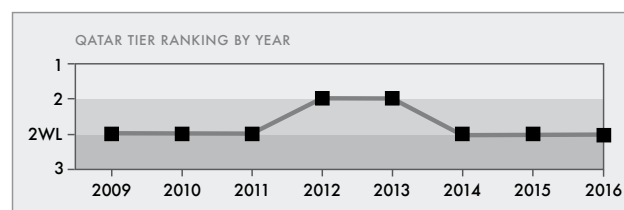
QATAR: Tier 2 Watch List

Qatar is a destination country for men and women subjected to forced labor and, to a much lesser extent, forced prostitution. Qatar is also a destination country for women who migrate for employment purposes and become involved in prostitution; some of these women may be runaway domestic workers whom traffickers force into prostitution, exploiting their illegal status. Over 90 percent of the country's workforce is comprised of men and women from South and Southeast Asia, Africa, and the Middle East who voluntarily come to work as low- and semi-skilled workers, primarily in construction, oil and gas, the service industry, transportation, and domestic work, but some are subjected to forced labor. Female domestic workers are particularly vulnerable to trafficking due to their isolation in private residences and lack of protection under Qatari labor laws. Previous reports by an international organization alleged Nepali and other migrant workers in Qatar died primarily due to poor working conditions.

Qatar's low-skilled migrant workers continue to comprise the largest group at risk of trafficking. Many migrant workers arriving in Qatar pay exorbitant fees to recruiters in their home countries, and some recruitment agencies in labor-sending countries lure foreign workers with false employment contracts. Qatar's current sponsorship system places significant power in the hands of employers, who have unilateral power to cancel residence permits, deny workers the ability to change employers, and deny permission to leave the country. Debt-laden migrants who face abuse or are misled often avoid reporting their exploitation out of fear of reprisal, the lengthy recourse process, or lack of knowledge of their legal rights, making them more vulnerable to forced labor, including debt bondage. Instances of delayed or non-payment of salaries are a leading driver of forced labor, including debt bondage, in Qatar. Many migrant workers often live in cramped, unsanitary conditions, and many complain of excessive working hours and unpaid wages and also face denial of exit permits; threats of deportation and physical or financial harm; physical, mental, and sexual abuse; and hazardous working conditions. According to a 2014 study by Qatar University's Social and Economic Survey

Research Institute, 76 percent of expatriate workers' passports are in their employers' possession, despite laws against passport confiscation, although this represents a decrease in passport retention since 2011, when 92 percent of expatriates reported that employers retained their passports. International rights groups and media report some migrant laborers face severe labor abuses, some of which amount to forced labor, and also allege a high number of foreign laborers have died from heart failure due to harsh work in extreme heat.

The Government of Qatar does not fully meet the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. Despite these efforts, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Qatar is placed on Tier 2 Watch List for the third consecutive year. Per the Trafficking Victims Protection Act, Qatar 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 reported prosecuting 24 suspected traffickers, including two exploitative employers, although some of these cases likely involved other crimes often conflated with trafficking, including smuggling. For the first time, the government successfully used the 2011 anti-trafficking law to convict 11 traffickers. Existing labor protections remained weak and favored the employer, and the labor law does not provide protection to domestic workers, leaving them vulnerable to forced labor or abuse. The government began to amend the sponsorship system, known as *Kafala*, which could drastically reduce vulnerabilities to forced labor. The Emir signed the *Kafala* reform law in October 2015, it was transmitted into the official gazette in December 2015, and implementation is to begin in December 2016. Despite the new law's elimination of indefinite contracts, it remains unclear whether employers will pressure employees to sign new five-year contracts (the maximum allowed) before these reforms come into effect; it is possible that these actions could subject workers to unfair labor practices. The government did not report the number of trafficking victims identified or provided services during the reporting period. During the reporting period, the government did not designate a government lead for anti-trafficking efforts; the previous oversight body, the Qatar Foundation for Protection and Social Rehabilitation (QFPSR), was removed as the anti-trafficking lead and focused exclusively on caring for female and child victims of abuse. In November 2015, the government began implementation of the Wage Protection System (WPS), requiring employers to pay workers electronically, although it remained unclear whether the system flagged potential trafficking cases for criminal investigation. The number of workers who signed up for the WPS more than tripled during the reporting period from 407,051 to 1.3 million; however, implementation of the WPS was particularly challenging for small and medium-sized enterprises and start-ups.



RECOMMENDATIONS FOR QATAR:

Sufficiently implement reforms to the sponsorship system so

it does not provide excessive power to sponsors or employers in granting and sustaining the legal status of workers; ensure reforms provide migrant workers with protection from abusive practices and working conditions that may amount to forced labor; increase efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers, particularly for forced labor crimes, under the anti-trafficking law; extend labor law protection to domestic workers and ensure any changes to the sponsorship system apply to all workers; ensure employers do not exploit workers using the WPS by collecting money from them before depositing their salary electronically; implement the WPS for all companies including small and medium-sized companies, joint ventures, and foreign-owned companies; enforce the law against employers who withhold workers' wages or passports; enforce the law requiring that employees receive residence cards within one week of arrival and further enforce the law criminalizing passport retention; consistently apply formal procedures to identify victims of all forms of trafficking proactively among vulnerable groups, such as those arrested for immigration violations or prostitution or those that flee abusive employers; provide victims with adequate protection services and ensure that shelter staff speak the language of expatriate workers; appoint a formal government lead to coordinate anti-trafficking efforts; collect, disaggregate, analyze, and report anti-trafficking law enforcement data; report data pertaining to the number of victims identified and the services provided to them; provide anti-trafficking training to government officials; and continue to conduct anti-trafficking public awareness campaigns.

PROSECUTION

The government increased anti-trafficking law enforcement efforts, although prosecution of labor trafficking cases, including passport retention crimes, needs to be increased. The comprehensive anti-trafficking law, enacted in October 2011, prohibits all forms of both sex and labor trafficking and prescribes penalties of no more than seven years' imprisonment and up to 230,000 Qatari riyal (\$82,000) in fines, with penalties of no more than 15 years' imprisonment for trafficking offenses committed with aggravating circumstances. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as kidnapping. The government prohibits employers' withholding workers' passports under the 2009 sponsorship law, punishable by a fine of up to 10,000 Qatari riyal (\$2,750). The government sporadically and inconsistently enforced this law during the reporting period and did not report any fines imposed on sponsors for withholding passports.

During the reporting period, the government reported investigating 24 potential trafficking cases. While more than double the previous year, some of these cases may have involved other crimes often conflated with trafficking, including smuggling. The government prosecuted and convicted 11 suspected traffickers, including the staff of two private companies under the 2011 anti-trafficking law as compared to no convictions in the previous reporting period. Media reports indicated that Qatar's criminal court had sentenced an Arab couple to prison for eight years and fined each of them 450,000 Qatari riyal (\$123,598) under charges of unintentional murder of a domestic worker and involvement in human trafficking crimes. According to the media, the couple had also enticed domestic workers to leave their employers with the promise of facilitating employment in a new household in return for large fees from both the domestic workers and prospective employers. The government has begun to prosecute exploitative

employers under the 2011 anti-trafficking law, but other existing labor protections remain biased in favor of the employer. The government's primary solution for resolving labor violations was to transfer a worker's sponsorship to a new employer, ban the employer violating labor protections from new contracts or importing more laborers, and made minimal efforts to investigate whether the violations constituted forced labor. The government did not report investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses. In May 2014, a federal district court in Virginia issued a default judgment awarding damages to a former domestic worker, finding she was subjected to forced labor when she was employed by a Qatari diplomat; the diplomat has not paid the judgment and has since left the United States. In another case, a Qatari official and his spouse were indicted in May 2015 and pled guilty to visa fraud related to the alleged forced labor of two domestic workers. As part of their plea, the couple paid the workers restitution and left the United States. The government reported it continued to provide training for law enforcement officials, public prosecutors, judges, inspectors, civil society organizers, and public health professionals on investigating trafficking cases, the anti-trafficking law, and victim identification. The police training institute continued to train Ministry of Interior (MOI) officials on investigation techniques for trafficking cases.

PROTECTION

It is unclear whether the government decreased efforts to protect victims of trafficking due to a lack of government-provided statistics in this area, and many victims of forced labor, including debt bondage, likely remained unidentified and unprotected. The government did not report the number of victims identified or assisted during the reporting period, as it has in past years. Officials were less likely to identify domestic workers, not covered by labor law, as trafficking victims, due to limited access to private homes and social customs. During the reporting period the government did not designate a new government lead for anti-trafficking efforts after the previous oversight body, the QFPSR, was dissolved of anti-trafficking responsibilities. QFPSR had been responsible for maintaining procedures to identify and respond to the needs of female and child victims of violence and continued to operate a shelter for women and child victims of violence at the Qatar House for Lodging and Care. The government offered female and child victims of violence, including trafficking victims, access to medical care, social services, psychological treatment, legal assistance, and rehabilitation and reintegration programs. The government continued to use its national victim referral system to coordinate victim identification and referral efforts between government authorities and NGOs. The referral system included the provision of safe shelter, health care, and legal assistance. During the reporting period, victims that received shelter services had the right to leave the shelter without supervision, and victims were able to access the shelter even if their employers had filed charges against them.

The government continued to punish some unidentified victims of trafficking for unlawful acts committed as a direct result of being subjected to trafficking. Authorities regularly arrested, detained, and deported potential trafficking victims for immigration violations and running away from their employers or sponsors. Some victims occasionally languished in detention centers for up to six months due to debts allegedly owed or false charges of theft filed by their employers. The costs of legal representation under these circumstances were sometimes borne by the workers, but were often waived by the government

due to workers' inability to pay. Domestic workers who were not covered under the labor law continued to face difficulties seeking legal redress for abuses through civil court action. During the reporting period, officials did not recognize severe labor abuses, including cases of domestic servitude, could amount to human trafficking. The government encouraged victims to testify against their traffickers by providing free legal counseling and allowing them to pursue financial compensation; however, it did not report how many victims testified against their traffickers or received these benefits during the reporting period. The government lacked adequate privacy laws to protect victims against potential retribution and often did not provide adequate assistance or protection for victims during legal proceedings. MOI's Search and Follow Up and Human Rights departments coordinated with embassies to assist in repatriating migrant workers and reported providing 10,086 repatriation tickets free of cost—likely assisting some potential trafficking victims. Victims of abuse with pending cases were given the option of changing sponsors or returning to their country of origin, once their residency status was resolved. The government reported it did not deport those who faced retaliation or retribution in their country of origin.

According to a published report, migrant workers noted that inspections are not frequent, and employers are not punished for violating the law. Workers indicated that the complaints process was not easily accessible and that the courts' process was lengthy. Some workers faced retaliation by their employers after filing complaints.

PREVENTION

The government made modest efforts to prevent trafficking in persons. The government passed reforms to its sponsorship law during the reporting period, which could reduce vulnerabilities to forced labor. These reforms to the sponsorship system are expected to take effect in December 2016, and the announced changes will eliminate indefinite-term contracts and provide employees with the right to change employers at the end of their contracts and leave the country without the employer's permission through a government appeal mechanism. The mechanism will mandate an employer produce a court order within 72 hours of an employee's application to depart to sustain the employer's objection to the employee's departure, which will significantly improve expatriate's freedom of movement. Allegations of employers pressuring employees to sign new five-year contracts before these reforms come into effect remained a significant concern as these actions could subject workers to unfair labor practices. Once these reforms are officially implemented, a clear assessment and evaluation of their impact on addressing trafficking issues, including protections of all migrant workers and prosecution efforts can be made. Although the sponsorship law requires an employer to secure a residence card for laborers within seven days, reports indicated this sometimes did not happen; the lack of a residence card essentially renders workers illegal and affects their ability to access health care or lodge complaints with authorities.

The government did not provide numbers on its budget to support its anti-trafficking efforts, except to say it was consistent with the previous year, which was reported as 42 million Qatari riyal (\$11.5 million). Government agencies and civil society representatives met several times during the reporting period to coordinate and assess national anti-trafficking efforts, including victim referral procedures, visa-selling issues, sponsorship transfer and entry and exit procedures, implementation of the WPS, and the reforms to the sponsorship system. The

government continued to publish and distribute "worker rights" pamphlets in English, Arabic, Hindi, Bengali, Nepali, and Tagalog that contained relevant articles from the labor and sponsorship laws and information on hotline numbers to report abuses. The government increased its cooperation with the Government of Nepal including cooperation between Nepali and Qatari human rights organizations, and participation in a joint tech camp in Kathmandu to develop technological solutions to address labor rights issues in the Nepal-Qatar migration experience. Following a high-profile visit to Nepal by the Qatari minister of labor, a memorandum of understanding was implemented establishing no-fee recruitment as the only means for ethical manpower sourcing.

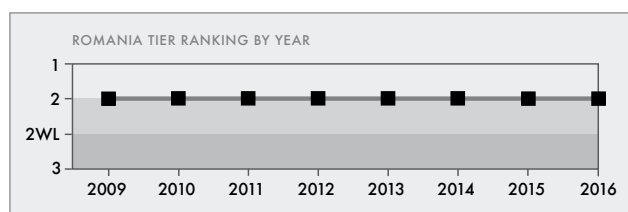
During the reporting period, the government identified more than 21,000 violations of their labor code, resulting in the blacklisting of more than 4,400 companies, a significant increase compared with 200 blacklisted the previous reporting period. During the reporting period the government increased the number of labor inspectors; nonetheless, it did not systematically investigate companies for withholding workers' passports. In November 2015, the government began implementation of the WPS, which requires employers to pay workers electronically and increases penalties for violating the labor code. While intended to address late and unpaid wages, the largest category of labor complaints received by the Ministry of Labor and often indicative of forced labor, it remained unclear whether the system effectively flagged potential trafficking cases for criminal investigation. Implementation of the WPS was particularly challenging for small and medium sized enterprises and start-ups, joint ventures, and foreign-owned companies. Additionally, allegations of employees being forced to pay employers a certain amount of money before having their wages transferred electronically raised significant concerns of employers finding a loophole to the system. The government routinely inspected and monitored recruitment companies and reportedly sought to punish companies found making fraudulent offers or imposing exorbitant fees for visas, which increased migrant workers' vulnerability to trafficking. The government did not report how many companies it referred for prosecution or whether it achieved any convictions for those suspected of illegal visa selling. The government did not report efforts to reduce the demand for commercial sex acts or forced labor, nor did it report efforts to prevent Qataris committing from child sex tourism offenses while traveling abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

ROMANIA: Tier 2

Romania is a source, transit, and destination country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Romanians represent a significant source of sex and labor trafficking victims throughout Europe. Romanian men, women, and children are subjected to labor trafficking in agriculture, construction, domestic service, hotels, and manufacturing, as well as forced begging and theft in Romania and other European countries. Romanian women and children are victims of sex trafficking in Romania and other European countries. Romani children are particularly vulnerable to forced begging and forced criminality. Romania is a destination country for a limited number of foreign trafficking victims, including sex trafficking victims from Moldova and Poland and labor trafficking victims from Bangladesh, China, the Philippines, and Serbia. Romanians living in privately run institutions for the mentally disabled were vulnerable to forced

labor. Government officials have been convicted of human trafficking crimes, and there have been reports of local officials obstructing trafficking investigations.

The Government of Romania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The organized crime directorate led the government's strong law enforcement efforts, but police and judges lacked training on working with trafficking cases and victims, which had detrimental effects on compensation for victims and sentencing for perpetrators. The government's protection efforts remained inadequate, particularly in victim assistance. The government and NGOs identified a large number of victims, but assisted only 37 percent, leaving most victims without services and vulnerable to re-trafficking. The government did not provide funding to NGOs offering victim assistance, although the national anti-trafficking commission began to develop mechanisms to provide grants to NGOs. Victims had difficulty obtaining medical services, psychological counseling, and identity protection during criminal trials. Official complicity was not adequately addressed.



RECOMMENDATIONS FOR ROMANIA:

Allocate public funding for NGOs to provide services to victims; significantly increase training of police, judges, state attorneys, and other relevant officials; increase efforts to identify potential victims proactively among vulnerable populations, such as undocumented migrants, foreign workers, Roma, and children involved in begging; improve victim access to medical assistance and increase quality of psychological counseling; investigate, prosecute, and convict traffickers, including complicit officials, and seek and obtain sentences that are sufficiently stringent and commensurate with the severity of the crime; do not prosecute victims for crimes committed as a direct result of their being subjected to human trafficking; exempt all trafficking victims who testify in trials from the online disclosure of their names to incentivize greater victim participation in prosecutions and protect participating witnesses from retaliation and stigma; and consistently inform victims of their right to apply for compensation.

PROSECUTION

The government made mixed progress in law enforcement efforts. Article 210 prohibits all forms of trafficking and prescribes penalties of three to 10 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities initiated or continued to investigate 858 trafficking cases in 2015, compared with 875 in 2014. Prosecutors initiated or continued prosecution of 480 suspected traffickers in 2015, compared with 534 in 2013. Courts convicted 331 traffickers in 2015, an increase from 269 in 2014. In an increase from the previous year, 68 percent of convicted traffickers were sentenced to time in prison—as opposed to suspended jail sentences or educational measures—compared with 67 percent in 2014. Most prison terms in 2015 ranged from one to five years' imprisonment. Courts did not levy any fines against traffickers in 2015, compared with 15 in 2014. Authorities continued to participate

in joint investigative teams with several European counterparts. The government provided training on human trafficking to 30 prosecutors in the organized crime division, but officials in the judiciary often continued to demonstrate weak knowledge of trafficking and the unique needs of victims. Magistrates typically did not differentiate between prostitution and sex trafficking as distinct crimes, which had detrimental effects on compensation for victims and sentencing for perpetrators. One researcher found appellate courts often overruled lower courts' issuances of compensation to victims based on the belief that compensation for women in prostitution—whom they do not regard as victims—was unwarranted. Observers frequently criticized police for being unaware of the exploitation potential in prostitution, leading to a failure to check for indicators of force, fraud, or coercion when encountering individuals in prostitution. Despite concerns about official complicity in sex and labor trafficking, including allegations of city and county officials obstructing trafficking investigations or being directly involved in trafficking themselves, the government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government made progress in funding victim care but did not address other deficiencies in victim protection, which remained inadequate. Public officials and NGOs identified 880 victims in 2015, compared with 757 in 2014; these statistics include victims from ongoing investigations and prosecutions initiated in previous years. Of these victims, 36 percent were children, 34 percent were male, and 58 percent were subjected to sex trafficking. Police used the government's national victim identification and referral mechanism, although observers noted it was used inconsistently across the country. The government relied on NGOs to identify and assist victims, but did not provide any financial support due to a legal preclusion of direct funding for NGOs. However, during the reporting period, authorities began the process of removing this legal preclusion, initiating a grant program funded by a foreign government, and developing standards for victim assistance, which varied greatly across public and private care facilities. Approximately 37 percent (326) of the registered victims benefited from rehabilitative assistance provided by public institutions and NGOs. Officials referred victims to government-run domestic violence or homeless shelters when NGO-run trafficking shelters were full. Local governments financed and operated emergency assistance and transit centers that could assist repatriated victims. Child trafficking victims were placed in general child facilities or in facilities for children with disabilities, run by the governmental child protection service which generally did not offer specialized assistance and frequently re-traumatized children. The law entitled victims to medical and psychological care, legal aid, and reintegration support; however, observers noted the law did not necessarily provide for more than one mental health counseling session. In addition, access to medical care was impeded by the process for obtaining identity documents, which required victims to return to their home district, despite the logistical and financial hurdles this presented for typical trafficking victims. For Romanian victims abroad, Romanian embassies issued travel documents free-of-charge and the government, NGOs, or IOM paid for transport costs.

The law permitted foreign victims who cooperate with authorities to receive a renewable, six-month temporary residence permit. A 2015 law allows foreign victims to request asylum and granted asylum-seekers the right to work after three months. Authorities identified at least one foreign victim in 2015,

although an independent expert reported there were many unidentified foreign victims in Romania. Labor inspectors were not trained in detecting trafficking indicators, nor were they allowed to conduct unannounced worksite inspections. In 2015, 459 participating in criminal prosecutions accessed services available to victims assisting law enforcement; these services include accompaniment to the court or prosecutor's office, information on trial procedures, and facilitation of remote testimony. Some victims reportedly chose not to testify because the justice ministry published the names of all trial witnesses, including children, on its public website; such display also puts victim-witnesses at risk of retaliation and societal or familial ostracization. Observers reported courtrooms were hostile environments in which traffickers and their supporters in the audience take photos of those pressing charges and verbalize death threats. The law permitted victims to provide testimony from a separate room, although this was rarely done in practice due to judges' general preference for live testimony, state-provided lawyers' lack of experience with traumatized victims, and a general bias against victims exploited in prostitution. The law entitles victims to restitution from their traffickers; however, victims generally could not afford the fees necessary to initiate civil trials or, in cases in which judges order restitution, pay court officers to collect the money owed from traffickers. Prosecutors typically dropped charges and fines against victims for crimes committed as a direct result of being subjected to human trafficking, but they still charged with theft some victims forced to steal for traffickers.

PREVENTION

The government sustained prevention efforts. In June 2015, the government approved an updated 2015-2016 national action plan. The National Agency against Trafficking in Persons continued to publish monitoring reports, statistics, and research reports on trafficking. The national agency implemented and assisted a wide array of awareness campaigns targeting sex trafficking, forced labor, and forced begging. The government has never reported punishing a recruitment company for trafficking-related crimes, despite a 2006 amendment to the criminal code that prohibits Romania-based recruitment companies from facilitating the exploitation of citizens abroad. The government continued to operate a hotline during regular business hours that primarily focused on informing Romanians about working abroad safely. The government took steps to reduce demand for commercial sex or forced labor. The government provided anti-trafficking training for its diplomatic personnel and its troops prior to their deployment abroad as part of international peacekeeping missions.

RUSSIA: Tier 3

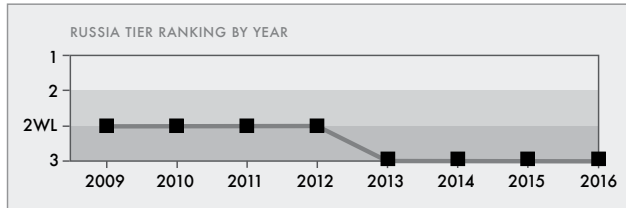
Russia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Labor trafficking remains the predominant human trafficking problem within Russia. Workers from Russia and other countries in Europe, Central Asia, and Southeast Asia—including Vietnam and Democratic People's Republic of Korea (DPRK)—are subjected to forced labor in Russia. Instances of labor trafficking have been reported in the construction, manufacturing, agricultural, textile, grocery store, maritime, and domestic service industries, as well as in forced begging, waste sorting, and street sweeping. Official and unofficial statistics estimate there are between five and 12 million foreign workers in Russia, of which the Federal Migration Service (FMS)

estimates 1.5 million are irregular migrants. Foreign laborers work primarily in construction, housing, and utilities, and as public transport drivers, seasonal agricultural workers, tailors and garment workers in underground garment factories, and vendors at marketplaces and shops. Many of these migrant workers experience exploitative labor conditions characteristic of trafficking cases, such as withholding of identity documents, non-payment for services rendered, physical abuse, or extremely poor living conditions. Subcontracting practices in Russia's construction industry result in cases of non-payment or slow payment of wages, which leave workers at risk of labor trafficking. Organized crime syndicates from Russia sometimes play a role in exploiting labor migrants, and corruption among some government officials and within some state agencies creates an environment enabling some trafficking crimes. There are reports of Russian citizens facing forced labor abroad.

Women and children from Europe (predominantly Ukraine and Moldova), Southeast Asia (primarily Vietnam), Africa, and Central Asia are reportedly victims of sex trafficking in Russia. Forced prostitution occurs in brothels, hotels, and saunas, among other locations; certain traffickers advertised the sexual services of children over the internet. Russian women and children are reportedly victims of sex trafficking in Russia and abroad, including in Northeast Asia, Europe, Central Asia, Africa, the United States, and the Middle East.

In recent years, there were criminal cases involving Russian officials suspected of allegedly facilitating trafficking in Russia, for instance by facilitating victims' entry into Russia, providing protection to traffickers, and returning victims to their exploiters. Employers sometimes bribe Russian officials to avoid enforcement of penalties for engaging illegal workers. According to FMS, under a state-to-state agreement, the DPRK sends approximately 20,000 North Korean citizens to Russia annually for work in a variety of sectors, including logging in Russia's Far East; reportedly many of these North Korean citizens are subjected to conditions of forced labor. A February 2016 agreement between Russia and DPRK may exacerbate these conditions by enabling FMS to repatriate North Koreans residing "illegally" in Russia, potentially even for those with refugee status.

The Government of Russia 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, as in previous years, the government did not draft a national strategy or assign roles and responsibilities to government agencies. The government offered no funding or programs for trafficking victims' rehabilitation, while several privately run shelters ceased operations during the reporting period due to lack of funding and the government's crackdown on civil society. Authorities lacked a process for the identification of victims and their referral to care, though some investigatory bodies reportedly referred an unknown number of victims on an ad hoc basis. Authorities routinely detained and deported potential forced labor victims without screening for signs of exploitation, and Russian courts prosecuted victims forced into prostitution for prostitution offenses. To reduce some migrant laborers' vulnerability, the government made it easier for citizens of some countries to obtain work permits, though it charged fees upfront that effectively excluded many of the most vulnerable from obtaining the permits. The government did not provide comprehensive information on law enforcement efforts, but the limited available data and media reports indicate prosecutions remained low compared with the scope of Russia's trafficking problem.



RECOMMENDATIONS FOR RUSSIA:

Allocate funding to state bodies and anti-trafficking NGOs to provide specialized assistance and rehabilitative care to trafficking victims; develop formal national procedures to guide law enforcement, labor inspectors, health workers, and other government officials in identifying and referring victims to service providers, particularly among labor migrants and individuals in prostitution; increase efforts to investigate and prosecute trafficking offenses and convict traffickers, respecting due process, including complicit government officials; create a national anti-trafficking action plan and establish a central coordinator for government efforts; take steps to investigate allegations and prevent the use of forced labor in construction projects and North Korean-operated labor camps; implement a formal policy to ensure identified trafficking victims are not punished or detained in deportation centers for acts committed as a direct result of being subjected to trafficking; provide victims access to legal alternatives to deportation to countries where they face hardship or retribution; create a central repository for publicly available information on investigation, prosecution, conviction, and sentencing data for trafficking cases; and increase efforts to raise public awareness of both sex and labor trafficking.

PROSECUTION

The Russian government did not collect and share information on trafficking cases or maintain comprehensive statistics about criminal cases, making it difficult to assess the adequacy or effectiveness of law enforcement efforts. Media reports and publicly available data reveal some details on trafficking cases investigated and prosecuted during the reporting period, although this limited number of cases reported did not appear to constitute an adequate law enforcement response compared to the estimated prevalence of trafficking in Russia. From the limited available information, authorities pursued trafficking suspects through articles 127.1 and 127.2 of the criminal code, which prohibit sex trafficking and forced labor, although they also cover non-trafficking offenses. These articles prescribe punishments of up to 10 years' imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape.

In 2015, Russia's federal-level investigative committee reported 14 investigations under article 127.1 and four investigations under 127.2. The government did not provide any information about initiated prosecutions. The Supreme Court released statistics showing authorities obtained 48 convictions under article 127.1 and 10 convictions under article 127.2. Forty-seven of these convictions resulted in a prison sentence, although one sentence was suspended. Russian authorities may have charged some sex trafficking cases under articles 240 and 241, which criminalize the inducement to and organization of prostitution, but the government provided no public information on whether any of these cases involved force, fraud, or coercion.

As in the previous reporting period, the government sought an amendment to article 151 (Involvement of a Minor in

the Commission of Antisocial Actions) to close a legislative loophole that allowed adults to avoid criminal liability for exploiting children for begging—a common practice throughout Russia. Law enforcement training centers provided lectures and courses on trafficking for investigators and prosecutors. Russian authorities cooperated in some international investigations involving foreign nationals trafficked in Russia. The DPRK government continued to send workers to Russia under bilateral contracts with Russia and other foreign governments. Despite credible reports of slave-like conditions of North Koreans working in Russia, the Russian government did not report any investigations into such situations. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government generally did not undertake efforts to protect human trafficking victims. The government did not provide funding or programs for protective services dedicated to trafficking victims. Without specific legislation differentiating trafficking victims from victims of other crimes, government agencies claimed they had neither the means nor authority to provide assistance programs specifically for trafficking victims. In Moscow, a shelter run by the Russian Orthodox Church and an international organization ceased operations due to lack of funding; the shelter cared for 19 victims during the reporting period before closing. An international NGO referred 46 victims in 2015 to a Moscow City homeless shelter, based on a memorandum of understanding; however, this program ceased operations in January 2016 when foreign funding for the NGO ended. Additionally, an eight-bed shelter for trafficking victims, run by the Russian Red Cross with foreign funding in a space granted by the St. Petersburg municipal government, suspended many of its operations; it did not serve any victims in 2015, though it continued to run a hotline. A similar shelter established by an international organization in cooperation with Vladivostok authorities went unfunded and was not operating at the close of the reporting period. In addition, during the reporting period the government took steps to limit or ban the activities of other civil society groups, including some dedicated to anti-trafficking activities. Further, the government's efforts to exert pressure on NGOs through the implementation of restrictive laws aimed at suppressing their activities also targeted those providing protective services for trafficking victims and at least one locally registered NGO was designated as a "foreign agent."

The government did not make available official statistics on the number of victims identified or assisted by its authorities. Experts estimated more than 5,000 cases of trafficking in 2015. An international organization identified 144 sex trafficking victims and 94 victims of forced labor or begging. A second NGO assisted 40 victims, who were primarily subjected to sex trafficking. According to media reports, authorities provided assistance in at least one case after a Russian embassy assisted in repatriating a trafficking victim. The government did not develop or employ a formal system to guide officials in proactive identification of victims or their referral to available services. An NGO reported Russian authorities occasionally prosecuted sex trafficking victims for prostitution offenses. Authorities routinely detained and deported possible victims with no effort to identify them as victims or refer them to care. Observers reported FMS did not differentiate between victims and individuals illegally residing in Russia, and thus continued its practice of frequently deporting victims rather than extending protective services. The government did not report

any formal policy for deportation relief for foreign victims. A February 2016 agreement between Russia and DPRK enables FMS to repatriate North Koreans residing “illegally” in Russia, potentially even for those with refugee status. By potentially removing the protections associated with refugee status, the new agreement may increase the risk of labor trafficking for North Koreans working under the state-to-state agreement. Civil society observers reported some working-level officials within Russia’s investigative agencies referred victims to protective services on an ad hoc basis. Police regularly avoided registering victims in criminal cases that were unlikely to be solved in order not to risk lower conviction rates. Authorities did not screen vulnerable populations, such as foreign women entering Russia on student visas despite evidence of their intention to work or other vulnerabilities to trafficking.

PREVENTION

The Russian government demonstrated limited efforts to prevent trafficking during the reporting year. In 2015, the government created regional offices to issue work permits for citizens of select countries who can travel to Russia without a visa. Through legalizing migrant laborers’ work, the system may reduce the vulnerability of some migrant workers; however, the permits were unaffordable to some due to the upfront fees charged by the government and the time required to make multiple trips to a center. New legislation effective January 2016 limited the amount of time an employer can send employees to work for other firms and required these outsourced employees to earn the same amount as permanent employees. These regulations may reduce the vulnerability of temporary workers loaned to other companies, a practice known as “outstaffing” in Russia. Authorities conducted scheduled and unannounced audits of firms employing foreign laborers to check for violations of immigration and labor laws. Despite these efforts, the national government demonstrated unwillingness to design and implement a comprehensive response to human trafficking. The government made no efforts to develop public awareness of forced labor or sex trafficking. Russia did not have a national action plan, nor have authorities designated a lead agency to coordinate anti-trafficking measures; legislation that would implement such a framework has been stalled at the highest political levels within the presidential administration. The government did not have a body to monitor its anti-trafficking activities or make periodic assessments measuring its performance. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government reportedly provided anti-trafficking training to its diplomatic personnel.

RWANDA: Tier 2 Watch List

Rwanda is a source, and to a lesser degree, a transit and destination country for a limited number of women and children subjected to forced labor and sex trafficking. Rwandan girls and boys are exploited in domestic service through extended family networks; some of these children experience physical or sexual abuse and non-payment of wages. In 2012, there were reports of older females exploiting younger girls in sex trafficking to pay for their expenses after offering them room and board. In 2012, brothel owners reportedly supplied child sex trafficking victims to clients at hotels, but there were no reports of such crimes in recent years. Rwandan men, women, and children are subjected to sex trafficking and forced labor in domestic work and agricultural and industrial sectors in destinations

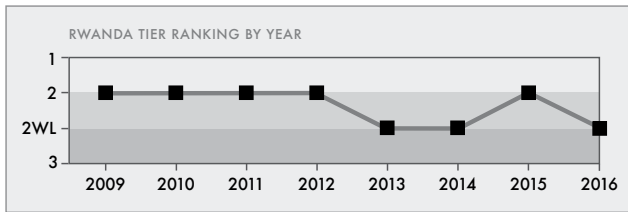
around the world; the primary destination for Rwandan victims is Uganda, but they are also exploited in East Africa, South Africa, United Arab Emirates (UAE), Malaysia, China, the United States, and Europe. Some foreign nationals transit Rwanda before experiencing exploitation in third countries. Kampala- and Nairobi-based labor recruiters and brokers recruit workers through fraudulent offers of employment; they coach potential victims on evading law enforcement authorities at Rwanda’s land border crossings or hire smugglers to assist in illegal, unregulated crossings.

Some refugees fleeing instability and political violence in Burundi were exploited in commercial sex, child sex trafficking, and unpaid domestic labor—some of which may be labor trafficking—in Rwanda. Between April and December 2015, approximately 70,000 Burundian refugees fled to Rwanda, which resulted in an increase in child sex trafficking, which is defined as any individual younger than 18 years old who is exploited in commercial sex. Additionally, in 2015, Burundian refugee girls transited through Rwanda and were exploited in sex trafficking in Uganda; some of these girls may also be subjected to domestic servitude in Uganda. Separately, at a Congolese refugee camp, one civilian and three Rwandan Defense Forces soldiers assigned to the camp were accused of facilitating the transport of Congolese child refugees to nearby towns for sex trafficking.

During the reporting period, Burundian men and some children in Rwanda were recruited and used in armed groups; though some recruitment was reportedly voluntary, some were reportedly coerced through physical and verbal threats. Between May and September 2015, Burundian refugees residing in Mahama refugee camp in Rwanda were recruited into non-state armed groups supporting the Burundian opposition; Rwandan security forces charged to protect the camp population reportedly facilitated or tolerated the recruitment activity. Many refugees alleged that recruiters—including both Rwandan officials and other refugees—threatened, intimidated, harassed, and physically assaulted those who refused recruitment attempts. Most recruits were adult males, but in three verified cases, Burundian refugee children were also identified as recruits from Mahama refugee camp. Refugees reported that Burundian recruits, including women and children, were trained in weaponry by Rwandan military personnel at a training camp in southwestern Rwanda.

The Government of Rwanda 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, Rwanda is placed on Tier 2 Watch List. Some government officials, including military and security personnel, were reportedly complicit in trafficking crimes, including child soldiering and sex trafficking. Though complicity in trafficking crimes reportedly ceased by the end of 2015, the government conducted limited investigations of complicit officials and only administratively disciplined some perpetrators. The government continued programs to combat and prevent trafficking, including through awareness-raising campaigns, social service programs to identify and assist women and children at risk of trafficking, increased law enforcement training, and programs intended to reduce the demand for commercial sex acts. Nevertheless, the government did not adequately screen for trafficking victims among individuals held in transit and vocational training centers, which operated without judicial oversight and functioned as de facto detention facilities. The government

acknowledged that resource and personnel constraints continued to hinder the full implementation of its anti-trafficking policies and programs, but government expenditure on anti-trafficking programs and implementation of the national anti-trafficking action plan increased. The government also sought assistance for anti-trafficking policy reforms and programs from international donors.



RECOMMENDATIONS FOR RWANDA:

Investigate, prosecute, and convict perpetrators of forced labor and sex trafficking, including officials and individuals involved in recruitment and use of refugee adults and children into armed groups and sex trafficking; work with UNHCR to strengthen protection for Rwanda's refugee population, and train Ministry of Disaster Management and Refugee Affairs (MIDIMAR) and security officials to identify and screen for trafficking among refugees; systematically identify trafficking victims among vulnerable populations, and ensure they are not arrested, detained, or punished for unlawful acts committed as a direct result of being subjected to human trafficking; allocate resources for the provision of appropriate long-term protection services, including shelter, for all trafficking victims; continue cooperation with NGOs and international organizations to proactively identify and refer victims to adequate protection services; continue to train law enforcement, judicial officials, labor inspectors, and social workers on the implementation of trafficking laws and victim identification procedures; continue to implement the national anti-trafficking action plan; improve efforts and institute a system to collect trafficking law enforcement and victim identification data; and continue to hold anti-trafficking awareness campaigns.

PROSECUTION

The government's law enforcement efforts to combat trafficking continued, though some officials were complicit in sex trafficking and the recruitment of Burundian refugees into armed groups. Rwanda's penal code, promulgated in June 2012, criminalizes human trafficking under a variety of articles, mostly in chapter 8. This chapter, in combination with forced labor articles and other provisions of law, covers almost all forms of trafficking, but also includes crimes that are not defined as trafficking under the UN Palermo Protocol. Chapter 8 prescribes penalties of seven to 10 years' imprisonment and financial penalties for internal trafficking, and up to 15 years' imprisonment for transnational trafficking. Child trafficking convictions are subject to a minimum five-year prison term, while slavery convictions carry three- to 12-year prison terms. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Law Relating to the Rights and Protection of the Child outlaws child sex and labor trafficking and slavery under article 51. In 2015, the government initiated a review of the penal code's trafficking provisions, requesting international assistance in this effort, to ensure they reflect international best practices; the review was not complete at the end of the reporting period.

The government reported 19 potential cases of human trafficking involving 26 alleged perpetrators in 2015, but did not report the

details of these cases; these efforts compare to 24 investigations, six prosecutions, and four convictions in the previous reporting period. The Ministry of Justice reported three individuals were convicted under anti-trafficking provisions, but it did not provide additional details of these cases. Authorities reported that numerous identified perpetrators operated from outside of Rwanda, complicating their apprehension and arrest. The government acknowledged that, due to resource constraints, law enforcement officers did not always have adequate resources or investigative skills to follow through with all investigations, leading to the acquittal of some suspected offenders. The government conducted only limited investigations into credible reports of complicity and took limited administrative action against some of these officials; however, it did not prosecute or convict government officials allegedly complicit in trafficking offenses. In particular, the government did not investigate credible allegations that security and military officials were complicit in facilitating the recruitment of Burundian refugees, including adults and children, from Mahama refugee camp into armed groups intended to overthrow the Burundian government. In addition, the government investigated and court martialled RDF soldiers, who allegedly facilitated the transport of refugee girls to nearby towns for sex trafficking; the government did not publically release the result of the judicial proceedings.

The Rwandan National Police (RNP) continued to operate a 15-officer anti-trafficking unit within its INTERPOL directorate. The RNP directorate for anti-gender-based violence (GBV) continued to designate three officers in each of the country's 78 police stations to serve as points of contact for domestic trafficking victims; six judicial police officers specialized in victim identification were also placed in each of Rwanda's police stations. During the reporting period, the RNP trained law enforcement and judicial officials on domestic and transnational trafficking issues, including investigative techniques. The government also trained 500 members of the local guard patrol that works with the RNP on indicators of child sex trafficking. Additionally, the government provided anti-trafficking training as a part of standard training and professional development for immigration officers, police, labor inspectors, judicial officials, and social workers.

PROTECTION

The government continued to identify sex and labor trafficking victims and provide them comprehensive social services. However, the government failed to adequately protect and prevent adult and child refugees from recruitment and use by armed groups, as well as sexual exploitation, which occurred during the reporting period. While the government increased security and improved registration procedures at Mahama refugee camp in November 2015, the MIDIMAR and staff discouraged Burundian refugees from reporting concerns of coerced recruitment and intimidated an individual working for an international organization in the camp. Additionally, authorities not only failed to protect refugee girls from sexual exploitation, but some officials also facilitated their sex trafficking. The government continued to operate transit and vocational training centers intended to rehabilitate street children, women in prostitution, and individuals detained for crimes committed as a direct result of trafficking. However, advocacy groups reported that the centers operated without judicial oversight and functioned as de facto detention facilities in which individuals held were not adequately screened for trafficking, were held for arbitrary periods of time, and were at times subjected to physical or sexual abuse. Officials reportedly screened some child detainees for trafficking, but

the government did not report the number of child trafficking victims identified among detainees in 2015.

The government reported identifying 25 trafficking victims, some of whom were Rwandans exploited abroad, and repatriated 13 victims through cooperation with international law enforcement entities during the reporting period. The government provided repatriated victims with psycho-social counseling, medical care, vocational training, and support in reintegrating into their communities. In 2015, the government took into protective custody two foreign trafficking victims transiting Rwanda from a third country, and provided the victims with shelter, medical care, and legal services. The government continued to provide victim identification guidelines to law enforcement and immigration officials, while social workers in victim centers also used guidelines to identify and assist trafficking victims. The government reported it continued to provide short-term protection services for trafficking victims, including counseling, medical care, reintegration support with family and community, and re-enrollment in school or vocational training, as age appropriate. The government did not provide long-term protection, including shelters, for trafficking victims requiring assistance for more than one month. In 2015, the government expanded its network of “one-stop” centers from 15 to 21; these centers were located in hospitals and district capitals and provided short-term assistance, including free medical exams, counseling, legal assistance, and short-term shelter, to GBV victims and an unknown number of trafficking victims. NGOs and the government’s gender monitoring office, however, acknowledged the extent and quality of services at these centers varied in quality among locations. The national public prosecution authority continued to operate four safe houses for witnesses in criminal cases, which could include trafficking victims during prosecution of their trafficker; however, in 2015 as in the previous reporting period, the government did not place trafficking victims in the safe houses. Through a social assistance program to support child welfare and counter human trafficking and child labor, the government continued to train non-governmental community volunteers to identify and refer to police families and children at risk of trafficking; the government did not report if any child trafficking victims were identified and referred for protection services through this program. The government continued to support a rehabilitation center for former child combatants associated with armed groups in Democratic Republic of the Congo, which provided psycho-social support, education, and reintegration services; child dependents of former combatants were assisted during the reporting period. Rwandan law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution; however, in practice, NGOs reported the government made efforts not to deport those who faced retribution in their home country. The government encouraged victims to testify against perpetrators, and some chose to testify against alleged traffickers during the reporting period.

PREVENTION

The government continued to implement domestic policies and programs to prevent trafficking, including the 2014-2017 national anti-trafficking action plan, but some officials perpetrated trafficking crimes against adult and child refugees seeking safe shelter in the country. In December 2015, during Rwanda’s televised national dialogue, the minister of justice publicly acknowledged the government’s anti-trafficking policies, while President Kagame directed the ministry to review Rwanda’s anti-trafficking legal provisions to increase penalties

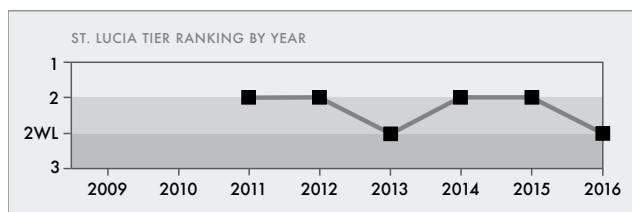
for trafficking offenses. The government’s interagency anti-trafficking working group met four times during the reporting period. The government acknowledged that resource and personnel constraints continued to hinder the government from fully implementing its anti-trafficking policies and programs, and continued to seek international partnerships and assistance. The government also conducted multiple national and local awareness campaigns, primarily focused on child trafficking and GBV issues. RNP continued to operate a national GBV hotline, which was staffed by social workers trained to identify and refer trafficking cases, but it did not collect data on the number of victims assisted by the hotline. The government continued to require immigration officials to question and verify necessary documents of all adults crossing the border with children to prevent the exploitation of Rwandan children abroad; authorities did not report if they identified or investigated any potential trafficking cases through these procedures in 2015. In July 2015, the government released the results of a national survey on domestic workers, which was intended to identify and document instances of child labor and forced child labor. The government made efforts to reduce the demand for commercial sex acts and child sex tourism. The government continued an awareness campaign to discourage men from paying for commercial sex, and requiring men who were arrested to perform community service and receive education on women’s rights. The government reportedly closed an unspecified number of labor recruitment agencies suspected of potential trafficking crimes in 2015, and reportedly prosecuted two labor recruiters for trafficking crimes during the reporting period. The government trained all Rwandan troops on gender sensitivity, human rights, and trafficking prior to their deployment to UN peacekeeping missions abroad. The government provided anti-trafficking training for all its diplomatic personnel; diplomats were also required to identify and assist the repatriation of Rwandan trafficking victims abroad.

ST. LUCIA: Tier 2 Watch List

St. Lucia is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Documented and undocumented immigrants from the Caribbean and South Asia, including domestic workers, are the groups most vulnerable to human trafficking. Local and foreign children are subjected to sex trafficking, including by parents and caregivers. Foreign women in prostitution are also vulnerable to sex trafficking. NGOs report disadvantaged young women from rural areas are vulnerable to sex trafficking. According to the government, business owners from St. Lucia, India, China, Cuba, and Russia are the most likely trafficking perpetrators in the country.

The Government of St. Lucia 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 St. Lucia is placed on Tier 2 Watch List. The government initiated one labor trafficking investigation in the reporting period, and reported four prosecutions and no convictions. The government has never convicted a trafficker. The government identified one new trafficking victim, and verified nine victims out of the 69 individuals who were initially identified as potential victims in the previous reporting period. The 10 identified victims received housing, medical care, and legal counsel. The government offered long-term housing to some

of the 60 individuals who were initially identified as potential victims in the previous reporting period, but these individuals complained about the quality of care received. The government trained four officials on criminal justice and assistance to trafficking victims; 19 taskforce members, including NGOs, on formulation of a national action plan; and 10 police officers on victim-centered law enforcement efforts. The government drafted a national action plan and planned a prevention campaign, in coordination with an international NGO, but did not implement either.



RECOMMENDATIONS FOR ST. LUCIA:

Vigorously prosecute, convict, and punish perpetrators of forced labor and sex trafficking, including officials complicit in human trafficking; take measures, respective of due process, to enhance the speed with which trafficking cases are prosecuted; increase efforts to identify and provide assistance to victims; adopt standard operating procedures on a victim-centered approach to guide police, immigration, labor, child protection, and social welfare officials; train government officials to implement procedures to proactively identify labor and sex trafficking victims among vulnerable populations, such as migrant workers in domestic service and children exploited in prostitution, and refer them to appropriate services; implement a national public awareness campaign about forced labor and sex trafficking and publicize the hotline for victims of violence, including trafficking victims; finalize and adopt a national action plan to combat trafficking; address shortcomings in the law so penalties for trafficking are commensurate with penalties for other serious crimes, such as rape; and provide anti-trafficking training to diplomats.

PROSECUTION

The government maintained minimal efforts to investigate and prosecute traffickers. The 2010 Counter-Trafficking Act prohibits all forms of trafficking, punishable by up to five years' imprisonment or fines of up to 100,000 Eastern Caribbean dollars (\$37,000), or both. These penalties are not commensurate with penalties for other serious crimes, such as rape, and those which allow for imposition of fines are not sufficiently stringent. The anti-trafficking act also prohibits the unlawful holding of identity documents and allows for asset forfeiture of persons convicted of trafficking. The government initiated one labor trafficking investigation in the reporting period, compared with one investigation in 2014 and two in 2013. The government reported four prosecutions in the reporting period, compared to none in 2014. The government has never convicted a trafficker. The government initiated the prosecution of three men from India and one from Bangladesh charged in the previous reporting period with subjecting nine individuals to forced labor in the hospitality industry. The government did not indict any perpetrators in the case involving four potential sex trafficking victims who were identified in 2013 and repatriated to Ukraine and Russia in 2014 with the help of an international organization. The government's office of public prosecutions has been without senior leadership,

contributing to the delay of trafficking prosecutions. The government has never reported prosecuting or convicting a public official complicit in trafficking. The police reported that they cooperated with the United States, Bangladesh, Singapore, and the United Kingdom in the course of investigating the case currently being prosecuted. The government, in collaboration with an international NGO, hosted training on criminal justice and assistance to trafficking victims for four government officials and training on formulation of a national action plan for 19 anti-trafficking taskforce members, including NGOs. The police force separately trained 10 of its own officials on victim assistance.

PROTECTION

The government's efforts to identify and protect trafficking victims remained inadequate. Authorities identified one adult male foreign victim of labor trafficking during the reporting period, and verified nine adult male foreign labor trafficking victims out of the 69 individuals initially identified as potential victims in the previous reporting period. The government offered 10 victims food, shelter, medical care, and legal counsel during the reporting period. The government reported it spent 439,562 Eastern Caribbean dollars (\$162,800) on victim care during the reporting period, including the provision of long-term housing to some of the remaining 60 individuals who were allegedly fraudulently recruited—by the men charged in the ongoing prosecution—to be students at an academy in preparation for jobs in the hospitality and tourism industry. An international NGO and media reports indicated some of the nine victims and the 60 individuals previously identified as potential victims paid for their own accommodations and meals. Some of the nine identified victims and 60 individuals previously identified as potential victims were cooperating with the ongoing investigation, but some publicly claimed that the government would not grant them permission to return to their home countries before the case went to trial. An international organization assisted the government in 2014 with drafting formal procedures to guide law enforcement, health, and other officials on victim identification and referral to available protection and assistance services; however the government did not finalize the procedures by the close of the reporting period. Authorities referred victims on an ad hoc basis to legal, advocacy, and crisis services regardless of their legal status. The 2010 anti-trafficking act contains victim protection provisions, such as privacy and witness protection, to encourage victims to participate in the investigation and prosecution of traffickers; some potential victims and witnesses from the case undergoing prosecution gave statements to the former director of public prosecutions, but none testified in court during the reporting period. The anti-trafficking act protects trafficking victims from prosecution for unlawful acts committed as a direct result of being subjected to trafficking and protects foreign victims from deportation. The police reported that no trafficking victims were detained or fined as a result of their being subjected to trafficking. The act also provides for restitution to all victims and immigration relief to foreign national victims. The government did not report extending any of these protections to victims during the reporting period.

PREVENTION

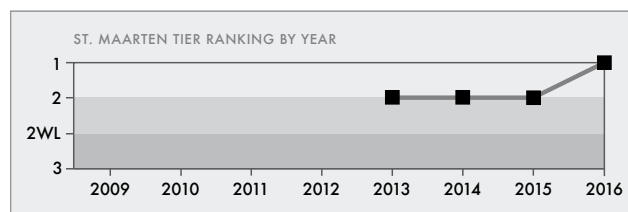
The government made minimal efforts to prevent trafficking. The home affairs and national security ministry leads government efforts to combat trafficking. The government, in partnership with an international organization, developed a public awareness campaign, but did not implement it during the

reporting period. The interagency taskforce met twice during the reporting period, and a national action plan remained in draft form for the second consecutive year at the close of the reporting period. The government conducted outreach events in rural communities aimed at preventing vulnerable women and girls from being subjected to trafficking. The government funded a hotline for victims of violence, including trafficking victims, but it received no human trafficking calls during the reporting period. 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.

ST. MAARTEN: Tier 1[†]

St. Maarten is a source, transit, and destination country for women, children, and men subjected to sex trafficking and forced labor. Women and girls from Latin America, the Caribbean, Eastern Europe, and Russia are the most vulnerable to sex trafficking, including women working in regulated brothels and dance clubs under temporary residence permits for three to six months. There are indications some foreign women in St. Maarten's commercial sex industry are subjected to debt bondage. Government officials' reports indicate a significant number of migrant workers are vulnerable to forced domestic service or forced labor in construction, Chinese-owned markets, retail shops, landscaping, and housekeeping. Government officials report workers from Asia and the Caribbean are subjected to exploitative conditions indicative of forced labor. After St. Maarten implemented a visa waiver for Colombian tourists, media reports indicated Colombian women may travel to the islands under false pretenses and be vulnerable to human trafficking.

The Government of St. Maarten fully meets the minimum standards for the elimination of trafficking. In 2015, the government conducted one of the largest human trafficking investigations in St. Maarten's history, which led to the arrest of six suspects on charges of human trafficking in both St. Maarten and St. Eustatius, the suspension of the operating license of the country's largest legal brothel, the rescue of 14 sex trafficking victims, and, following close cooperation with authorities in the Dominican Republic, identification of 35 additional victims previously employed by the brothel. Officials charged six defendants in this case—three of the six remained in custody—an unprecedented step in the St. Maarten judicial system. The appeals court upheld the conviction of a sex trafficker and a conspirator—a former government official. The government continued to implement a victim-centered approach for providing services to identified trafficking victims and made robust efforts to screen for trafficking victimization among those in the adult entertainment industry. It assisted 15 victims in 2015 and issued its first residence permit for a potential victim and his family. In December 2015, the national coordinator for human trafficking, the prosecutor's office, and the Department of Judicial Affairs drafted an ordinance and policy guidelines for the adult entertainment industry aimed at preventing the exploitation of women in the regulated prostitution industry.



RECOMMENDATIONS FOR ST. MAARTEN:

Amend the anti-trafficking penal code provision to ensure penalties are sufficiently stringent; implement formal standard operating procedures to guide officials, including health workers, on how to identify and assist victims among vulnerable populations and refer them to care; continue vigorous efforts to prosecute and convict trafficking offenders; continue to conduct outreach to all incoming migrants, including domestic workers and foreign women on temporary entertainment visas, to ensure they are informed of their rights, the anti-trafficking hotline, and ways to seek assistance; raise awareness among the general public and vulnerable groups about trafficking in St. Maarten; and continue implementing the national anti-trafficking plan.

PROSECUTION

The government increased its law enforcement efforts, spearheaded the largest trafficking investigation in its history, and closed down one of the largest brothels in St. Maarten, which led to the prosecution of six suspected traffickers. A new penal code, which went into effect in June 2015, prohibits forced labor and forced prostitution, prescribing penalties ranging from 12 to 24 years' imprisonment, which are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. However, penalties are not sufficiently stringent where the provisions allow for a fine in lieu of a prison sentence. The code defines as trafficking fraudulent labor recruitment for the purpose of subjecting workers to forced labor or prostitution. The code also criminalizes unregulated prostitution in order to prevent potential exploitation and human trafficking.

In November 2015, the government's special human trafficking investigation team, comprised of military police, local police, and immigration and border control officers, arrested six suspects on charges of human trafficking in both St. Maarten and St. Eustatius and suspended the operating license of its largest legal brothel. This inquiry was one of the largest human trafficking investigations in St. Maarten's history. As a result of the investigation and cooperation with authorities from the Dominican Republic, the Netherlands, and St. Eustatius, six defendants were charged with sex trafficking and three defendants were placed in custody in November 2015, where they remained at the end of the reporting period—an unprecedented step in St. Maarten, which has no "bail" system. The government also initiated the investigation of one labor trafficking case. While the courts did not convict any traffickers in 2015, a decrease from three convictions in 2014, it increased the number of prosecutions initiated from two during the previous reporting period to six. The government did not report any new investigations or prosecutions of officials for complicity in trafficking. However, an appeals court affirmed the conviction and 18-month prison sentence (with six months suspended) for a former member of Parliament who accepted

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

bribes from traffickers at a large brothel and banned him from holding office for five years. The appeals court also affirmed the conviction and subsequent 42-month term of imprisonment of a trafficker in the same case. The National Reporting Bureau on Human Trafficking (NRB), the lead agency for coordinating the government's efforts to combat human trafficking and emergency response to cases, conducted semiannual training on human trafficking indicators for immigration officers, ambulance personnel, community police, family doctors, and hospital staff.

PROTECTION

The government identified and assisted 15 victims of both labor and sex trafficking, and identified 35 other potential victims of sex trafficking in two separate investigations. Such efforts represent an increase from 2014, when the government identified three victims but did not assist or refer any to care. In November 2015, a multidisciplinary government team rescued 14 trafficking victims from St. Maarten's largest brothel and referred them to NRB for a full range of services. With government funding, five victims were provided lodging by an NGO and another nine were temporarily housed at a hotel during the investigation. NRB provided financial support for the repatriation of three victims, as requested by those victims. Authorities in St. Maarten worked closely with counterparts in the Dominican Republic to identify potential victims who were previously employed by the brothel, which led to the subsequent identification of 35 additional victims who provided statements to support the investigation, which remained ongoing at the end of the reporting period. The government also identified and assisted a potential victim of labor trafficking. Immigration officials and other stakeholders used an NGO-developed checklist of trafficking indicators and officials routinely screened for trafficking victimization among adult entertainment workers during immigration procedures, labor inspections, and required medical screenings. NRB periodically conducted outreach with immigrant communities, businesses, health officials, and the tourism sector on how to report potential victims and trafficking crimes. Authorities referred potential victims to care through verbal agreements with an anti-trafficking NGO and government agencies. The government provided a wide range of services and support, through a crime victims' compensation fund, to NGOs to provide victim services, including food, clothing, shelter, medical and psychological services, assistance in repatriation, and obtaining residence and work permits. It continued to inspect government-licensed brothels, including by screening for trafficking indicators. In December 2015, the government issued its first temporary residence permit for a labor trafficking victim and his family. The temporary residence program is designed to encourage victim assistance in the investigation and prosecution of traffickers. The government has a formal policy to protect identified victims from being punished for unlawful acts committed as a direct result of being subjected to human trafficking. The anti-trafficking law allows trafficking victims to request restitution or file a civil suit against traffickers.

PREVENTION

The government increased its trafficking prevention efforts. The government sustained its ongoing campaign of publishing anti-trafficking brochures, posters, and fliers, making public service announcements, generating social media and news releases, and by participating in radio and television shows. NRB continued its prevention campaign, reaching brothels, dance clubs, work permit applicants, front-line responders, community-based organizations, and immigrant communities.

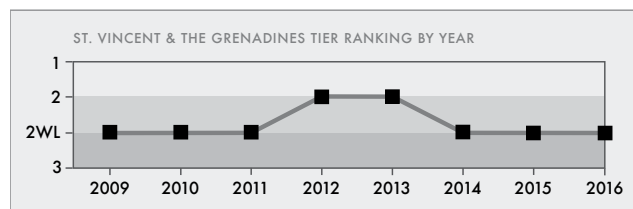
Authorities implemented the 2013-2018 national action plan on trafficking, in coordination with local NGOs. The government implemented a new policy that requires foreign women to apply for adult entertainment work permits on their own, ending the practice of brothel owners applying for permits, often with misleading and fraudulent work agreements. By requiring women to apply in person, authorities can verify the terms of their work contracts and share information on human trafficking laws, workers' rights, and information on how to contact authorities. In June 2015, St. Maarten signed a renewed memorandum of understanding to strengthen cooperation within the Kingdom of the Netherlands in preventing and combating trafficking in persons and human smuggling. The government also informed employers of migrant workers about applicable laws and the national hotline, accessible by phone and email. There were no known reports of child sex tourism in St. Maarten. The government did not have diplomatic personnel posted abroad, and thus did not provide anti-trafficking training for such personnel.

ST. VINCENT AND THE GRENADINES: Tier 2 Watch List

St. Vincent and the Grenadines is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. NGOs and government officials report some adults pressure local minors into sex trafficking. One NGO reported that local minors are subjected to sex trafficking by tourists in the Grenadines; local authorities have not identified any cases. Foreign women engaged in prostitution are subjected to trafficking for sex and foreign workers from South America and the Caribbean are subjected to trafficking for forced labor both in the country or while transiting through; however, the government and NGOs reported the number of women from other Caribbean islands subjected to sex trafficking decreased during the last few years. Foreign workers employed by small, foreign-owned companies are particularly vulnerable to labor trafficking. Men, women, and children are vulnerable to forced labor, primarily in agriculture; government officials and civil society suspect drug traffickers subject workers to forced labor in the production of marijuana. NGOs and government officials report attempts to subject Vincentians to trafficking for both forced labor and commercial sexual exploitation in foreign countries.

The Government of St. Vincent and the Grenadines 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, St. Vincent and the Grenadines is placed on Tier 2 Watch List for the third consecutive year. Per the Trafficking Victims Protection Act, St. Vincent and the Grenadines 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. For the first time, the government charged a suspected trafficker under the 2011 anti-trafficking act, in a case initially thought to involve forced labor of three Jamaican nationals; however, unable to substantiate these allegations, the government dropped all charges in the case by the end of the reporting period. Nonetheless, officials' efforts to investigate these allegations and provide assistance

to three Jamaican nationals, initially believed to be potential victims, demonstrated progress from previous years' lack of attention to potential cases and victim needs. The government provided shelter, services, and immigration relief to three potential victims. The government approved and implemented a national action plan, continued an anti-trafficking public awareness campaign, and conducted anti-trafficking training for law enforcement, immigration and labor officials, and civil society. It also formed a national working group to focus on active cases, and hired a social worker to liaise with entities involved in anti-trafficking efforts. The government has yet to obtain a trafficking conviction, and guidelines for the referral of victims continued to lack the necessary details to make them operational. The government does not offer any specialized services for victims of human trafficking.



RECOMMENDATIONS FOR ST. VINCENT AND THE GRENADINES:

Vigorously prosecute and convict traffickers and impose sufficiently stringent sentences; increase trainings for officials on the definition of trafficking in persons under the 2011 anti-trafficking act and proper case investigation and management techniques; proactively identify suspected trafficking victims, particularly among vulnerable groups such as migrant workers, and refer them to appropriate care and services; promote a victim-centered approach to victim identification, protection, and prosecution by involving NGOs or other victim advocates and widely disseminate guidelines for identifying victims to government officials and NGOs; develop and disseminate a more robust government-wide referral process for different types of suspected trafficking victims; conduct victim identification interviews in safe locations, as victims often first appear as immigration or prostitution-related violators and are reluctant to disclose details of their exploitation in law enforcement settings; raise awareness about forced labor and sex trafficking using the national campaign; and provide anti-trafficking training to immigration officials and diplomatic personnel.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The Prevention of Trafficking in Persons Act of 2011 prohibits sex trafficking and forced labor, including bonded labor, and prescribes punishments of up to 20 years' imprisonment and fines. These penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. The government has never convicted a trafficker. The special police unit focusing on trafficking investigated three alleged trafficking cases in 2015, compared with three in 2014; one investigation uncovered an attempt to subject an adult female citizen to trafficking in Europe. Following investigation, officials brought one case, initially suspected to involve labor trafficking of three Jamaican nationals, to trial as the first prosecution under the anti-trafficking act, but later dropped all charges, as the alleged crime could not be substantiated as trafficking. The government closed a human trafficking case, allegedly involving drug trafficking, from the

previous reporting period due to insufficient evidence. The government did not report any investigations or prosecutions of government employees complicit in human trafficking offenses; overall corruption is a problem, but does not appear to be an obstacle to anti-trafficking efforts. The anti-trafficking police unit conducted trafficking training for new police recruits, as well as 60 law enforcement officers; immigration, health, and labor department officials; and civil society.

PROTECTION

The government maintained modest efforts in victim protection. Similar to 2013 and 2014, the government did not identify any trafficking victims during the year. However, officials assisted three Jamaicans, initially considered potential victims tied to the government's first prosecution under the anti-trafficking act, and it referred them for government-funded services. The special anti-trafficking police unit, with assistance from an international organization, reportedly developed victim identification guidelines in 2014; however, government ministries, immigration officials, and local NGOs had no knowledge of the guidelines in 2015. The national anti-trafficking action plan provides guidelines for the referral of victims to appropriate shelter and services, but those guidelines continued to lack details required for effective implementation. Both government and NGO sources said that improved screening at immigration checkpoints and routine police action substantially curtailed the number of women from other Caribbean islands subjected to sex trafficking. The government did not fund any trafficking-specific assistance programs, though it continued to provide approximately 200,000 Eastern Caribbean dollars (\$74,000) in funding to a domestic violence shelter, which has been equipped to accommodate adult women and child trafficking victims. However, that shelter and other domestic violence shelters for women and girls did not assist trafficking victims in 2015. The government reported that it spent several thousand Eastern Caribbean dollars on the care of the three Jamaican nationals initially thought to be victims, who reportedly chose not to stay in the shelter. Two different government-funded NGOs shelter boys; one shelters boys under 14 years of age and another shelters boys aged 14 to 18. The NGOs did not shelter any minor male trafficking victims during the reporting period. Some shelters had policies prohibiting adult and minor victims from leaving at will. The government's anti-trafficking law contains incentives to encourage victims' assistance in the investigation and prosecution of traffickers, including temporary and permanent residence permits. The three Jamaican nationals assisted an investigation and prosecution in 2015 and received temporary residency status, and one received a work permit. The government reported that benefits were not linked to whether a victim assisted law enforcement or participated in a trial. The anti-trafficking law provides alternatives to the removal of foreign victims to countries where they would face hardship or retribution, and the three victims received this immigration relief. There were no reports the government penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

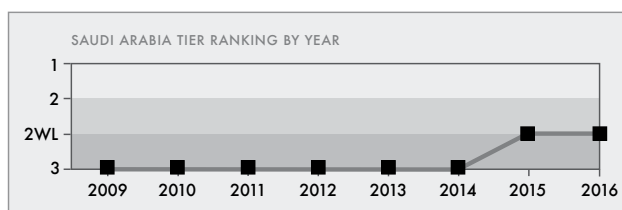
The government made some progress in preventing trafficking. The government launched an anti-trafficking public awareness campaign, primarily at primary schools and faith-based institutions. The police operated an information phone line, which is advertised in their anti-trafficking outreach materials; in 2015, it received 24 trafficking-related calls. The prime minister chaired a ministerial-level national anti-trafficking

taskforce, which developed a national anti-trafficking action plan covering 2016-2018; the cabinet approved the action plan. The taskforce provided quarterly and annual reports to the cabinet. The government formed a national working group to focus on active cases that complements the high-level policy-making national taskforce, and hired a social worker to liaise with entities involved in anti-trafficking efforts. The government developed anti-trafficking training for its diplomatic personnel, but did not disseminate it. One NGO reported that local minors are subjected to sex trafficking by tourists in the Grenadines. The government investigated and found no evidence to substantiate the claim. The government did not make efforts to reduce the demand for commercial sex acts or forced labor during the year.

SAUDI ARABIA: Tier 2 Watch List

Saudi Arabia is a destination country for men and women subjected to forced labor and, to a lesser extent, forced prostitution. Men and women primarily from South and Southeast Asia, the Middle East, and Africa voluntarily migrate to Saudi Arabia as domestic workers, including men who work in private residences as gardeners, handymen, and cleaners, or low-skilled laborers; some of these workers face involuntary servitude. Some migrants are fraudulently recruited to work in Saudi Arabia or in other countries in the region and forced into domestic servitude. Non-payment of wages is the most common complaint from foreign workers in the Kingdom, while employers withholding workers' passports remains a widespread problem. The foreign worker population is the most vulnerable to trafficking in Saudi Arabia, particularly female domestic workers due to their isolation inside private residences. An international organization estimated in 2013 that Saudi Arabia is one of the largest employers of domestic workers in the world, a sector with the highest average working hours. Some domestic workers experience severe mental, physical, and sexual abuse by their employers. Some foreign citizens who have experienced indicators of trafficking have been placed on death row. Due to Saudi Arabia's requirement under its sponsorship or *kafala* system that foreign workers obtain an exit visa from their employers to leave the country legally, some are forced to work for months or years beyond their contract term because their employers will not grant them an exit permit. Although many migrant workers sign contracts with their employers, some report work conditions substantially different from those described in the contract; other workers never see a work contract at all. Some migrant workers voluntarily enter into illegal arrangements and pay a Saudi citizen to sponsor their residence permit while they seek freelance work, thus becoming vulnerable to possible extortion by their sponsors. Some women are believed to be forced into prostitution in Saudi Arabia. After running away from abusive employers, some female domestic workers are kidnapped and forced into prostitution. Criminal gangs subject children from Yemen to forced labor as beggars and street vendors. Migrants from Yemen and the Horn of Africa enter Saudi Arabia illegally—sometimes with the help of smugglers—via the Yemeni border; some of them may be trafficking victims. Some Saudi citizens engaged in sex tourism abroad, and there were media reports that some Saudi men traveled abroad to find brides—some of whom were legal minors—including through the use of legally contracted “temporary marriages.”

The Government of Saudi Arabia 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, Saudi Arabia is placed on Tier 2 Watch List for the second consecutive year. The government reported increased efforts convicting trafficking offenders, but the number of offenders prosecuted declined compared with the previous reporting period. Moreover, the government did not proactively investigate and prosecute employers for potential labor trafficking crimes involving their withholding of workers' wages and passports, which remained a widespread practice throughout the Kingdom. Nonetheless, in December 2015, the Ministry of Labor (MOL) opened a specialized anti-trafficking unit to liaise with relevant authorities to protect migrant workers and train labor inspectors on victim identification. Although the government identified an increased number of trafficking victims and continued to provide protection services to some, its efforts to identify proactively and protect victims among vulnerable populations, including illegal foreign migrants, female and male domestic workers, and women in prostitution, remained uneven. The government continued to arrest, detain, and deport potential trafficking victims—particularly illegal foreign workers and domestic workers who fled their employers—a problem exacerbated by authorities' lack of systematic identification and referral efforts. The government continued efforts to prevent trafficking.



RECOMMENDATIONS FOR SAUDI ARABIA:

Continue efforts to prosecute, convict, punish, and stringently sentence trafficking offenders, including abusive employers, under the anti-trafficking law; vigorously investigate for potential trafficking crimes employers who withhold workers' passports and wages and restrict workers' movement, and adequately punish these employers under the anti-trafficking law; reform the sponsorship system and ensure trafficking victims are able to pursue criminal cases against their employers in practice; significantly improve efforts to ensure victims among vulnerable populations, including domestic workers, illegal foreign migrants, male victims, and persons in prostitution, are not punished for acts committed as a direct result of being subjected to human trafficking; implement a formal victim identification mechanism to identify trafficking victims among vulnerable populations; ensure all victims of trafficking can seek assistance and protection services; continue to train government officials on identifying cases of forced labor and sex trafficking; and conduct country-wide public awareness campaigns on all forms of trafficking.

PROSECUTION

The government demonstrated some improvement in its law enforcement efforts against trafficking. The 2009 Suppression of the Trafficking in Persons Act defines and prohibits all forms of human trafficking. The act prescribes punishments of up to 15 years' imprisonment and financial penalties, which may be increased under certain circumstances, including trafficking committed by an organized criminal group or against a woman,

child, or person with disabilities. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Council of Ministers' Decision 166 prohibits withholding workers' passports as a separate, lesser offense; however, the government did not report efforts to enforce this decision. In 2015, the government amended the labor law to impose financial penalties for employers who withhold workers' passports, do not provide workers with contracts, or force workers to perform jobs not otherwise stipulated in the work contract; however, these reforms excluded domestic workers, and the government did not report implementing these amendments by penalizing employers for these violations during the reporting period.

The government reported its investigation of 283 trafficking suspects from October 2014 to October 2015, some of which occurred outside of the current reporting period, as the Saudi system keeps records according to the *hijri* calendar. These investigations involved forced labor, sexual exploitation, and slavery crimes. In that same timeframe, it prosecuted and convicted 243 offenders under the anti-trafficking law; this demonstrated a decrease in prosecutions but an increase in convictions, in comparison to the previous reporting period. Nevertheless, the government did not report the punishment and sentences for the convicted perpetrators. The government did not report investigating potential trafficking crimes involving employers or recruiters withholding foreign workers' passports or wages or other labor law violations. During the reporting period, authorities did not report prosecuting an employer who allegedly amputated the hand of an Indian domestic worker after the worker reportedly complained of poor working conditions in October 2015. In October 2015, Saudi police reportedly cooperated with Indonesian authorities to investigate and inspect an illegal facility housing 39 Indonesian women fraudulently recruited and forced into domestic servitude in Riyadh; Indonesian authorities reported at least one individual was arrested during the inspection, but the Saudi government did not report additional details of this case. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government invoked the diplomatic immunity and recalled one of its diplomats accused of forcibly holding and raping two Nepali domestic workers while posted to India, but it did not report investigating the allegations or prosecuting the diplomat for trafficking crimes. In December 2015, the MOL opened a specialized anti-trafficking unit mandated to investigate and prevent the illegal trading of workers' visas, train labor inspectors, and brief migrant workers on their labor rights. The government conducted numerous anti-trafficking trainings for officials during the reporting period, including on child sexual exploitation and the link between trafficking and cybersecurity.

PROTECTION

The government demonstrated some progress to identify trafficking victims, but authorities continued to punish some victims for unlawful acts committed as a direct result of being subjected to human trafficking. From October 2014 to October 2015—part of which is outside of the current reporting period as the Saudi system keeps records according to the *hijri* calendar—the government reported identifying 658 male and female trafficking victims, a significant increase from the 57 identified in the previous reporting period. The government continued to distribute victim identification criteria to officials and provided training on their implementation to police and officials from the Ministry of Social Affairs. Nevertheless, the government's

implementation of procedures to identify victims continued to be uneven throughout the Kingdom, and government officials continued to arrest, detain, and deport potential trafficking victims, particularly illegal foreign workers and domestic workers who fled their employers. Women arrested for prostitution offenses—some of whom may have been unidentified victims of trafficking—faced prosecution and, if convicted, imprisonment or corporal punishment; in practice, authorities deported foreigners, sometimes after holding them in detention.

Although the government did not provide specialized shelters for victims of sex trafficking, it continued to operate shelters for child beggars, some of whom may have been trafficking victims, as well as 10 welfare centers for female domestic workers, some of whom were trafficking victims. In 2015, the government also opened a welfare center for male domestic workers. Although these centers varied in quality across the Kingdom, they provided shelter and psycho-social, health, and educational services to trafficking victims. The welfare center in Riyadh operated as a one-stop shop, providing residents with legal assistance, immigration and passport services, translation, and rehabilitative care by seven female social workers, as well as trained psychologists and other medical professionals. Labor source-country diplomatic officials had regular access to their nationals residing in the center. Due to a lack of available and adequate protection services for all trafficking victims, authorities kept some victims in smaller cities in jails until their cases were resolved. Many victims continued to seek refuge at their embassies; source-country diplomatic missions continued to report complaints by their citizens of unpaid wages, physical or sexual abuse, and poor working conditions. In May 2015, the government granted a six-month residence visa that included the right to work to 446,000 out-of-status Yemeni citizens who were illegally residing in Saudi Arabia and highly vulnerable to trafficking; however, the government did not report screening these individuals for trafficking.

The government reportedly encouraged victims to assist in the investigation and prosecution of trafficking offenders, yet there were few known cases of victims successfully pursuing criminal cases against abusive employers due to lengthy delays in the immigration and justice system. During judicial proceedings, authorities reportedly gave trafficking victims the option to remain in the country—in protective custody or working for a new employer—or they could request an immediate exit visa; however, it was unclear if any victims received these benefits during the reporting period. The law entitles identified trafficking victims to legal assistance, translation services, and immediate repatriation upon the victim's request. The government reportedly provided protection to witnesses involved in trafficking cases.

PREVENTION

The government maintained efforts to prevent trafficking. The government continued to update its national anti-trafficking action plan and allocated substantial resources for its interagency anti-trafficking working group. The government continued to implement the wage protection system, which required employers to pay foreign workers through bank transfers, thereby allowing the MOL to ensure workers were paid appropriately. It remained unclear, however, whether the system effectively flagged potential trafficking cases for criminal investigation. MOL continued to employ 1,000 labor inspectors, and it conducted more than 260,000 labor inspections, withdrew the licenses of eight recruitment firms, and froze the operations

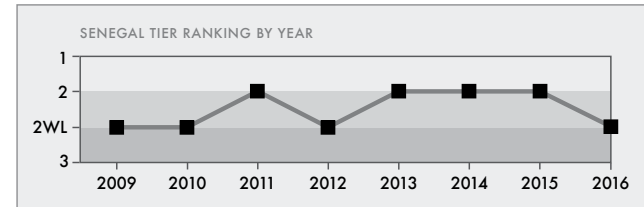
of 21 recruitment offices. MOL imposed penalties in nearly 2,500 cases of companies violating the government's mid-day work ban during the summer months. MOL continued to operate a hotline to receive labor dispute complaints with operators that spoke a variety of migrant worker languages. It was unclear, however, if any trafficking victims were identified through this hotline. MOL continued to distribute a guidebook to all migrant workers entering the country, which contained MOL's hotline number. The police also operated an emergency number, which could refer potential trafficking victims to protection services, but it did not report identifying any victims during the reporting period. The government continued to operate an online portal providing domestic workers and employers with information about their legal rights. During the reporting period, the government finalized domestic worker agreements with Niger, Uganda, and Nepal, which aimed to protect workers' contracts with their employers. The government did not conduct anti-trafficking public awareness campaigns, but government-controlled media continued to report trafficking issues in an effort to inform the public about the crime. The government provided anti-trafficking training for its diplomatic personnel. The government took actions to reduce the demand for commercial sex acts and forced labor. The government did not have extraterritorial authority to prosecute citizens engaged in sex tourism abroad.

SENEGAL: Tier 2 Watch List

Senegal is a source, transit, and destination country for children and women who are subjected to forced labor and sex trafficking. Children, most of whom are *talibes*—students attending *daaras* (Koranic schools) run by teachers known as *marabouts*—are forced to beg throughout Senegal. In the region of Dakar alone, approximately 30,000 *talibes* are forced to beg in the streets, and the problem is prevalent throughout the country. Senegalese boys and girls are also subjected to domestic servitude, forced labor in gold mines, and sex trafficking. Internal trafficking is more prevalent than transnational trafficking, although boys from The Gambia, Mali, Guinea-Bissau, and Guinea have been subjected to forced begging and forced labor in artisanal gold mines in Senegal. Senegalese women and girls are transported to neighboring countries, Europe, and the Middle East for domestic servitude. NGO observers believe most Senegalese sex trafficking victims endure exploitation within Senegal, particularly in prostitution in the southeastern gold-mining region of Kedougou. Women and girls from other West African countries are subjected to domestic servitude and sex trafficking in Senegal, including for sex tourism.

The Government of Senegal 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 and provided funding to the only trafficking-specific shelter in the country. The government updated Senegal's two-year national action plan to combat trafficking, and made limited progress on its implementation during the reporting year. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Senegal is placed on Tier 2 Watch List. The government reported no prosecutions of suspected trafficking offenders in 2015, compared with four in 2014; it investigated and prosecuted three *marabouts* for exploiting *talibes* during the reporting period. The one *marabout* it convicted received an insufficiently stringent sentence of three months'

imprisonment and a second *marabout* was acquitted. Overall, it continued minimal and inadequate law enforcement efforts against unscrupulous *marabouts* exploiting children in forced begging, which remains Senegal's predominant trafficking problem, and enactment of the *daara* modernization law was delayed. Officials did not adequately regulate or inspect the informal sectors of the economy, such as mining, to prevent forced labor or use the national database for tracking law enforcement statistics.



RECOMMENDATIONS FOR SENEGAL:

Vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including those who exploit children in forced begging; provide anti-trafficking training to law enforcement, labor, and social welfare officials on how to adequately identify victims, investigate cases, and refer victims to appropriate services; ensure consistent application of standardized procedures for referring trafficking victims to NGO care services and sensitize government officials and the NGO community to these mechanisms; improve efforts to collect law enforcement data on trafficking offenses, including cases prosecuted for trafficking-related offenses under provisions other than the 2005 law; provide adequate funding to expand government-funded shelters or partner with international organizations or NGOs to provide additional care options for victims; expand regulations to include labor inspections and labor trafficking investigations in the informal sectors of the economy including mining, agriculture, and fishing; fully implement the national action plan on forced child labor and the 2015-2017 national action plan to combat trafficking; expand the *daara* mapping project to provide baseline information for the national database and increase coordination of efforts to prevent forced begging; and broaden efforts to raise public awareness about trafficking, including of adults, and forced child begging.

PROSECUTION

The government did not demonstrate evidence of sustained anti-trafficking law enforcement efforts. Senegal's 2005 Law to Combat Trafficking in Persons and Related Practices and to Protect Victims prohibits all forms of trafficking and prescribes penalties of five to 10 years' imprisonment for violations, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. For the fourth consecutive year, the government did not maintain or publish comprehensive anti-trafficking law enforcement statistics. Compared to four prosecutions and convictions during the previous reporting period, Senegalese officials did not report any prosecutions of suspected trafficking offenders in 2015. Despite widespread, and often visible, forced begging by unscrupulous *marabouts*, for the second consecutive year the government reported only one conviction for this form of trafficking in December 2015; moreover, the offender was sentenced to three months in prison—an insufficiently stringent punishment compared to the severity of the crime, which serves as an inadequate deterrent. In addition, the lack of government action

to regulate the *daaras* and prosecute those who engage in or abet forced child begging allowed the problem to continue. Officials also did not report any prosecutions of perpetrators of child or adult sex trafficking during the reporting period, in part due to previous closures of artisanal mines.

The government, in collaboration with key stakeholders, developed and organized several training programs for law enforcement officials in 2015; it conducted two training programs the year prior. Many law enforcement and judicial personnel remained unaware of the 2005 anti-trafficking law, which, coupled with limited institutional capacity, continued to inhibit efforts to prosecute and convict traffickers under the law and to collect data on such efforts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained modest efforts to identify and protect trafficking victims. Government law enforcement, immigration, and social services personnel have formal written procedures to proactively identify trafficking victims among high-risk populations. In 2015, the government identified 142 child trafficking victims, an increase from 61 child trafficking victims identified and assisted by the government in the previous reporting period. The Ginddi Center, the only government-run shelter in Senegal, provided temporary shelter and basic provisions for all 142 victims; the government provided FCFA 85.7 million (\$145,000) to the center for legal counseling, medical and psychological care, familial mediation and reconciliation services, and basic education and vocational training, up from 50 million FCFA (\$85,000) the previous year. However, the center lacked the resources to pay its staff adequately or provide specialized training for the social workers and volunteers who counsel and rescue street children, many of whom were potential trafficking victims. During the year, the Ginddi Center's child protection hotline was operational, but the total number of calls it received, including trafficking-related ones, was unknown.

The government made limited efforts to proactively identify victims among vulnerable groups, such as those residing in gold-mining communities or engaged in begging schemes, and referred an unknown number of child trafficking victims to NGO-run shelters. The victim referral system in Senegal is inconsistently applied and not available in all regions of the country. Victims identified along Senegal's borders were sent to an international organization and government center for questioning before being referred to NGOs for protective services. The anti-trafficking law provides alternatives to the removal of foreign victims who may face retribution or hardship upon returning to their home countries, including the option to apply for temporary or permanent residency and seek restitution; however, the government did not report offering this relief to any victims during the reporting period. The 2005 anti-trafficking law absolves victims from responsibility for unlawful acts committed as a result of being subjected to trafficking and there were no reports officials penalized victims for such acts during the year.

PREVENTION

The government made uneven efforts to prevent human trafficking. It finalized the 2015-2017 national action plan to combat trafficking and made limited progress on implementation during the reporting year. The government

maintained its funding of FCFA 30,000,000 (\$50,000) for the national taskforce's anti-trafficking activities in 2015. In February 2016, in collaboration with a local NGO, the anti-trafficking taskforce facilitated a discussion of forced child begging at the municipality level and sponsored a movie screening and conducted two workshops on the same topic targeting local officials, religious leaders, Koranic school representatives, and community members. During the reporting period, the taskforce raised awareness on the *daara* mapping findings in Guediawaye and Rufisque, to inform vulnerable populations of the magnitude of forced child begging and expand baseline information from which to track progress in addressing this crime. Although the taskforce completed design of a national trafficking database during the previous reporting year and trained law enforcement officials on its effective usage, the government did not fully implement it in 2015. The taskforce, in conjunction with international partners commenced implementation of the national action plan on forced child begging during the reporting period. Approval of a draft law to regulate and modernize *daaras* was delayed. The government assisted with the development of child protection committees in porous border areas, including the Kedougou mining region, to refer vulnerable children to social services; however, exploitation of children in this region continued to be a pervasive problem.

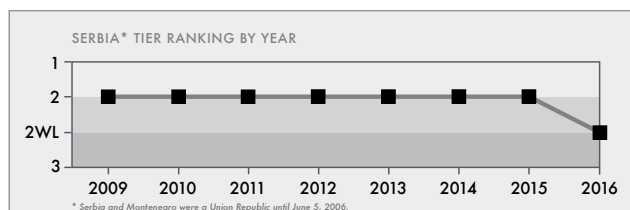
Approximately 70 percent of Senegal's economy operated in the informal sector, where most forced child labor occurred, yet labor officials did not demonstrate tangible progress to regulate this sector during the reporting year. The government made limited progress towards decreasing demand for forced labor or commercial sex acts, including the temporary closure and regulation of artisanal mines. In 2015, the taskforce reported the establishment of a tourism police force in Saly and Cap Skirring to patrol for indicators of child sex tourism and other abuses. The government, in cooperation with international partners, provided anti-trafficking training to Senegalese troops before their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

SERBIA: Tier 2 Watch List

Serbia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor, including domestic servitude and forced begging. Serbian women are subjected to sex trafficking by Serbian criminal groups in neighboring countries and throughout Europe, particularly Austria and Germany. Serbian nationals, primarily men, are subjected to forced labor in labor-intensive sectors, such as the construction industry, in European countries (including Azerbaijan, Slovenia, and Russia) and United Arab Emirates. Serbian children, particularly ethnic Roma, are subjected within the country to sex trafficking, forced labor, forced begging, and petty crime. Migrants and refugees from Afghanistan, Iraq, and Syria and from neighboring countries are vulnerable to being subjected to trafficking within Serbia. Alleged traffickers reportedly influenced some trafficking cases through bribery of the victim or judge.

The Government of Serbia 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, Serbia is placed on Tier 2 Watch List. While the government created a new office within the national police to coordinate and organize its anti-trafficking efforts, it did not provide the staff or resources for this new entity and current coordination structures were under-resourced, operating part-time, and/or not functional. Victim identification significantly decreased; observers stated this was due in part to anti-trafficking efforts becoming a lower priority overall as the government managed the increase in irregular migration through the country in 2015, a continued lack of collaboration between the government and NGOs on identification, and a reduction in referrals from the border police that were simultaneously charged with addressing smuggling and the influx of migrants and refugees. Care for victims of trafficking also suffered from a lack of government coordination with NGO service providers, and government social welfare centers were deficient in specialized programs, sensitivity, and trained staff necessary for working with trafficking victims. Investigations, prosecutions, and convictions decreased, and the government did not afford victims sufficient protection in criminal proceedings, which exposed them to intimidation and secondary traumatization.



RECOMMENDATIONS FOR SERBIA:

Create and disseminate to first responders standard operating procedures for proactive victim identification and referral to protection services; increase efforts to identify victims, including among migrants, refugees, asylum-seekers, and unaccompanied children engaged in street begging; increase investigations and prosecutions of trafficking crimes and obtain convictions of traffickers with dissuasive sentences; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases; provide victims testifying in court with a full range of protections to diminish intimidation and re-traumatization; enshrine in law non-penalization of victims for acts committed as a direct result of their being subjected to human trafficking; improve cooperation with NGOs to ensure victims have access to and receive all necessary reintegration services; improve training for government personnel on victim assistance and referral; allocate adequate staff and resources for new Office for Coordination against Trafficking in Persons and existing coordination structures to ensure effectiveness; adopt the national anti-trafficking strategy and action plan and involve NGOs in implementation; and elevate the national coordinator for combating trafficking in persons to a full-time position with independent authority.

PROSECUTION

The government demonstrated decreased law enforcement efforts to counter trafficking. Article 388 of the Serbian criminal code prohibits all forms of trafficking, prescribing penalties ranging from three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 10 cases of commercial sexual exploitation and one case of forced labor in 2015, a decrease from 20 cases of commercial sexual exploitation and 35 cases

of forced labor in 2014. In 2015, the government initiated prosecutions of 18 defendants under article 388, a decrease from 25 defendants in 2014. Courts convicted 20 traffickers in 2015, a decrease from 26 convicted in 2014. Sentences ranged between 1.5 and 5.5 years' imprisonment. The government did not disaggregate data on convictions for sex and labor trafficking crimes. Observers reported the government did not adequately implement anti-trafficking laws, and prosecutors often chose to prosecute trafficking crimes under other statutes with lesser penalties that were easier to prosecute. Each police directorate in Serbia had an anti-trafficking unit in addition to the specialized anti-trafficking units within the organized crime police and border police forces; however, during the reporting period these units largely focused on countering smuggling and responding to the influx of migrants and refugees. Seventeen directorates also had multidisciplinary anti-trafficking teams that included prosecutors, social workers, and health officials; according to NGOs only four of these teams were active during 2015. The government provided training to consular officials and, in coordination with NGOs and international organizations, to police and border officials on recognizing and investigating trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government demonstrated decreased efforts in the identification of victims and maintained inadequate protection services. Authorities identified 36 trafficking victims in 2015, a significant decrease from 119 victims identified in 2014 and 76 identified in 2013. The majority of victims were minors exploited in Serbia. Twenty-one victims were subjected to sex trafficking, three to forced labor, 10 to forced begging, and two to forced criminality. A government center for protection of trafficking victims remained responsible for victim identification and assistance. During the reporting period, the center and an international organization trained 445 first responders, including police, social welfare center staff, and educators, on indicators for identifying human trafficking victims; however, observers maintained there were no written victim identification procedures. Officials who interviewed migrants and refugees upon arrival in Serbia did not provide screening to determine if the person was a potential trafficking victim. In 2015, police, NGOs, and social service personnel referred 106 suspected trafficking victims to the government's center, compared with 351 referrals in 2014; referrals from the police and border police decreased from 289 in 2014 to 38 in 2015. In a previous reporting period, the center stated referral guidelines needed updating.

In 2015, the government budgeted 19,718,146 Serbian dinars (\$177,000) for the operation of the center. The center has two units, the protection agency and the urgent reception center; however, the urgent reception center, designed to provide safe shelter and services, was not functional for the third consecutive year. Government social welfare centers provided social services, but they often lacked the specialized programs, sensitivity, and trained staff necessary for working with trafficking victims, including the center's protection unit, which did not have specific procedures on how to care for child trafficking victims. The government provided free medical assistance to victims at public clinics. The government did not have procedures outlining cooperation between the center and NGOs on victim services and it did not report how many victims it referred to NGOs for care. Observers asserted victims should have been referred to NGOs in much larger numbers, as social welfare

centers lacked specialized programs and trained staff to work with trafficking victims. An NGO operated the only shelter exclusively for female and child trafficking victims and NGOs provided medical, legal, psychological, educational, and other reintegration assistance to victims. NGOs relied on foreign sources of funding to assist victims. Male victims did not have access to a dedicated trafficking shelter but an NGO rented accommodation as needed and male victims could access all other rehabilitation services offered to female victims. Specialized shelters for child trafficking victims did not exist; child victims were returned to their families, sent to foster care, or accommodated in one of two centers for orphans. Government social welfare centers lacked the ability to remove children from their families, even if there was evidence the family had exploited the child.

Victims were required to cooperate with law enforcement investigations and testify during prosecution; NGOs reported some victims were threatened with prosecution for non-cooperation. Experts reported victims' rights were not adequately protected during lengthy court proceedings and victims had to frequently appear in front of their traffickers; traffickers often threatened or intimidated victims. The government center developed recommendations for prosecutors to use in working with victims; it is unclear how widely the recommendations were disseminated and utilized during the reporting period. Judges demonstrated limited understanding of the complexities of human trafficking cases. Serbian law entitles victims to file criminal and civil suits against their traffickers for compensation, but judges encouraged victims to seek compensation solely by filing civil suits, which were lengthy, expensive, and required the victim to face the abuser numerous times. To date, only one victim of trafficking has been compensated. Foreign victims were eligible for temporary residence permits renewable up to one year. Serbian law does not have a non-punishment or non-prosecution clause for trafficking victims who committed crimes as a result of being subjected to human trafficking; however during the year, in partnership with OSCE, a working group comprised of judges, prosecutors, police officers, and representatives from the center and civil society developed a manual for prosecutors and judges on non-punishment of trafficking victims. A sex trafficking victim forced to sign a murder confession by her trafficker began serving her 18-year prison sentence in 2014; during the reporting period, the constitutional court rejected her appeal and an NGO submitted a petition requesting amnesty to the president.

PREVENTION

The government maintained limited prevention efforts. The government has not adopted the anti-trafficking strategy and action plan for 2014-2020 despite holding the final public debate on the strategy and plan in 2013. During the reporting period, the government created the Office for Coordination against Trafficking in Persons, under the national police, but had yet to provide it with staff, resources, or a mandate. The national coordinator for combating trafficking in persons continued to lead anti-trafficking efforts despite lacking sufficient resources and support from the government—the coordinator is also the head of migration for the border police and did not have independent authority. The government created an anti-trafficking council in 2005 as a consultative body, which observers noted exists only on paper and did not meet in 2015. The government operated a hotline to collect human trafficking-related tips, published anti-trafficking efforts on its website, and provided information on trafficking via social media. Police enforced laws against purchasing commercial

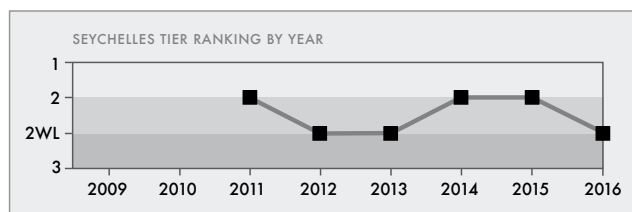
sex and fined clients identified during raids on commercial sex establishments. The government licensed and regulated private employment agencies; however, in practice tourist agencies also performed labor recruitment and were largely unregulated. The government did not investigate fraudulent or exploitative job offers brought to its attention by NGOs. The government did not make efforts to reduce demand for forced labor. Serbian troops participated in anti-trafficking training prior to their deployment on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

SEYCHELLES: Tier 2 Watch List

Seychelles is a source country for children subjected to sex trafficking and a destination country for foreign men and women subjected to labor and sex trafficking, respectively. Seychellois girls and, according to some sources, boys are subjected to child sex trafficking—particularly on the main island of Mahe—by peers, family members, and pimps for exploitation in nightclubs, bars, guest houses, hotels, brothels, private homes, and on the street. Young drug addicts are also vulnerable to being forced into prostitution. Eastern European women have been subjected to forced prostitution in hotels. Migrant workers—including those from China, Kenya, Madagascar, and various countries in South Asia—make up 20 percent of the working population in Seychelles and are primarily employed in fishing and construction. Some migrant workers are subjected to forced labor in the construction sector. NGOs report migrant workers face exploitative conditions in fish processing plants, and fishermen aboard foreign-flagged fishing vessels in Seychelles' territorial waters and ports are subjected to abuses indicative of forced labor, including non-payment of wages and physical abuse.

The Government of Seychelles 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, Seychelles is placed on Tier 2 Watch List. During the reporting period, the government finalized a victim assistance tool, which includes standard operating procedures for victim protection outlining the roles of government actors in the identification and protection of trafficking victims, including a formal referral mechanism and trained law enforcement officers and immigration and customs officials on these mechanisms. The government did not report any prosecutions or convictions of traffickers and did not formally identify any trafficking victims. The national anti-trafficking committee met four times during the reporting period; however, despite its strong leadership, implementation of the 2014-2015 national anti-trafficking plan was slow and many activities remained in early planning stages for the second consecutive year. The government does not acknowledge the existence of internal trafficking, which impeded the investigation of such crimes and assistance available for Seychellois victims. Lack of oversight and inspection of potential labor trafficking victims within the Seychelles International Trade Zone (SITZ) created vulnerability amongst the large migrant labor population in Seychelles. The government deports migrant workers working for state-owned or private companies for participating in strikes to protest poor employment conditions without conducting comprehensive

investigations and screenings to identify if the individuals are victims of forced labor. Despite complaints by migrant workers, primarily in the construction sector, about poor working conditions, non-payment of salaries, and retention of passports, the government has never formally identified a case of forced labor in the country.



RECOMMENDATIONS FOR SEYCHELLES:

Use the anti-trafficking law to investigate and prosecute trafficking offenses and convict and punish traffickers; amend the penal code to harmonize its contradictory sections addressing sexual offenses to ensure the prohibition and penalization of the forced prostitution of adults is commensurate with rape; provide specialized training to government officials—including members of the national committee on human trafficking, law enforcement officials, social workers, immigration officials, and labor inspectors—on how to identify victims of trafficking and refer them to appropriate services; implement the national action plan to combat human trafficking and dedicate appropriate resources for its implementation; criminalize the confiscation and retention of passports by employers of migrant workers; remove the required fee for a migrant worker to lodge a complaint with the labor tribunal; prosecute traffickers under the anti-trafficking law rather than arbitrating labor disputes that may involve trafficking offenses; provide adequate resources to labor inspectors to conduct regular, comprehensive inspections of migrant workers' work sites and inform the workers of their employment rights; create a standardized contract governing the employment of domestic workers within private homes; implement labor laws equally in all of Seychelles, including the international trade zone; and conduct anti-trafficking awareness campaigns to increase the understanding of the crime among the local population and the large number of foreign tourists and migrant workers entering the country.

PROSECUTION

The government demonstrated limited law enforcement efforts. The Prohibition of Trafficking in Persons Act of 2014 prohibits all forms of trafficking in adults and children. The law prescribes penalties of a maximum of 14 years' imprisonment, and in cases involving children or aggravating circumstances, a maximum of 25 years' imprisonment; these penalties are sufficiently stringent. The penalties for child trafficking are commensurate with those for other serious crimes, such as rape, but the penalties for adult sex trafficking are not. Elements of human trafficking are also prohibited under a variety of penal code statutes, including section 259 prohibiting slavery and section 251 prohibiting forced labor; the government prosecutes some human trafficking cases under these provisions. Although all forms of child sex trafficking are prohibited under the anti-trafficking law, enforcement of this prohibition may be hampered by unclear and conflicting statutes in the penal code that do not clearly define the ages of consent and legal majority, creating confusion between the traditionally understood age of consent (15 years of age) and the legal age of majority (18 years of age).

As in the previous reporting period, the government did not prosecute or convict any traffickers during the reporting period. Law enforcement officials identified two potential trafficking cases; however, it did not launch any investigations into these cases or formally identify any victims. One case involved two Indian migrant workers who gave official statements detailing abuse by their employer. The company bought them tickets to return to India, they left Seychelles, and authorities did not inquire further. In another case in October 2015, two Indian migrant workers claimed their employer took their passports because they owed her money; they chose not to press charges and one of the workers returned to India and the other remained in Seychelles working with a different employer. The Ministry of Labor Resources and Development (MOL) viewed cases of labor trafficking as a breach of contract between the employer and employee and preferred arbitration through the labor tribunal rather than prosecution, which impeded prosecution. Law enforcement officials lacked sufficient training to investigate trafficking cases effectively, and the government did not provide or support efforts to train officials on such methods. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government demonstrated minimal efforts to identify and protect victims, although it began to institute mechanisms to improve such efforts. It did not identify or provide protective services to any trafficking victims. There are no shelters specifically for trafficking victims in the country; however, the government began to develop comprehensive protective services for certified trafficking victims and standard operating procedures for their provision. The government also established a fund to finance provision of these services. In May 2015, the national anti-trafficking committee launched a victim assistance tool, which includes standard operating procedures on victim identification, protection, and a referral mechanism. The government, in collaboration with international donors, trained law enforcement, immigration, and customs officials on these mechanisms; however, front-line officers remained inadequately trained to identify and refer potential human trafficking cases. There were no reports of victims being penalized for unlawful acts committed as a result of being subjected to trafficking; however, migrant workers who strike are considered to be in breach of their work contracts and can be deported at the will of their employers. Several migrant workers who gathered to protest a variety of abuses relating to their employment were deported during the reporting period; these deportations took place without conducting comprehensive investigations or screenings to identify if the individuals were victims of forced labor.

PREVENTION

The government maintained inadequate prevention efforts. The national anti-trafficking committee served as a coordinating body for collaboration and communication on trafficking matters; the committee met four times during the reporting period but did not receive a dedicated budget and relied on ad hoc funding from various government agencies. The implementation of the 2014-2015 national action plan was slow and many activities remained in early planning stages for the second consecutive year. The government did not conduct any anti-trafficking awareness campaigns during the reporting period. However, MOL provided leaflets in Chinese and Hindi to migrant workers arriving in the Seychelles detailing their

rights and worked with local embassies to provide translation services as needed.

Numerous trafficking vulnerabilities in labor recruitment and monitoring persisted throughout the country during the reporting period. Migrant workers signed their employment contracts upon arrival in Seychelles, which increased their vulnerability to fraudulent recruitment tactics. There were reports of employers routinely retaining migrant workers' passports to prevent them from changing jobs prior to the expiration of their two-year contract. Seizure and retention of passports is not illegal under Seychellois law; however, the anti-trafficking committee has proposed amending the anti-trafficking law to criminalize this. MOL employed 12 labor inspectors, an increase of one from the previous reporting period, responsible for conducting inspections of all workplaces in the country and one labor officer assigned to inform all migrant workers of their employment rights; government officials acknowledged this number was inadequate and inspectors lacked basic resources to perform their duties adequately. MOL is unable to conduct inspections in the SITZ, where many migrant laborers work, as it is considered ex-territorial and is managed by the Financial Services Authority (FSA); however, FSA did not provide adequate oversight of laborers working in the SITZ. Furthermore, as the Ministry of Health has authority over migrant worker dwellings, MOL could not inspect them or the residences where domestic workers reside. Despite complaints by migrant workers about poor working conditions, non-payment of salaries, and retention of passports, primarily in the construction sector, the government has never identified a case of forced labor in the country. The government made no discernible efforts to decrease the demand for commercial sex or forced labor during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel.

SIERRA LEONE: Tier 2

Sierra Leone is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Victims originate largely from rural provinces and are recruited to urban and mining centers for the purposes of exploitation in prostitution, domestic servitude, and forced labor in artisanal diamond and granite mining, petty trading, portering, rock breaking, street crime, and begging. Trafficking victims may also be found in the fishing and agricultural sectors or subjected to sex trafficking or forced labor through customary practices, such as forced marriages. During the reporting period, transnational trafficking to and from Sierra Leone increased. Nationals from other countries, such as Kenya, endured domestic servitude in the country. Sierra Leonean girls were subjected to trafficking in Guinea and traffickers attempted to exploit boys and girls from Sierra Leone as "cultural dancers" in The Gambia. Sierra Leonean adults voluntarily migrate to other West African countries, including Mauritania and Guinea, as well as to the Middle East and Europe, where some experience forced labor and forced prostitution. Sierra Leonean women continued to be subjected to trafficking in Kuwait and Lebanon as in previous years. Children from neighboring West African countries have been exploited in forced begging, forced labor, and prostitution. Indian, Sri Lankan, and Chinese men have been subjected to forced labor within Sierra Leone.

The Government of Sierra Leone 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, an outbreak of Ebola and its aftermath continued to severely affect the country and overwhelmed the government's resources and capacity to effectively address a variety of issues, including trafficking in persons. Trafficking in persons data collection and victim identification remained weak. The 2005 Anti-Trafficking in Persons Act (ATPA) includes sentences of only fines, which is not sufficiently stringent and not commensurate with penalties for other serious crimes, such as rape. However, the government's national anti-trafficking taskforce, which resumed activities in May 2015, approved a national action plan on trafficking in persons and began implementing a monitoring and reporting framework and national referral mechanisms for protecting and assisting trafficking victims. The government also finalized a trafficking in persons database and began reviewing the ATPA, with a view to raising penalties for trafficking offenses. During the reporting period, the government prosecuted six trafficking cases. The government also met with representatives of an international organization and the Government of Kuwait to discuss procedures for repatriating 40 Sierra Leonean women who had been subjected to trafficking in previous years to Kuwait and Lebanon, and repatriated nine women subjected to forced labor in Kuwait during the last reporting period.



RECOMMENDATIONS FOR SIERRA LEONE:

Increase efforts to prosecute trafficking offenses and convict and punish trafficking offenders using the ATPA; continue efforts to review and strengthen the ATPA, to include amending the law to restrict the ability of judges to make a person convicted of trafficking liable to a fine in lieu of prison time; in collaboration with civil society organizations, train police and prosecutors to identify, investigate, and prosecute trafficking cases; sufficiently fund anti-trafficking activities in the national budget and begin allocating funds to relevant entities, such as the national anti-trafficking taskforce, to assist in implementing the national action plan on combating trafficking in persons; train law enforcement officers and social workers to identify trafficking victims proactively among vulnerable populations, such as women in prostitution, unaccompanied minors, or undocumented migrants, and provide victims with protective services; improve coordination among government agencies responsible for combating trafficking in persons; increase partnerships with NGOs providing assistance to trafficking victims and support their efforts either financially or through in-kind support; continue to improve efforts to collect data on anti-trafficking law enforcement and victim assistance efforts; in collaboration with civil society organizations, increase efforts to raise public awareness about the dangers of trafficking, including adult trafficking; and take steps to address procedural delays in trafficking cases, which place undue burden on victims and often result in prosecutors dropping criminal charges against alleged offenders.

PROSECUTION

The government modestly increased its anti-trafficking law enforcement efforts. The ATPA prohibits all forms of human

trafficking and prescribes a maximum penalty of 10 years' imprisonment or a fine of 50 million leones (\$6,000) for both sex and labor trafficking offenses. The ATPA's provision allowing convicted traffickers to be sentenced to just a fine provides for a penalty that is insufficiently stringent and not commensurate with the penalties for other serious crimes, such as rape. The government's national anti-trafficking taskforce reviewed the ATPA with an aim to revise the law, including by strengthening penalties for the trafficking of adults. The Sexual Offenses Act of 2012 prohibits child sex trafficking, prescribing penalties of a maximum of 15 years' imprisonment without the option of a fine, and requires the police to assist victims after receipt of a trafficking complaint and protect vulnerable witnesses.

During the reporting period, the government reported 54 investigations, six prosecutions, and no convictions of traffickers, compared with 21 investigations, one prosecution, and no convictions reported during the previous reporting period. Judicial inefficiency and procedural delays required victims to travel frequently to the capital for court appearances, which was difficult and costly; as a result, the vast majority of trafficking cases were not prosecuted. In addition, some victims were unwilling to testify. Rather than pursue cases in court, the government allowed some trafficking cases to be settled through mediation. Data collection remained weak, particularly within the judiciary; therefore, the Ministry of Justice was unable to provide comprehensive law enforcement statistics. The government did not report whether it provided training for police, prosecutors, or other law enforcement officials on trafficking in persons during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period; however, corruption, particularly within the judiciary, remained a problem.

PROTECTION

The government sustained modest efforts to protect trafficking victims. Although the government did not gather comprehensive victim identification data, it reported the identification of 65 new trafficking victims during the reporting period; the majority of victims were women. NGOs assisted 85 trafficking victims (including nine whom they continued to assist from the previous reporting period), 65 new victims referred by the government, and 11 victims referred by other entities during the reporting period. In October 2015, the government requested from the Government of Lebanon the repatriation of two Sierra Leonean female domestic workers it believed were subjected to trafficking in Lebanon. The women remained in Lebanon at the conclusion of the reporting period. The government also worked to repatriate 40 Sierra Leonean women who had been subjected to trafficking in previous years in Kuwait and Lebanon and worked with an international organization and the Government of Kuwait to repatriate nine women subjected to forced labor in Kuwait during the last reporting period. There are no state-run shelters for trafficking victims and the government did not provide funding to any NGO shelters for their assistance to trafficking victims. However, government social workers and prosecutors continued to provide psycho-social services and legal representation to victims residing in NGO-run shelters. During the reporting period, the government and NGO partners began to use a national referral mechanism for trafficking victims adopted during the last reporting period. The law provides alternatives to removal to countries in which victims would face retribution or hardship, including temporary residency; however, no cases were identified during the reporting

period whereby victims could benefit from this provision. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government sustained modest efforts to prevent trafficking. During the reporting period, government personnel who would otherwise focus on trafficking issues were seconded to assist in Ebola response and recovery efforts. Nonetheless, the government included awareness-raising about trafficking in persons in its nationwide programs to sensitize local communities about Ebola. The national anti-trafficking taskforce approved and implemented, as of August 2015, the national action plan on combating trafficking in persons. In an effort to expand protections for migrant laborers, including foreign workers employed in Sierra Leone and Sierra Leoneans going abroad, the Ministry of Labor and Employment continued to conduct investigations of all recruitment agencies and implemented strict licensing procedures; during the last reporting period, the government banned the use of recruitment fees and prohibited foreign nationals from operating recruitment agencies within the country.

As a result of a government investigation in June 2014, the government publicly declared a recruitment agency to be disreputable for engaging in fraudulent transactions with persons seeking to obtain jobs in other countries, and shut down the company. The government continued investigating the company during the current reporting period. The government did not provide anti-trafficking training for its diplomatic personnel. The government took no discernible efforts to reduce the demand for commercial sex or forced labor during the reporting period.

SINGAPORE: Tier 2

Singapore is a destination country for men, women, and girls from other Asian countries subjected to sex trafficking and forced labor, and a transit country for Cambodian and Filipino men subjected to forced labor on fishing vessels that transit through Singapore or its territorial waters. Some of the 1.37 million foreign workers that comprise approximately one-third of Singapore's total labor force are vulnerable to trafficking; most victims migrate willingly for work in construction, domestic service, performing arts, manufacturing, the service industry, or in the commercial sex industry. NGOs report an increase in domestic workers from Cambodia and Burma, many of whom experience language barriers and lack access to mobile phones, increasing their isolation and vulnerability to trafficking. NGO-released research found that some domestic workers in Singapore experience conditions indicative of forced labor including restriction on their movement and communications; verbal, physical, or sexual threats and abuse; and lack of a weekly day off of work (though the latter is legally required). In September 2014, the Burmese government imposed a ban on legal emigration to Singapore for domestic work, citing concerns of abuse and non-payment of wages. Although Singapore law limits agency fees, many foreign workers assume large debts to recruitment agencies in both Singapore and their home countries, making them vulnerable to forced labor, including debt bondage. Victims are also compelled into sex or labor exploitation through illegal withholding of their pay, threats of forced repatriation without pay, restrictions on movement,

and physical and sexual abuse. Passport confiscation, although illegal, remains a widespread and largely accepted practice; research conducted by the government in 2014 found six out of 10 foreign work permit holders did not possess their passports and work permits. Foreign workers have credible fears of losing their work visas and being deported, since employers have the ability to repatriate workers legally at any time during their contracts with minimal notice. Unscrupulous employers exploit the non-transferability of low-skilled work visas to control or manipulate workers. Some employers in Singapore rely on repatriation companies to seize, confine, and escort foreign workers to the airport for departure from Singapore, including through the use of assaults, threats, and coercion, to prevent them from complaining about abuses to authorities.

Foreign women sometimes enter Singapore with the intention of engaging in prostitution but are subjected to forced prostitution under the threat of serious harm, including financial harm, or other forms of coercion. Child sex trafficking involving both foreign and Singaporean boys and girls occurs in Singapore, and there have been cases of Singaporean men engaging in child sex tourism in other countries. Men are subjected to forced labor on long-haul fishing vessels that depart from Singapore or dock in Singaporean ports; some agencies in Singapore use deceptive tactics to recruit Filipino and Cambodian men for this work. Some foreign seamen reportedly suffer severe abuse by fishing boat captains, the inability to disembark from their vessels—sometimes for years—the inability to terminate their contracts, and non-payment of wages. Some of these men transit Singapore before embarking onto vessels from ports in other countries.

The Government of Singapore does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased training for front-line law enforcement officers and obtained its first conviction under the 2015 anti-trafficking law. In that case, the convicted sex trafficker received a stringent sentence of six years and three months' imprisonment and a fine of 30,000 Singaporean dollars (\$22,400). Authorities initiated one additional child sex trafficking prosecution, and 11 other suspects remained under investigation—including one for labor trafficking offenses. Singapore has never convicted a labor trafficker. The government expanded some assistance to victims through government programs for vulnerable groups, but did not ensure all victims systematically received protection. The government launched a new national approach against trafficking in persons to follow on the work completed under its national action plan, which was completed in 2015. Singapore acceded to the 2000 UN TIP Protocol in September 2015.



RECOMMENDATIONS FOR SINGAPORE:

Using the 2015 anti-trafficking law, increase investigations and prosecutions of trafficking offenses, including debt bondage, and convictions and punishments of both sex and labor traffickers; increase specialized training for officials on use of the new law to identify victims and investigate cases, with a

focus on identifying non-physical forms of coercion; increase resources for investigative and prosecutorial training on human trafficking for Ministry of Manpower officials who handle labor violations; dedicate a budget for specialized trafficking victim protection, develop formal policies to ensure all victims receive robust protections, and provide increased funding to non-governmental shelters assisting potential victims; improve victim identification procedures, with a focus on psychological coercion, to ensure victims are not punished for acts committed as a result of being subjected to trafficking; provide all victims incentives to participate in investigations and prosecutions, including through legal assistance to seek compensation and temporary employment passes, transparent communication with service providers during the duration of court cases, and a victim-centered approach to law enforcement efforts; expand cooperation with and funding to NGOs, particularly in victim protection and support; and increase awareness campaigns to encourage public support of anti-trafficking efforts.

PROSECUTION

The government achieved the first conviction under its trafficking law, but overall trafficking prosecutions and convictions remained limited. The Prevention of Human Trafficking Act prohibits all forms of human trafficking and prescribes penalties of up to 10 years' imprisonment and fines up to 100,000 Singapore dollars (\$75,700), which are sufficiently stringent and commensurate with those prescribed for other serious crimes. In addition, article 140 of the Women's Charter prohibits forced prostitution involving detention or physical force and article 141 prohibits the movement of women and girls for "trafficking" but does not define the term. Penalties prescribed for sex trafficking offenses in the Women's Charter include a maximum of five years' imprisonment, which are sufficiently stringent but not commensurate with other serious crimes.

In 2015, authorities investigated 50 potential sex trafficking cases, four of which, involving 12 suspects, were substantiated as trafficking cases; 26 cases were dismissed without further action; and 20 cases involving 15 suspects were investigated for other offenses. Among the cases positively identified as sex trafficking, the courts prosecuted and convicted one suspect for child sex trafficking under the new trafficking law; the suspect was sentenced to six years and three months' imprisonment and a fine of 30,000 Singapore dollars (\$22,400). One additional suspect was charged under the trafficking law for child sex trafficking and is pending court proceedings, and 10 other suspects remain under investigation for violation of the trafficking law. Authorities investigated 55 potential labor trafficking cases; one case remains under investigation for violation of the anti-trafficking law, and the others were addressed as employment-related complaints or dismissed. The government initiated prosecution of a Singaporean couple who allegedly starved a domestic worker, forced her to work excessive hours, and restricted her access to communication under the Employment of Foreign Manpower Act (EFMA) for a lesser offense which carries a maximum punishment of a one-year prison term or the option of a fine; the couple pled guilty and had not been sentenced by the close of the reporting period. Labor trafficking charges were dismissed in four cases initiated in the previous year; officials pursued lesser offenses under the EFMA. In comparison, the government prosecuted 11 suspects and did not convict any traffickers in 2014. The government incorporated anti-trafficking materials into its routine training for front-line police and Ministry of Manpower enforcement officers. However, authorities continued to face

challenges in identifying and building evidence in trafficking cases, particularly labor trafficking. Singapore has never obtained a labor trafficking conviction. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking.

PROTECTION

The government continued limited efforts to protect victims, but victim identification was sometimes ineffective and services were provided only on a case-by-case basis. Police and labor officials had standard operating procedures for identifying victims, and the government had a victim referral process among government officials, civil society organizations, and foreign embassies. The total number of victims identified or provided services in 2015 is unknown; there were 34 potential victims in sex trafficking cases investigated by authorities and 94 in potential labor trafficking cases investigated. Of these, the government officially recognized seven as sex trafficking victims (six girls and one boy) and seven as labor trafficking victims (seven adults). The government and NGOs often disagreed as to whether specific cases amounted to trafficking. Local NGOs reported officials failed to recognize key indicators of trafficking when interviewing potential victims, particularly in cases where individuals were compelled into sex or labor exploitation through psychological coercion or debt bondage—rather than physical confinement—or among individuals who initially consented to migrate for work in a specific sector and were subsequently subjected to trafficking in that sector (including the commercial sex industry). Officials reportedly faced difficulty in legally substantiating cases of domestic servitude—even when physical abuse, restriction of movement, withholding of wages, or document confiscation were present.

Authorities had the discretion to provide services on a case-by-case basis; there were no formal policies ensuring victims' access to services, and not all victims received the same level of protection. The 2014 trafficking law mandates some protections for child victims, including access to shelter and a requirement that their testimony be held via videoconference. Government-provided benefits could include shelter, medical services, counseling, interpretation, and temporary work permits. NGOs report that counseling, medical, and interpretation services provided by the government were not always sufficient. The government provides funding and oversight to 22 shelters serving vulnerable children, and six shelters for adults. Some victims—including those the government did not formally acknowledge as victims—received shelter and services from NGOs that did not receive support from the government or shelters maintained by foreign embassies. The government granted an increasing number of victims special passes or work permits that allowed them to temporarily live or work legally in Singapore. Although access to this benefit is not guaranteed, NGOs report the majority of victims recognized by the government could obtain work permits under Singapore's Temporary Job Scheme. The Seafarers' Welfare Centre, run by NGOs with cooperation from the government, provided basic humanitarian assistance to distressed fishermen, including potential trafficking victims, or referred them to their respective embassies. The government reported such victims would be eligible to receive special passes to temporarily remain in Singapore legally and receive government services, though no such victims were identified or assisted during the reporting period.

The government reported a policy not to punish victims for crimes committed as a direct result of being subjected to

trafficking, although it was not clear there was a legal basis in Singaporean law on which victims could rely. According to NGOs and foreign embassies, inadequate victim identification resulted in the possibility that trafficking victims were among the individuals arrested and penalized for prostitution violations. The government offered limited assistance for some victims participating in investigations and prosecutions of trafficking offenses, but many victims declined participation. Some victims reportedly did not wish to file official complaints with authorities for fear of losing work permits or being forced to remain in the country and participate in a prosecution. The lack of overall incentives for victims to remain in Singapore and participate in court cases interfered with the success of law enforcement efforts to address trafficking. NGOs and foreign embassies reported coordination between public and private stakeholders has improved, but the government's lack of detailed feedback regarding ongoing cases remained a problem and interfered with service providers' ability to assist victims. The government did not provide long-term alternatives to removal to countries where victims may face hardship or retribution.

PREVENTION

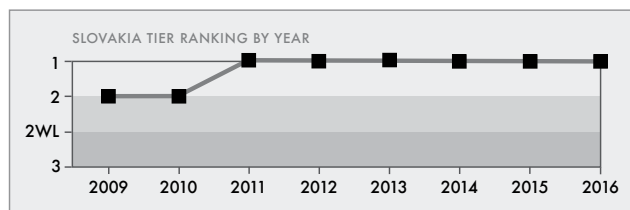
The government continued efforts to prevent trafficking. The government's interagency taskforce completed implementation of Singapore's national action plan and developed a new national approach against trafficking in persons—a strategy to guide its efforts following completion of the national action plan—which it launched in March 2016. The taskforce increased collaboration with U.S. government enforcement agencies and sought out and funded specialized training, including a high-level visit to the United States to study victim-centered approaches, which they subsequently incorporated into their local training. The taskforce conducted campaigns through social media, newspapers, television, posters, and other outreach materials to educate workers on their rights, raise public awareness of trafficking, and publicize efforts to punish employers for trafficking-related violations. The government took law enforcement action against employers for workplace violations and investigated and imposed fines on some unlicensed employment agencies or for committed other illegal practices that could facilitate trafficking. NGOs report that some agencies still committed such acts, such as contract switching and charging workers fees over the legal limit. The government provided anti-trafficking training for its diplomatic personnel. The government made efforts to reduce the demand for commercial sex acts and forced labor. Singapore acceded to the 2000 UN TIP Protocol in September 2015.

SLOVAKIA: Tier 1

The Slovak Republic, or Slovakia, is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Slovak men and women are subjected to forced labor in agriculture and construction in Western Europe, primarily in the United Kingdom (UK). Most victims are Slovak women, who are subjected to sex trafficking in Germany, Austria, the UK, Ireland, Switzerland, Poland, and other European countries. Ukrainian, Moldovan, Bulgarian, Romanian, Thai, and Vietnamese men and women are subjected to forced labor in Slovakia. Eastern European women are also reportedly transported to and through Slovakia and forced into prostitution within the country and throughout Europe. Roma from marginalized communities are disproportionately vulnerable to trafficking. Slovak children of Romani descent are

subjected to sex trafficking within marginalized communities in the Slovak Republic and forced criminal behavior in the UK. Slovak men, women, and children of Romani descent are subjected to forced begging throughout Western Europe. Children without family or relevant support structures who leave institutional care facilities are subjected to sex and labor trafficking.

The Government of the Slovak Republic fully meets the minimum standards for the elimination of trafficking. The government increased investigations, prosecutions, and convictions of traffickers; however, courts issued low and suspended sentences for most convicted traffickers, which were incommensurate with the seriousness of the crime and failed to deter trafficking offenses or protect victims. The government increased funding for victim services, but identified fewer victims than in the previous reporting period. The government continued to struggle to identify foreign trafficking victims, with NGOs reporting that the government did not identify potential victims among migrants because they did not adequately screen them and encouraged them to take advantage of assisted voluntary return. Legal support to victims was inadequate, and victims who cooperated with prosecution were at risk of re-traumatization. The government supported some innovative prevention activities, but NGOs continued to report challenges with effective participation in the expert working group.



RECOMMENDATIONS FOR SLOVAKIA:

Vigorously investigate, prosecute, and convict traffickers, and sentence those convicted to jail terms; strengthen training and capacity building for investigators, prosecutors, and judges on a victim-centered approach to law enforcement efforts; establish sentencing guidelines that sensitize judges to the severity of trafficking crimes and instruct them on the need for sentences to have a deterrent effect for future crimes; establish formal written procedures for victim referral; improve legal assistance to victims; train government officials, particularly border police, on proactive victim identification among vulnerable groups; facilitate better consultation with NGOs in the expert working group; amend the law to formally prohibit the prosecution of trafficking victims for offenses committed as a result of being subjected to trafficking; improve data gathering on Slovak victims of trafficking abroad; and support an effective and independent national anti-trafficking rapporteur to produce assessments of government anti-trafficking efforts.

PROSECUTION

The government maintained efforts to prosecute and convict traffickers, but short and suspended sentences remained a serious weakness in its anti-trafficking efforts. There is no comprehensive anti-trafficking law; section 179 of the criminal code prohibits all forms of trafficking and prescribes penalties between four and 25 years' imprisonment for trafficking offenses. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, officials initiated 18 new investigations and

prosecutions of 22 defendants, compared with 15 investigations and 18 defendants in 2014. These included eight cases of trafficking for sexual exploitation, eight for sexual exploitation combined with forced marriage; 18 for forced begging; and 12 for forced labor; victims were in some cases subjected to multiple forms of exploitation. Authorities prosecuted 17 defendants under article 179 of the criminal code in 2015, including nine plea bargains, compared with 18 in 2014. Courts convicted 21 traffickers during the reporting period, compared with 19 in 2014, 14 of whom were convicted under paragraph 179 of the criminal code. Of these 14 convictions, one sentence resulted in a prison sentence of 16 months. The 13 remaining convictions resulted in suspended prison sentences; eight traffickers received suspended sentences of three years' imprisonment and five received suspended sentences of two years' imprisonment. Seven traffickers were convicted under paragraph 246 of the former criminal code for sex trafficking offenses committed before 2005; of these, five traffickers received sentences of three years' imprisonment and two traffickers received suspended sentences of two years' imprisonment.

The Irregular Migration Unit within the Bureau of Border and Alien Police (BBAP) coordinated law enforcement efforts. NGOs commended the head of the trafficking unit within BBAP for promptly and proactively investigating suspected trafficking and for facilitating improved referral of cases to specialized police officers. Experts believed law enforcement in some cases placed too much emphasis on victim testimony and made insufficient attempts to secure other types of evidence. The Irregular Migration Unit continued to be involved in a joint investigation team with UK police that resulted in the conviction of six traffickers in UK courts, with sentences ranging from 11 months to four years. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. The interior ministry provided the first trafficking training for judges and prosecutors at the Judicial Academy, but no NGOs received details on the training content.

PROTECTION

The government demonstrated mixed efforts to protect trafficking victims. In 2015, the government identified 25 victims and NGOs identified three additional trafficking victims, a decrease from the 41 victims identified by the government and civil society in 2014. Of these 28, 21 victims of trafficking and four victims of trafficking and forced marriage entered the government-funded victim care program in 2015, compared with 34 in 2014. In 2015, the government allocated 307,927 euros (\$350,700) for the protection of trafficking victims, an increase from 225,100 euros (\$256,400) in 2014. Of this amount, the government provided 212,927 euros (\$242,500) to three NGOs to provide victim services, including repatriation assistance, in comparison with 145,661 euros (\$165,900) allocated in 2014. The government did not have a unified system to refer identified victims to protection services, but some government institutions had procedures to refer victims to the National Coordinator or care facilities. NGOs have criticized the government's victim care program for placing too high a burden of proof on the victim and allowing too much discretion by law enforcement, which decides whether a potential victim can enroll in the program. A trial court ruled that the government's decision not to enroll a suspected victim into the victim care program required justification, indicating the government's process to recognize victims and enroll them in its victim care program included unnecessary barriers. The case remains pending on appeal. NGOs provided victims shelter and care services,

including financial support, repatriation to Slovakia, healthcare, and psycho-social support. Shelters for domestic violence victims accommodated trafficking victims, but housed them separately. Child trafficking victims could be accommodated in government-run children's homes or an NGO-run crisis home for children; no children entered into the care program in 2015. NGOs noted that Slovak police may lack the capacity to effectively supervise victims during investigations, particularly Romani victims in marginalized communities, who often return to the same environments in which they were subject to trafficking. NGOs deemed the legal advice available to victims insufficient; at least two victims received legal assistance from an NGO during the reporting period.

The Slovak Embassy in London did not report potential Slovak victims in 2015, compared with 151 in 2014. An international organization reported a potential Slovak minor victim of trafficking and forced marriage had been identified in Ireland, and three other Slovak minor victims of sex trafficking destined for Austria, Czech Republic, and Switzerland were identified. These victims either declined to enter the government's victim care program or ceased cooperation with the international organization that provides repatriation assistance, so these numbers were not reflected in the government's official statistics, suggesting a need for the government to improve its tracking of Slovak victims abroad. One foreign victim, who was not subjected to trafficking in Slovakia, was entered into the government's victim care program. The government continued to struggle to identify foreign trafficking victims, with NGOs reporting that it did not properly identify potential victims among migrants or refer them to services because it encouraged them to take advantage of assisted voluntary return. Border police did not always proactively screen migrants for indicators of trafficking, despite having received numerous victim identification trainings. Foreign victims were eligible for up to 180 days of tolerated residency and care support. Slovak law allows foreign victims to seek employment, but other obstacles, such as the length of stay, could prevent them from actually securing employment while participating in an investigation. The tolerated limited-term residency status issued to foreign victims entered into the victim care program may place some victims with existing residency status at a disadvantage. In some circumstances, tolerated residency may be a more limiting form of residency, thus causing some victims to decline enrollment in the program. Limited funding for legal representation impaired foreign victims' ability to justify their cases for temporary residency. The law authorizes the extension of permanent residency to foreign trafficking victims who faced hardship or retribution if returned to their country of origin; however, authorities have issued no such residence permits. Court proceedings were not always sufficiently adapted nor law enforcement professionals sufficiently trained to avoid re-victimization, thus discouraging victims from participating in trafficking investigations. Victims provided testimony multiple times and in close proximity to suspected traffickers during the pre-trial and trial process. The government did not report penalizing victims for unlawful acts committed as a direct result of being subjected to trafficking, although Slovak law does not formally prohibit the prosecution of trafficking victims. Judges did not award damages in the majority of criminal and civil cases, and victims lacked legal support to pursue damage claims. The government did not report cases of victims being awarded compensation.

PREVENTION

The government maintained efforts to prevent human trafficking.

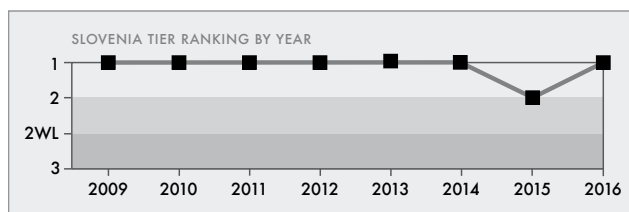
A national program to fight trafficking, covering 2015-2018, continued to guide all government anti-trafficking efforts. The interior ministry's crime prevention office coordinated the government's anti-trafficking activities, including overseeing victim care services, training officials on victim identification, conducting awareness campaigns, and convening the expert working group, consisting of government and NGO representatives. Some NGOs continued to report challenges with collaboration and transparency in the expert working group. The crime prevention office housed an information center to collect statistics on the government's anti-trafficking efforts, but it had difficulty reconciling data across institutions and did not conduct critical assessments. The government supported training activities for social field workers who work with marginalized communities. In March 2015, the government launched a public awareness campaign that utilized a fake job webpage to advertise lucrative employment offers, reaching 750,000 Slovak-language Facebook users with a prevention message, and during the reporting period launched a website that allows the family of Slovaks traveling abroad for employment to receive alerts should the user cease usual online activity. The government also sponsored a theatre performance that reached 1,300 high school students and an interactive conference for high school students that involved role play with various trafficking situations; financially supported a trafficking-themed film festival organized by NGOs; and funded a second information center in Eastern Slovakia that provides information on the dangers of trafficking for Slovaks traveling abroad for employment purposes. The government continued to support an anti-trafficking hotline operated by an NGO, which received over 200 substantive calls and helped identify and refer one victim to services. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Approximately 500 military personnel eligible to serve in peacekeeping missions abroad received anti-trafficking training. One Slovak soldier was accused of sexual abuse or exploitation while serving as a UN peacekeeper; investigations by UN and Slovak military police, as well as local police, led to no charges being filed. In coordination with an international organization, the government provided anti-trafficking training for its diplomatic personnel.

SLOVENIA: Tier 1

Slovenia is a destination, transit, and, to a lesser extent, a source country for women and children subjected to sex trafficking and for men, women, and children subjected to forced labor and forced begging. Men from Bosnia and Herzegovina, Romania, Serbia, Slovakia, Slovenia, and Ukraine are forced to beg and labor in the construction sector. Sometimes these persons transit through Slovenia to Italy, Austria, and Germany, where they are subsequently subjected to forced labor. Women and children from Slovenia, as well as other European countries and the Dominican Republic, are subjected to sex trafficking within the country. Migrant workers and ethnic Roma are particularly vulnerable to trafficking in Slovenia.

The Government of Slovenia fully meets the minimum standards for the elimination of trafficking. During the reporting period, authorities vigorously prosecuted and obtained convictions of five traffickers, an increase from none the previous year. The government provided training for law enforcement officials, who identified more victims in 2015. The government sustained funding for NGOs that provided assistance to victims and ran awareness campaigns. The inter-ministerial working group and

national coordinator continued to lead the implementation of a new national action plan, which included training of law enforcement, consular officers, and other personnel during the year. Authorities, however, did not address bureaucratic obstacles that inhibited victims from obtaining restitution from their traffickers.



RECOMMENDATIONS FOR SLOVENIA:

Vigorously investigate and prosecute sex and labor trafficking offenses, and convict traffickers under the trafficking in persons law with sentences that reflect the severity of their crime; increase efforts to identify victims of both sex and labor trafficking among vulnerable populations, including individuals in prostitution, dancers in nightclubs, foreign migrant workers, unaccompanied children, and children in begging; provide adequate funding to the national coordinator's office; increase efforts to facilitate victims' access to compensation, such as through court-ordered restitution from convicted traffickers; continue to strengthen specialized training for investigators, prosecutors, and judges in applying the human trafficking statute; provide proper and safe facilities to assist child victims of trafficking; continue prevention outreach to vulnerable populations, such as Roma; and continue to raise awareness of forced labor and sex trafficking among the general public.

PROSECUTION

The government demonstrated improved law enforcement efforts. Article 113 of the criminal code prohibits all forms of trafficking and prescribes penalties ranging from one to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government conducted six trafficking investigations in 2015, compared with 11 in 2014. Authorities initiated or continued prosecutions of 23 defendants under article 113, compared with six initiated prosecutions in 2014. The government convicted three traffickers under article 113 in 2015, compared with zero in 2014. The convicted traffickers received prison sentences of 13 months to 37 months. Following appeals, authorities also issued final convictions for two additional traffickers under a former statute of the criminal code covering trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Slovenian law enforcement cooperated with Serbia in at least one trafficking case. In February 2016, the government trained 43 police investigators, as well as prosecutors, judges, labor inspectors, and tax inspectors, on trafficking.

PROTECTION

The government demonstrated progress in victim protection efforts. The government allocated 85,000 euros (\$92,500) for victim protection, the same amount as in 2014. The government identified 47 sex trafficking victims in 2015, compared with 36 trafficking victims in 2014, and referred all 47 to care services; and seven of these victims received shelter in a government-

funded, NGO-operated safe house or crisis accommodation. NGOs identified an additional 28 potential trafficking victims in 2015. GRETA previously reported Slovenian authorities' efforts to identify victims focused on women subjected to sex trafficking and noted authorities should increase attention to labor trafficking generally, as well as trafficking among unaccompanied children. Experts noted more training was needed for health care providers and social workers. The government funded two NGOs that provided services for adult trafficking victims and assisted 75 potential victims in 2015, compared with 43 in 2014. The government did not have specific facilities for unaccompanied child trafficking victims. All foreign victims are allowed a 90-day reflection period to reside legally in Slovenia while recovering and considering whether to participate in an investigation. During this time, they are eligible to stay in crisis accommodation for up to 30 days, after which victims from non-EU countries can elect to stay in safe accommodation for an additional three-month period, regardless of whether they cooperate with law enforcement. In cases of participation in pre-trial and criminal proceedings, foreign victims could receive a temporary residence permit for the duration of the legal proceedings and could receive additional services, including long-term accommodation. In 2015, two victims, including one Slovenian, cooperated with law enforcement on trafficking cases, compared with four in 2014. The foreign victim received a temporary residence permit. No victims sought restitution in 2015; GRETA previously reported no victims have ever received compensation from their traffickers. Victims of trafficking were not explicitly listed as eligible for compensation from the state fund for crime victims; the government did not take action to improve victims' access to restitution. There were no reports of victims inappropriately penalized for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government strengthened prevention efforts. The Ministry of Interior's Interdepartmental Working Group (IWG), led by the national coordinator, continued to organize national efforts and produce an annual monitoring report. The working group continued to implement the 2015-2016 action plan, including promoting trafficking-specific training for law enforcement, consular officers, and other personnel most likely to encounter and be able to identify victims. The IWG allocated approximately 20,000 euros (\$21,800) for awareness campaigns targeting potential trafficking victims, particularly schoolchildren and migrant workers. In 2015, the government allocated an additional part-time staff member to support the office. The government provided anti-trafficking training for its diplomatic personnel. The government made efforts to reduce the demand for commercial sex and forced labor.

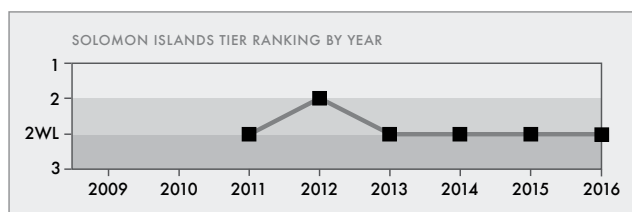
SOLOMON ISLANDS: Tier 2 Watch List

The Solomon Islands is a source, transit, and destination country for local and Southeast Asian men and women subjected to forced labor and forced prostitution, and local children subjected to sex and labor trafficking. Women from China, Indonesia, Malaysia, and the Philippines are recruited for legitimate work, some paying large sums of money in recruitment fees, and upon arrival, are forced into prostitution. Men from Indonesia and Malaysia are recruited to work in

logging and mining industries and some are subsequently subjected to forced labor in industrial camps. Fishing crew members from Indonesia, the Philippines, Vietnam, Sri Lanka, the Democratic People's Republic of Korea, and Fiji have reported situations indicative of human trafficking, including non-payment of wages, severe living conditions, violence, and limited food supply on Taiwan-flagged fishing vessels in the Solomon Islands' territorial waters and ports.

Local children are subjected to sex trafficking and forced labor within the country, sometimes in exchange for money or fish, particularly near foreign logging camps, on foreign and local commercial fishing vessels, and at hotels and entertainment establishments. Some parents receive payments for sending young women and girls into forced marriages with foreign workers at logging and mining companies; some of them are exploited in domestic servitude and prostitution. Local boys and girls are put up for "informal adoption" by their families in order to pay off debts; some are subjected to sexual servitude by the adopted family or guardians, or forced labor as domestic servants. Boys are forced to work as domestic servants and cooks in logging camps.

The Government of the Solomon Islands 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 finalized and published guidelines on the identification, referral, and treatment of transnational trafficking victims, and it allocated funding for implementation of activities outlined in the 2015-2020 national action plan on human trafficking and people smuggling. Authorities identified 15 foreign labor trafficking victims and referred them to organizations to receive temporary shelter. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Solomon Islands is placed on Tier 2 Watch List for a fourth consecutive year. Per the Trafficking Victims Protection Act, Solomon Islands 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 provide additional services for trafficking victims or prosecute or convict any traffickers. Authorities did not make efforts to identify victims or investigate cases involving internal trafficking offenses or the forced prostitution of foreign women.



RECOMMENDATIONS FOR THE SOLOMON ISLANDS:

Investigate and prosecute both sex and labor trafficking offenses, and convict and punish traffickers; amend relevant laws to criminally prohibit all forms of human trafficking and to give prosecutors more authority and restrict judges' ability to offer fines in lieu of prison time; continue and increase efforts to identify trafficking victims among foreign workers, including those in the fishing, logging, and mining industries, and adopt and implement proactive procedures to identify victims of

sex trafficking and internal trafficking; increase government support for victim services, including through the allocation of funding; institute a campaign to raise public awareness of human trafficking; provide training for immigration officials, law enforcement officers, and social service providers, including at the provincial level; implement the draft national action plan for combating trafficking in persons; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government demonstrated limited progress in anti-trafficking law enforcement efforts, but did not prosecute or convict any traffickers. The immigration act prohibits and punishes transnational forms of trafficking in persons and prescribes a penalty of up to five years' imprisonment or a fine of up to 45,000 penalty units (\$5,700), or both for the trafficking of adults; it prescribes a penalty of up to 10 years' imprisonment or a fine of up to 90,000 penalty units (\$11,500), or both for the trafficking of children. These penalties are not sufficiently stringent, due to the option of paying a fine, and are not commensurate with penalties for other serious offenses, such as rape. The law also prohibits and punishes the withholding of travel or identity documents for the purpose of facilitating human trafficking; the penalty is imprisonment not exceeding two years, a fine of up to 20,000 penalty units (\$2,500), or both. During the reporting period, the Ministry of Justice and Legal Affairs Commission updated a draft amendment to the penal code (Sexual Offenses Bill) that, if approved, would define and prohibit some forms of internal trafficking and prescribe sufficiently stringent penalties.

There were no prosecutions or convictions of trafficking offenses. The immigration division led multiagency monitoring and investigation operations at logging companies and, through these efforts, identified two suspected cases of forced labor. Authorities referred one of these cases to the director of public prosecutions; however, prosecutors did not determine by the end of the reporting period whether there is sufficient evidence to move the case to trial. The government hosted trainings on human trafficking, funded and delivered by a foreign donor. Lack of adequate human resources and sufficient expertise in evidence collection continued to hinder effective law enforcement efforts to combat trafficking. The government did not conduct any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government made modest efforts to protect trafficking victims. In December 2015, the government finalized and published guidelines on the identification, referral, and treatment of transnational trafficking victims, although no such procedures existed for internal victims. Through its monitoring and investigation activities of logging companies, the immigration division identified 15 adult male victims from Indonesia and Malaysia exploited in transnational labor trafficking and referred them to international and local organizations to receive temporary accommodation; such effort represents an increase from no victims identified in 2014. A government agency provided temporary accommodation to an unknown number of victims, but the government continued to rely primarily on civil society organizations to provide limited services to victims of human trafficking on an ad hoc basis. NGOs reported providing services to two individuals who may have been victims of internal trafficking. No trafficking-specific services existed in the country.

The government has the authority to provide temporary residence permits—valid for up to three months—to allow foreign victims to assist the police in investigations. Due to lengthy legal processes and a lack of incentives to remain and participate in cases, most identified victims opted to return to their home countries, which hindered prosecutions. The government coordinated the repatriation of 10 victims, and an international organization facilitated the repatriation of four victims. One victim remained in the country; it is unclear whether the government assisted him in obtaining the necessary legal documents to do so. The government reported victims were able to seek compensation from their traffickers through civil suits, although no trafficking victims have ever filed such suits. The law protects trafficking victims from prosecution for crimes committed as a result of being subjected to trafficking, such as illegal entry into the country, illegal residency or procurement, or possession of a false identity document; however, this protection does not extend to victims of trafficking crimes that are not defined in Solomon Islands law. Thus, women in prostitution may have been repeatedly arrested and prosecuted during the year without efforts by officials to determine whether they were trafficking victims.

PREVENTION

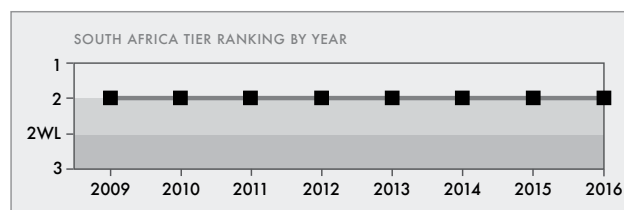
The government increased efforts to prevent trafficking. The Trafficking in Persons Advisory Committee met on a quarterly basis to coordinate anti-trafficking activities, and the government allocated funding for implementation of activities outlined in the 2015-2020 national action plan on human trafficking and people smuggling. In December 2015, authorities conducted a public lecture to raise awareness of human trafficking, with support from an international organization; this marked the first government-organized public awareness event. The government took no action to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. The Solomon Islands is not a party to the 2000 UN TIP Protocol.

SOUTH AFRICA: Tier 2

South Africa is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. South Africans constitute the largest number of victims within the country. South African children are recruited from poor rural areas to urban centers, such as Johannesburg, Cape Town, Durban, and Bloemfontein, where girls are subjected to sex trafficking and domestic servitude and boys are forced to work in street vending, food service, begging, criminal activities, and agriculture. Many children, including those with disabilities, are exploited in forced begging. Non-consensual and illegal *ukuthwala*, the forced marriage of girls as young as 12 to adult men, is practiced in some remote villages in Eastern Cape province, exposing some of these girls to forced labor and sex slavery. Local criminal rings organize child sex trafficking, Russian and Bulgarian crime syndicates operate in the Cape Town sex trade, and Chinese nationals organize the sex trafficking of Asian men and women. Nigerian syndicates dominate the commercial sex trade in several provinces. To a lesser extent, syndicates recruit South African women to Europe and Asia, where some are forced into prostitution, domestic service, or drug smuggling. Law enforcement reported traffickers employ forced drug use to coerce sex trafficking victims.

Thai women remained the largest identified foreign victim group, but officials reported an increased number of Chinese victims. Women and girls from Brazil, Eastern Europe, Asia, and neighboring African countries are recruited for legitimate work in South Africa, where some are subjected to sex trafficking, domestic servitude, or forced labor in the service sector, or taken to Europe for similar purposes. NGOs in Western Cape have reported an increased number of Nigerian sex trafficking victims, many coerced through voodoo rituals, and more Nigerians in domestic servitude. NGOs reported a new trend of Central African women in forced labor in hair salons. Foreign and South African LGBTI persons are subjected to sex trafficking. Foreign male forced labor victims were discovered aboard fishing vessels in South Africa's territorial waters; NGOs estimated 10 to 15 victims of labor trafficking each month disembarked in Cape Town. Young men and boys from neighboring countries migrate to South Africa for farm work; some are subjected to forced labor and subsequently arrested and deported as illegal immigrants. Forced labor is reportedly used in fruit and vegetable farms across South Africa and vineyards in Western Cape province. Government and NGOs report an increase in Pakistanis and Bangladeshis subjected to bonded labor in businesses owned by their co-nationals. Official complicity—including among police—in trafficking crimes remained a serious concern. Some well-known brothels previously identified as locations of sex trafficking continued to operate with officials' tacit acknowledgment.

The Government of South Africa does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In August 2015, the government promulgated the Prevention and Combating of Trafficking in Persons Act (PACOTIP), which criminalizes all forms of human trafficking, mandates a coordinated government program to prevent and combat trafficking, requires consolidated reporting of trafficking statistics, and outlines victim assistance measures. The government developed implementing regulations for PACOTIP, including on victim identification and referral, and began training officials on the law. The government increased law enforcement efforts—convicting 11 traffickers and initiating prosecution of five sex traffickers in 2015 in comparison to three convictions and 19 prosecutions in 2014. The Department of Social Development (DSD) continued its oversight of victim shelters, which assisted 103 victims—a significant increase compared to 41 during the previous reporting year. Officials did not implement procedures to identify trafficking victims among vulnerable groups, including illegal migrants and women in prostitution. The government did not address labor trafficking offenses systematically. A serious lack of capacity and widespread corruption among the police force hindered anti-trafficking law enforcement efforts. The government did not systematically prosecute or convict individuals involved in major international syndicates responsible for much of the sex trafficking in the country.



RECOMMENDATIONS FOR SOUTH AFRICA:

Amend the anti-trafficking law to ensure penalties are sufficiently stringent and restrict the ability of judges to impose fines in

lieu of prison time when sentencing convicted traffickers; increase efforts to investigate, prosecute, and convict traffickers, especially labor traffickers, under PACOTIP; continue to train law enforcement and social service officials to implement PACOTIP and related regulations and hold officials accountable for implementing the training they receive; investigate and prosecute officials suspected of trafficking complicity; verify law enforcement and social service providers use a victim-centered approach when interacting with potential victims and recognize initial consent is irrelevant; prosecute employers who use forced labor; screen vulnerable groups, including potential deportees and women in prostitution, for trafficking indicators; replicate the coordinated anti-trafficking law enforcement and victim referral mechanisms of KwaZulu-Natal (KZN) and Western Cape in all provinces; provide interpreters to assist victims in obtaining care, cooperating with law enforcement, and testifying in court; extend the availability of drug rehabilitation services for trafficking victims; certify or establish additional shelters for male victims; provide anti-trafficking training for diplomatic personnel and troops deployed abroad; and institute formal procedures to compile national statistics on traffickers prosecuted and victims assisted.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. In August 2015, the government promulgated the PACOTIP. PACOTIP prohibits all forms of human trafficking and prescribes punishments ranging from fines to a maximum of five years' to life imprisonment. Articles 4-11 provide a range of penalties for the offence of trafficking in persons depending on the severity of the offence. Article 4(1) establishes the criminal offence of trafficking in persons and sets forth the "acts," "means," and "purpose" according to the general framework for the criminal offense. The most severe penalty prescribed for trafficking is life imprisonment and/or a fine not exceeding R100 million. The penalties for the trafficking offenses are commensurate with those prescribed for other serious crimes, but not sufficiently stringent as the law provides a fine may be imposed in lieu of a prison sentence. The implementing regulations for PACOTIP's immigration provisions covered in Sections 15, 16, and 31(2)(b)(ii) have not been promulgated. The Sexual Offenses Act (SOA) prohibits the sex trafficking of children and adults and prescribes penalties of up to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The Basic Conditions of Employment Act of 1997 (BCEA), amended in 2014, prohibits forced labor and prescribes maximum penalties for forced labor for both children and adults from three to six years imprisonment. The Children's Amendment Act prescribes penalties of five years to life imprisonment or fines for the use, procurement, or offer of a child for slavery, commercial sexual exploitation, or to commit crimes. Authorities sometimes used the Prevention of Organized Crime Act of 1998 in combination with SOA to add additional charges—including money laundering, racketeering, and criminal gang activity—and stiffer penalties against offenders.

The government convicted 11 sex traffickers and initiated prosecutions of five suspected sex traffickers—compared with three convictions and 19 prosecutions in 2014. In 2015, the government sentenced two sex traffickers convicted under section 71 of the SOA to 25 years in prison and a 10,000 rand (\$660) fine for one and 16 years for the second. Prosecution of 19 alleged sex traffickers remained ongoing from previous reporting periods. Officials investigated cases involving

Nigerian, Thai, and Chinese traffickers, but the government has rarely convicted traffickers connected to international syndicates involving these or Russian or Bulgarian traffickers, who dominate the sex trade in several South African cities. The government did not prosecute or convict any officials allegedly complicit in trafficking offenses.

While the majority of trafficking victims in South Africa are labor trafficking victims, the government did not prosecute or convict any labor traffickers in 2015. The government did not comprehensively monitor or investigate forced child labor or the labor trafficking of adults in the agricultural, mining, construction, and fishing sectors. Department of Labor (DOL) inspectors continued to use BCEA as their core enforcement mechanism and rarely referred cases for criminal investigation. Stakeholders reported the failure of police to proactively identify sex trafficking victims or pursue investigations and noted prosecutors were often unwilling to take difficult cases. NGOs reported some police officers solicited commercial sex acts from victims.

In collaboration with an international organization, the government hosted 15 workshops on human trafficking and PACOTIP and trained 376 law enforcement and social services officials, including from the South African National Defense Force, South African Police Service (SAPS), South African Revenue Services, Department of Health, Department of Agriculture and Fisheries, and Airport Company South Africa. Department of Home Affairs (DHA) and DOL continued to include trainings developed by an international organization within their academy trainings for new staff.

PROTECTION

The government increased efforts to protect victims. DSD continued oversight of and funding to 13 accredited multipurpose shelters, which hosted 103 victims—a significant increase compared with 41 in 2014. DSD continued to oversee 17 NGO-run safe houses designed to temporarily shelter victims before transfer to an accredited shelter, providing a stipend on a per person, per night bases to the safe houses. There was only one shelter, in Gauteng Province, available for male trafficking victims. Some shelters declined to accept trafficking victims because of concerns about the government's ability to provide security. DSD ran a nine-week rehabilitation program to address the psycho-social well-being of victims and paid for victims to receive residential treatment at rehabilitation centers for overcoming drug addiction; however, not all provinces had such centers. The government operated a network of Thuthuzela Care Centers (TCCs)—full service crisis centers to assist victims of rape and sexual violence, including potential trafficking victims; it reported the 53 TCCs assisted five victims of trafficking. Staff prevented both adults and children from leaving shelters unaccompanied, reportedly for security reasons. Rapid-response teams comprised of government agencies and NGOs in Gauteng, Mpumalanga, Western Cape, and KZN Provinces continued to coordinate protective services, including shelter, for victims. DSD, which is responsible for designating and certifying trafficking victim status, continued to accept victims from law enforcement and coordinate their placement in a registered shelter.

SAPS, DSD, National Prosecuting Authority (NPA), DHA, and Department of Justice (DOJ) developed uniform formal procedures to identify and refer trafficking victims to care, in accordance with PACOTIP. Implementation of these procedures varied by department and province; not all officials were

aware of referral procedures. The KZN and Western Cape provincial task teams used an interagency protocol to guide law enforcement interactions with women in prostitution. Law enforcement generally did not screen women and LGBTI persons in prostitution for trafficking indicators, and instead sometimes charged them with prostitution and other violations. Male labor trafficking victims remained largely unidentified and were frequently detained, deported, jailed or fined.

Systemic hurdles inhibited progress in providing justice and protection for victims. A lack of language interpretation impeded the investigation of trafficking cases, prosecution of suspected offenders, and screening of victims. Officials encouraged victims to participate in the investigation and prosecution of traffickers and, at times, provided security and long-term care to foreign victims who did so. PACOTIP provides trafficking victims relief from deportation; however, regulations to implement this provision had not been promulgated. Law enforcement may petition DHA on behalf of foreign victims to prevent their deportation. Law enforcement reported difficulty placing suspected victims in shelters if they failed to provide evidence of force, fraud, or coercion immediately after their rescue; leaving DSD unable to immediately classify persons as victims of trafficking and delaying victims' placement in facilities. Suspected criminals could only be held for 48 hours without evidence, and many traumatized victims were unable or unwilling to provide statements within that time frame, leading to the release of suspected offenders.

PREVENTION

The government sustained efforts to prevent trafficking. The DOJ/victim support directorate supported awareness-raising efforts, including an information kiosk at Johannesburg's international airport for passengers and airport staff on identifying trafficking victims. The government allocated 2.7 million rand (\$180,000) to anti-trafficking training and awareness raising during the 2014-2015 fiscal years. NPA and DOJ oversaw six provincial task teams coordinated through the national task team. Various task teams undertook awareness raising; for example, the provincial task teams, led by its Department of Education members, conducted 17 awareness raising sessions in 51 schools, reaching approximately 34,410 primary school students, 1,100 teachers, and 1,200 parents during child protection week. In October, DHA set up roadblocks near border crossing points during human trafficking week where it conducted vehicle spot inspections and distributed anti-trafficking brochures.

Amendments to the 2012 Employment Services Bill, passed in 2013, were enacted on August 9, 2015. Though the bill does not ban labor brokers, it requires DOL to license and regulate private employment agencies and prohibits those agencies from charging fees for their services unless explicitly authorized by the labor minister. The government made efforts to reduce the demand for commercial sex but did not make any efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training to its peacekeepers prior to their deployment abroad on international peacekeeping missions or for its diplomatic personnel.

SOUTH SUDAN: Tier 3

South Sudan is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. South Sudanese women and girls, particularly those

from rural areas or who are internally displaced, are vulnerable to domestic servitude in Yei, Bor, Wau, Torit, Nimule, Juba, and elsewhere in the country. Some of these women and girls are sexually abused by male occupants of the household or forced to engage in commercial sex acts. South Sudanese girls, some as young as 10 years old, are subjected to sex trafficking in restaurants, hotels, and brothels in urban centers—at times with the involvement of corrupt law enforcement officials. Child sex trafficking remains a problem. Children working in construction, market vending, shoe shining, car washing, rock breaking, brick making, delivery cart pulling, and begging may be victims of forced labor. Girls as young as 9 years old in Eastern Equatoria are forced into marriages, at times as compensation for inter-clan killings; some may have been subsequently subjected to sexual slavery or domestic servitude.

Women and girls from Uganda, Kenya, Ethiopia, Eritrea, and Democratic Republic of the Congo migrate willingly to South Sudan with the promise of legitimate work and are subjected to sex trafficking. South Sudanese and foreign business owners entice men and women from these countries, as well as South Sudanese women and children, with offers of employment in hotels, restaurants, and construction; many are forced to work for little or no pay or are subjected to sex trafficking. Kenyan and Ugandan children are subjected to domestic servitude and forced labor in construction and street vending in South Sudan. Local civil society organizations reported instances of trafficking continued to increase during the reporting period, which predominantly affected South Sudanese victims as general insecurity and the fast deterioration of the economy led more foreigners to flee the country. Some traffickers may operate in organized networks within the country and across borders. Authorities occasionally assisted traffickers in crossing international borders, and some officials subjected women and girls to domestic servitude; others purchased sex from child trafficking victims, facilitated child sex trafficking, or protected establishments that exploited victims in the sex trade.

Violent conflict continued throughout the year, increasing the number of internally displaced people to nearly 1.7 million and the number of refugees to nearly 830,000. These groups, including orphaned children, were at increased risk of trafficking. The UN Mission in South Sudan (UNMISS) estimated 20,000 unaccompanied minors in refugee camps or moving between camps, particularly while crossing the Kenya-South Sudan and Democratic Republic of the Congo-South Sudan border, were vulnerable to recruitment as child soldiers or abduction for sex or labor trafficking. Inter-ethnic abductions, as well as abductions by external criminal elements, continued between some communities in South Sudan, especially in Jonglei, Unity, and Upper Nile states. In Warrap, Northern Bahr el-Ghazal, and Lakes states abduction was also widespread. Some abductees were subsequently subjected to domestic servitude, forced labor in animal herding, or sex trafficking. South Sudanese girls were reportedly abducted from Northern Bahr el-Ghazal State and taken into Sudan, where they may have been forced into domestic servitude or other forms of slavery, as in previous years. During the North-South civil war, members of the Missiriya and Rizeigat ethnic groups abducted and enslaved thousands of Dinka women and children and a smaller number of Nuban children. Some of those enslaved remained in Sudan with their captors.

According to the Agreement on the Resolution of the Conflict in South Sudan, signed by the warring parties in August 2015, the Sudan People's Liberation Army (SPLA) and the SPLA in Opposition (SPLA-IO) committed to the immediate and

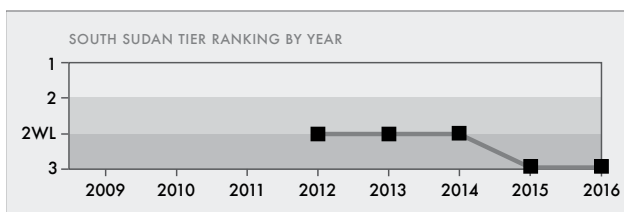
unconditional release of child soldiers under their command or influence, to be carried out by UNICEF and International Committee of the Red Cross (ICRC). Also in December 2015, both SPLA and SPLA-IO signed or recommitted to action plans with the UN for demobilization of child soldiers and reintegration. However, throughout the reporting period both groups continued to retain and recruit child soldiers, at times by force. SPLA, as well as armed opposition groups in South Sudan, recruited an unknown number of child soldiers, often by force, during the reporting period. Since the start of the conflict in December 2013, the UN estimates warring parties have recruited between 15,000-16,000 child soldiers, most between 15 and 16 years old, but some as young as 9 years old. Multiple sources reported widespread use of children by SPLA and government-allied groups, including on the front-line. An NGO research report released in December 2015, which included interviews with 101 child soldiers, reported one-third of the boys were forcibly and violently recruited: SPLA and opposition groups recruited boys at gunpoint, arrested and detained them until they agreed to fight, or abducted them and gave them a gun, forcing them to fight on the front lines. Boys were seen in military uniforms manning checkpoints and acting as bodyguards for military commanders. In July in Western Bahr el-Ghazal State, observers reported a deployment to an undetermined location of approximately 400 children associated with SPLA; the children were observed being airlifted from Wau airport. In Unity State, SPLA abducted and forcibly recruited large numbers of children who were used as combatants and porters from the start of its offensive in April continuing for several months after. SPLA continued to force girls to marry soldiers; these girls experienced systematic rape tantamount to sexual slavery.

During the reporting period, the UN, in partnership with the National Disarmament, Demobilization, and Reintegration (DDR) Commission, continued the demobilization and reintegration of 1,755 child soldiers released by David Yau Yau, the former militia commander of the South Sudan Democratic Movement/Army's Cobra Faction (SSDM/A-CF), who had approximately 3,000 children under his command when SPLA began to integrate his forces in 2014; integration was ongoing during the reporting period. SPLA agreed on the full integration of Yau Yau and his soldiers on the condition that all child soldiers under his command be demobilized prior to integration; however, approximately 1,200 children remained within the forces previously associated to Yau Yau, now under SPLA during the reporting period. Furthermore, SPLA continued to recruit child soldiers despite the DDR program to release all children associated with the SSDM/A-CF as it integrated with SPLA. In Jonglei State, observers reported 14 boys in military uniform associated with Yau Yau and reported the re-recruitment of seven other boys, separated earlier in 2015, by these integrated forces within SPLA. SPLA-North (SPLM/A-N), a Sudan-based group formerly aligned with SPLA and reportedly continuing to receive support from the South Sudanese government, conducted periodic campaigns in which it forcibly recruited adults and children in refugee sites in South Sudanese territory, including in Yida, Unity State and Maban, Upper Nile State. SPLM/A-N reportedly used child soldiers in Southern Kordofan and Blue Nile states in Sudan to fight against the Sudan Armed Forces and aligned militias. The Lord's Resistance Army (LRA) continued to harbor enslaved South Sudanese children in neighboring countries and exploited them as cooks, porters, combatants, and for sexual slavery.

Child soldiers were also present in large numbers within the SPLA-IO, primarily in the White Army and within groups

affiliated with the opposition. In Upper Nile state, recruitment campaigns by elements allied to SPLA-IO continued to take place; observers reported 152 boys were recruited between April and June 2015. During the reporting period, reports also indicated boys were abducted from their houses and schools to fight with the insurgent Arrow Boys—self-defense groups in Western Equatoria originally established to defend communities against the LRA but newly mobilized following mostly ethnic skirmishes between local agriculturalists and Dinka pastoralists supported by fellow Dinkas in SPLA; observers reported local children stopped attending school for fear of abduction. UNMISS received reports that Arrow Boys also recruited child soldiers in refugee camps across the border in the Democratic Republic of the Congo.

The Government of the Republic of South Sudan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Although the government committed to an action plan for the immediate and unconditional release of child soldiers under its command or influence, the government failed to uphold the agreement and implement this plan during the reporting period, as it continued to recruit, often by force, child soldiers. It failed to hold SPLA officers criminally accountable for these unlawful actions and did not investigate or prosecute other trafficking crimes or train law enforcement officials, who possessed little or no awareness of existing laws prohibiting human trafficking. The government did not provide adequate protective services for trafficking victims and continued to indiscriminately arrest and imprison individuals for prostitution, including child sex trafficking victims.



RECOMMENDATIONS FOR SOUTH SUDAN:

Cease all recruitment and use of children younger than 18 years of age by the SPLA and its associated militias; end armament or assistance to armed groups, including local defense groups that conscript and/or use children younger than age of 18 years; pursuant to article 1.10 of the Agreement on the Resolution of the Conflict in South Sudan, undertake the immediate release of child soldiers under command or influence of the SPLA, SPLA-IO and affiliated militias in conjunction with the ICRC and UNICEF for transfer to appropriate civilian rehabilitation and reintegration programs that include educational and vocational training as well as counseling; punish military officials found to be in violation of laws related to recruitment, use, and exploitation of children; investigate and prosecute suspected trafficking offenses, and convict and punish trafficking offenders, including complicit government officials, under existing laws; expedite the establishment of a hybrid court pursuant to the peace agreement or request the International Criminal Court to investigate potential war crimes and crimes against humanity committed during the conflict, including the recruitment and use of child soldiers; provide financial and political support to the SPLA's Child Protection Directorate and the army's Military Justice section, so that they can identify perpetrators and refer cases to civilian courts; appoint new leadership to the Child Protection Directorate to enable thorough investigation of child soldiering issues; train law enforcement and judicial officials to recognize trafficking victims among vulnerable groups,

particularly individuals in prostitution and children in street vending, construction, and domestic service; establish and implement procedures to prevent prosecution of trafficking victims for crimes committed as a direct result of being subjected to trafficking; conduct a public awareness campaign to educate government officials and the general public on all forms of human trafficking; develop robust partnership with NGOs so they may provide adequate care to victims; work with NGOs to develop an inventory of service providers, and train government officials on procedures to refer victims to these organizations to receive care; allow unimpeded access to all military barracks, including unannounced inspections by the UN to identify and remove any children; enact the draft labor act to ensure adequate prohibitions of forced labor; form an interagency committee to develop and implement a national anti-trafficking policy; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made no anti-trafficking law enforcement efforts and did not investigate or prosecute government officials complicit in trafficking. South Sudanese law does not prohibit all forms of trafficking, but the penal code of 2008 prohibits some forms of the crime. Article 282 prohibits and prescribes a sufficiently stringent punishment of up to seven years' imprisonment for the sale of a person across international borders. Articles 278 and 279 prohibit and prescribe punishments of up to seven years' imprisonment for the abduction and transfer of control over a person for the purpose of unlawful compulsory labor; the prescribed punishment of up to two years' imprisonment for compulsory labor without aggravating circumstances is not sufficiently stringent. Article 276 criminalizes buying or selling a child for the purpose of prostitution and prescribes a punishment of up to 14 years' imprisonment, which is sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Punishments prescribed in article 254 for procuring a child (up to 10 years' imprisonment) or an adult (up to two years' imprisonment) for the purposes of prostitution are not commensurate with those for rape. Article 258 prescribes punishments of up to 10 years' imprisonment for parents or guardians who cause or allow their child to be involved in the sex trade. South Sudan's Child Act of 2008 prohibits the recruitment and use of children for military or paramilitary activities, and prescribes punishments of up to 10 years' imprisonment for such crimes.

The government reported no investigations, prosecutions, or convictions for trafficking crimes, including offenses allegedly committed by officials, including members of the SPLA and the allied militias. The government has never formally punished an offender for the recruitment and use of child soldiers. In addition to ongoing recruitment of child soldiers by the SPLA and its allied militia, soldiers frequently engaged child sex trafficking victims. SPLA's Directorate for Child Protection, responsible for investigating allegations of child soldiering and headed by a brigadier general, did not investigate any of the numerous instances of child soldiering throughout the country.

Capacity of law enforcement officers in most regions of the country remained limited, and courts often lacked adequate human and physical resources to investigate and prosecute crimes, including human trafficking. Pervasive corruption in the judicial sector, including the use of intimidation and bribery, hindered prosecutions of traffickers. Law enforcement and judicial officials continued to have little or no awareness of South Sudan's laws prohibiting human trafficking and the

government did not provide specialized anti-trafficking training to such personnel to rectify this concern during the year. The national legislature did not pass the omnibus labor act, drafted by the Ministry of Labor in 2009 to provide further protections against forced labor.

PROTECTION

The government made minimal efforts to protect trafficking victims and, at times, law enforcement efforts were harmful to victims. The government did not formally identify any trafficking victims and law enforcement continued to indiscriminately arrest individuals in prostitution, including trafficking victims, as there was no process to distinguish or identify potential victims among these or other vulnerable populations. During the reporting period, law enforcement officers arrested 15 girls for prostitution and detained them; an NGO successfully advocated for their release, but the girls did not receive protective services. Multiple sources reported law enforcement made sweeping arrests of women and girls in prostitution in Yei and Juba and often beat and extorted money from the incarcerated women and girls before releasing them. A local NGO, supported by the Ministry of Social Development, the UN, and other international donors, provided protective services for orphaned and adolescent girls, some of whom were trafficking victims. UNICEF, in partnership with the government, continued to demobilize children within the SSDM/A-CF, during the reporting period. UN agencies and NGOs provided temporary shelter to 1,758 child soldiers demobilized by the government, but the government did not provide financial or other support to these organizations.

There were no specialized services available for trafficking victims or for any victims outside Juba. Front-line officers failed to remove trafficking victims from exploitative situations. The government did not provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution or encourage victims to assist in the investigation and prosecution of trafficking crimes. Social stigma and justified fears of punitive law enforcement actions discouraged victims, particularly sex trafficking victims, from communicating with law enforcement authorities. NGO staff observed law enforcement officers stationed at the entries and exits to Juba brothels acting as security. There were no laws or policies to protect victims from prosecution for crimes committed as a direct result of being subjected to trafficking. In previous years, the government arrested foreign victims for lack of proper documentation, though it is unknown if this continued during the reporting period.

PREVENTION

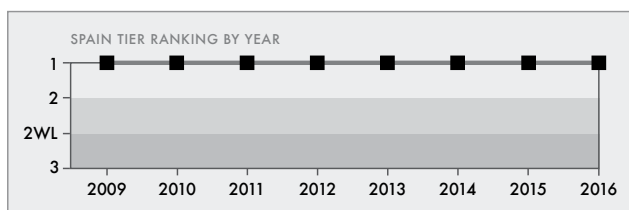
The government made minimal efforts to prevent trafficking. In December 2015, the government agreed to utilize the existing National Aliens Committee to serve as the National Coordination Mechanism on Migration, which will address trafficking issues in the country. The Police Services Act of 2009 designates the South Sudan Police Service as the lead on investigation of potential trafficking crimes and enforcement of the law. The SPLA continued to deny the presence of child soldiers in its ranks, continued to actively recruit child soldiers, at times by force, and failed to implement the action plan to demobilize child soldiers. The government did not have a national action plan against trafficking and trafficking awareness remained low among government officials and the public. The government did not conduct any anti-trafficking awareness campaigns or partner with civil society to do so. Authorities

took no known steps during the reporting period to address the labor exploitation of South Sudanese nationals working abroad or foreign nationals within South Sudan. The government had memoranda of understanding with Kenya, Rwanda, Ethiopia, and Uganda to facilitate information exchanges, including on human trafficking. The government made no discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel. South Sudan is not a party to the 2000 UN TIP Protocol.

SPAIN: Tier 1

Spain is a destination, source, and transit country for men, women, and children subjected to forced labor and sex trafficking. Women from Eastern Europe (particularly Romania, Bulgaria, Ukraine, and Russia), South America (particularly Paraguay, Brazil, Colombia, and Ecuador), China, and Nigeria are subjected to sex trafficking in Spain. Men and women from China, India, and Pakistan are subjected to forced labor in the domestic service, textile, agricultural, construction, industrial, and service sectors. Victims are recruited by false promises of employment in the service industry or agriculture and forced into prostitution and debt bondage upon their arrival to Spain. Traffickers also lure some victims from within Spain and other regions of the EU. A large percentage of individuals in prostitution in Spain are believed to be victims of human trafficking. Many women in prostitution in Spain are held under the control of Nigerian, Romanian, and Spanish trafficking networks that operate out of major cities in Spain, though victims are increasingly subjected to trafficking by individuals and smaller groups of traffickers. Unaccompanied migrant children in Spain continue to be vulnerable to sex trafficking and forced begging. Police and other officials have been investigated, charged, and convicted for complicity in human trafficking crimes.

The Government of Spain fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government prosecuted and convicted fewer traffickers than in 2014, while the number of ongoing investigations increased. Law enforcement efforts continued to focus on sex trafficking, but increased attention to labor trafficking resulted in more victims identified. The number and proportion of trafficking prosecutions involving forced labor was higher in 2015 than in previous years (15 of 45 defendants prosecuted in 2015 were for labor trafficking, compared with six defendants in both 2013 and 2014). The government identified more trafficking victims, maintained funding for victim assistance and law enforcement efforts, and cooperated closely with NGOs on victim identification and referral to services. The government updated its national anti-trafficking action plan and increased public awareness campaigns aimed at preventing trafficking.



RECOMMENDATIONS FOR SPAIN:

Increase prosecutions and convictions of trafficking offenses,

particularly for forced labor; establish specialized services for men and labor trafficking victims; increase training on proactive victim identification, in particular among women in prostitution, irregular migrants, unaccompanied minors, and workers in industries and agricultural regions with high incidences of labor exploitation; ensure victims who do not testify against perpetrators are not detained or deported; train all prosecutors and judges on a victim-centered approach to law enforcement, not just those specializing in trafficking cases; establish national procedures for proactive identification of child victims and ensure coordination between prosecutors and child protective services to avoid re-victimization; continue to prosecute and punish government officials complicit in trafficking; and conduct awareness campaigns on forced labor.

PROSECUTION

The government maintained strong law enforcement efforts in 2015. Article 177 of the criminal code prohibits all forms of both sex and labor trafficking and prescribes penalties from five to eight years' imprisonment, which are sufficiently stringent and commensurate with the prescribed penalties for other serious crimes, such as rape. The government updated its criminal code in March 2015 to include trafficking for the purpose of the commission of crimes as a punishable form of trafficking in persons. The impact of this change was evident in the May 2015 arrest of 48 members of a Serbian trafficking ring that kidnapped and bought women as young as 13 and forced them to commit crimes. As of December 2015, the Office of the Prosecutor was investigating 344 cases for sexual or labor exploitation, an increase from 293 cases under investigation as of December 2014. The government initiated prosecutions of 30 defendants for sex trafficking and 15 for labor trafficking in 2015, compared with 98 and six, respectively, in 2014. Courts convicted 58 traffickers in 2015, a slight decrease from 62 in 2014, with 56 for sex trafficking and two for labor trafficking (compared with 60 for sex trafficking and two for labor trafficking in 2014). While the government did not provide comprehensive sentencing data, it sentenced the leader of a sex trafficking ring to 44 years in prison and gave 13 other members of the network prison sentences ranging from one to 31 years' imprisonment. Two individuals convicted of child sex trafficking received sentences of 11 years' imprisonment. In a separate case, a trafficker was sentenced to 11 years in prison for the sex trafficking of a woman. The government did not report any new investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government provided specialized training on trafficking to law enforcement officials developed with input from NGOs. In 2015, the government trained 110 police and civil servants in rural areas.

PROTECTION

The government sustained strong protection efforts. Authorities reported identifying 169 trafficking victims in 2015, an increase from 153 in 2014; of the 169, 65 were reported victims of sex trafficking and 104 of labor trafficking. The government maintained funding levels equal to those of the prior year, allocating 4.9 million euros (\$5.6 million) for trafficking victims across ministries, including 2 million euros (\$2.3 million) for NGOs providing services and shelter to victims. Since 2013, the government has used a victim identification protocol developed with NGO input. NGOs reported good cooperation with law enforcement in the identification and referral of victims, including NGO participation in raids on brothels and locations where victims may have been present.

The government provided free health care, legal assistance, social welfare benefits, and funds for repatriation to trafficking victims, but also referred some victims to NGOs for care. A network of anti-trafficking NGOs ran most facilities with funding from both the government and private sources. NGOs provided victims temporary shelter and access to legal, medical, and psychological services. One NGO assisted 113 victims in 2015, some of whom were referred to the organization by government institutions and security forces. Another NGO in Catalonia assisted 189 victims, nearly half of whom were referred by law enforcement agencies in accordance with a cooperative agreement. Specialized centers for child victims of crime and seven trafficking shelters—all NGO-run—were available to assist child trafficking victims. Two multipurpose, NGO-run shelters were available specifically for adult male victims.

In April 2015, the government approved laws providing additional protections to sex trafficking victims, including more time to appeal the dismissal of cases against alleged traffickers, the ability to appeal penitentiary authority decisions regarding the terms of their traffickers' incarceration and release, and the proactive provision of information about the status of criminal cases. The government has not yet reported on how these provisions have been implemented. Under the law, foreign victims could request a renewable residence permit for up to five years based on their cooperation with law enforcement or, in some cases, on the basis of their personal situation without regard to whether they assisted law enforcement. Victims could also receive assistance to return to their country of origin, unless participating in a criminal prosecution. The government granted reflection periods—time during which victims from outside the European Union could recover while deciding whether to assist law enforcement—to 44 victims in 2015, compared with 35 victims in 2014. In 2015, the 30-day reflection period was lengthened to a minimum of 90 days. Citizens of EU member states, however, are not subject to the 90-day reflection period and face no deadline for claiming social services or cooperating with authorities. Under the 2012 penal code reform, approved in March 2015, victims are protected from prosecution for any unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government sustained strong prevention efforts during the reporting period. The Ministry of Health managed the national anti-trafficking working group, which included the Ministries of Interior, Justice, and Labor, and advised on all aspects of the government's anti-trafficking efforts. Throughout the reporting period, the national rapporteur, who fills a deputy minister-level position in the Ministry of the Interior, held bi-monthly meetings with representatives of all ministries, NGOs, the judiciary, and security forces, with the goal of creating a unified anti-trafficking plan. The government updated its national action plan to combat trafficking in September 2015, with input from a range of government and non-government stakeholders. The new three-year action plan focuses on protection of women and girls, identification of and provision of services to victims, and multi-sector coordination. The government committed 104 million euros (\$119 million) to the plan over four years. The government expanded prevention efforts through several public awareness campaigns, including a television series, traditional media, and digital media, which received extensive press coverage. It operated three hotlines for the reporting of suspected sex trafficking cases, fielding approximately 83,000 calls, some of which led to victim identification and opening of new cases. In 2015, the government began monitoring efforts

to assist trafficking victims, and shared its assessments with domestic and international organizations. The government also continued to publish detailed information on the numbers of prosecutions, victims, and accused traffickers.

The government conducted 1,248 inspections related to sex trafficking in 2015, a decrease from 1,406 in the previous year, and 710 inspections related to labor trafficking, a decrease from 889 in 2014. While the government discouraged newspapers from publishing classified ads for sexual services offered by individuals engaged in prostitution, many of whom were likely trafficking victims, it did not make efforts to reduce demand for commercial sex acts. NGOs argue that regional and municipal government efforts to bar solicitation for prostitution on highways and in other public places penalize victims of trafficking. The government maintained strict prohibitions on international sex tourism, warning Spanish citizens they may be prosecuted and convicted under Spanish law for such acts committed overseas. While the government dramatically increased the number of investigations, inspections, operations, and arrests for labor exploitation and trafficking, it did not make efforts to reduce demand for forced labor. Spanish troops received anti-trafficking training prior to their deployment abroad as part of international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel. The government maintained several bilateral accords with countries that are sources of trafficking victims in Spain, cooperated regularly with foreign governments on the investigation and prosecution of trafficking cases, and organized anti-trafficking programs, seminars and training in countries of origin.

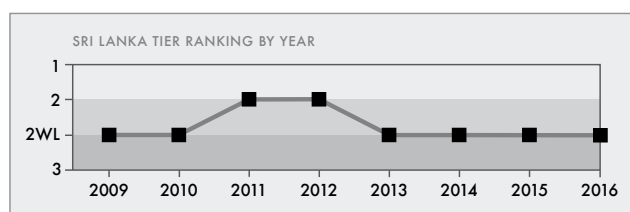
SRI LANKA: Tier 2 Watch List

Sri Lanka is primarily a source and, to a lesser extent, a destination country, for men, women, and children subjected to forced labor and sex trafficking. Some of the Sri Lankan men, women, and children who migrate to the Middle East, Southeast Asia, and Afghanistan to work in the construction, garment, and domestic service sectors are subjected to forced labor. Before leaving Sri Lanka, many migrant workers go into debt to pay high recruitment fees imposed by unscrupulous labor recruitment agencies—most of them members of Sri Lanka's Association of Licensed Foreign Employment Agencies—and their unlicensed sub-agents. Migrant laborers receive a monetary advance as an incentive to move abroad, only to be trapped in debt bondage upon arrival at their destination. Some recruitment agencies commit fraud by changing the agreed upon job, employer, conditions, or salary after the migrant's arrival. Some Sri Lankan women are subjected to forced prostitution in Jordan, Maldives, Malaysia, Singapore, and elsewhere.

Within the country, women and children are subjected to sex trafficking in brothels. Boys are more likely than girls to be forced into prostitution in coastal areas for child sex tourism. Children, individuals with physical deformities, and those from socially vulnerable groups are forced to beg or engage in criminal activity in Sri Lanka's largest cities. Some child domestic workers in Colombo, generally from the Tamil tea estate sector, are subjected to physical, sexual, and mental abuse, non-payment of wages, and restrictions of movement—indicators of labor trafficking. A small number of women from Asia, Central Asia, Europe, and the Middle East have been subjected to forced prostitution in Sri Lanka in recent years. Police accept bribes to permit brothels to operate, some of which

exploit trafficking victims. Sub-agents collude with officials to procure fake or falsified travel documents to facilitate travel of Sri Lankans abroad.

The Government of Sri Lanka 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 ratified the 2000 UN TIP Protocol and the Cabinet approved the government's national action plan to combat human trafficking. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore Sri Lanka is placed on Tier 2 Watch List for the fourth consecutive year. Per the Trafficking Victims Protection Act, Sri Lanka 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. Authorities slightly increased investigations and prosecutions of trafficking cases; however, convictions stagnated at one trafficker convicted—the same number as in 2014—and the sentence of two years' imprisonment was not sufficiently stringent to deter future trafficking crimes. Provisions for victim protection were inadequate, as the government arrested sex trafficking victims and charged them with crimes committed as a direct result of being subjected to trafficking, provided no specialized services to male victims, and mixed child victims with criminals in state institutions.



RECOMMENDATIONS FOR SRI LANKA:

While respecting due process, improve efforts to investigate and prosecute suspected traffickers under article 360(c) and convict and punish offenders, including allegedly complicit officials; continue to train officials on victim identification and referral procedures, especially to ensure victims are not detained or otherwise penalized for unlawful acts committed as a direct result of having been subjected to human trafficking, such as migration violations or prostitution; improve protection services to ensure identified victims, including men and children, receive specialized care services; take steps to eliminate all recruitment fees charged to workers by licensed labor recruiters and instead ensure they are paid by employers; expand the Bureau of Foreign Employment's mandate to include the regulation of sub-agents; and promote safe and legal migration rather than imposing discriminatory policies.

PROSECUTION

The government demonstrated limited progress in law enforcement efforts to address human trafficking. Article 360(c) of the penal code prohibits all forms of trafficking, although the law also covers non-trafficking offenses, such as selling children. The law prescribes punishments of up to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The government initiated investigations of six trafficking cases in 2015, compared with 20 cases investigated in 2014. The government reported 12 prosecutions in 2015,

five under article 360(c) and seven under the procurement statute, compared with a total of 10 prosecutions in 2014. The procurement statute criminalizes obtaining a person to become a prostitute and carries lesser penalties than article 360(c); procurement cases, unlike trafficking cases, are not considered grave offenses and are brought before a magistrate judge generally without a prosecutor from the attorney general's office. As in 2014, courts did not convict any traffickers under article 360(c). Authorities convicted one trafficker under the procurement statute, the same number as in 2014, and sentenced the offender to two years' imprisonment and a fine of 5,000 Sri Lankan rupees (\$35). The government's reliance on procurement charges, and the absence of prosecutions under the trafficking statute, resulted from police not thoroughly investigating potential human trafficking cases for elements of force, fraud, or coercion. Most complaints migrant workers filed with police officers in the Bureau of Foreign Employment (SLBFE) were automatically categorized as an "employment or contract dispute" and were not screened for labor trafficking; instead, if a crime was alleged the case was prosecuted under the Foreign Employment Act before a magistrate judge who could only issue penalties up to two years' imprisonment.

Official complicity in trafficking offenses remained a serious problem. Allegations continued that police and other officials accepted bribes to permit brothels to operate; some of the brothels exploited trafficking victims. Some sub-agents reportedly worked with officials to procure forged or modified documents, or genuine documents with falsified data, to facilitate travel abroad. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, during the reporting period the government charged a supreme court judge with sexual abuse and assault—potential indicators of trafficking—following his alleged mistreatment of a domestic worker employed in his home.

PROTECTION

The government maintained inadequate protection services for female trafficking victims and provided no specialized care for male trafficking victims. The police and the National Child Protection Authority reported identifying 30 trafficking victims, compared with 29 victims in 2014. The Ministry of Women and Child Affairs continued to operate a shelter for female trafficking victims; during the reporting period the shelter accommodated one victim, although all other identified female victims were offered shelter. The government allocated 1.5 million Sri Lankan rupees (\$10,400) for the operation of the shelter. SLBFE continued to operate short-term shelters in Sri Lankan embassies overseas and a transit shelter near the international airport for returning female migrant workers who encountered abuse abroad. The transit shelter provided medical, counseling, and protection services to 645 women returning from abroad, some of whom may have been trafficking victims. The government did not have other specialized care available to female trafficking victims and did not have any care services for male victims. Until they could be placed in a state-run or state-approved home, authorities held child victims in facilities housing juvenile criminals.

The government had standard operating procedures (SOPs) for the identification of victims and their subsequent referral to protection services. An international organization held several trainings on the SOPs for government officials, including 44 SLBFE officers; the government provided the venues and materials for the trainings. However, officials' ability to

implement these procedures and ensure victims were not jailed or penalized for crimes committed as a direct result of being subjected to human trafficking remained impaired. Observers continued to report Sri Lankan authorities jailed and charged some sex trafficking victims for prostitution or immigration offenses. The Victims and Witnesses Protection Act and the SOPs call for the consideration of protection mechanisms when victims testify in court; however, it is unclear if these provisions were used during the year. The SOPs provide foreign victims who cooperate in prosecutions a visa extension until the end of the trial; however, the government did not provide foreign victims with legal alternatives to deportation to countries where they might face hardship or retribution after trial completion or for victims who did not cooperate with prosecution.

PREVENTION

The government demonstrated increased efforts to prevent trafficking. In June 2015, the government ratified the 2000 UN TIP Protocol, and in February 2016 the Cabinet approved the government's national action plan to combat human trafficking. The inter-ministerial anti-trafficking taskforce and some government agencies continued to conduct awareness campaigns and disseminate information on the consequences of human trafficking. However, SLBFE maintained its ban on migration of domestic workers younger than age 23 to the Middle East and, as of August 2015, required all female migrant workers to submit a "family background report" to ensure the woman did not have children younger than age 5; observers reported these policies increased the likelihood such women would migrate illegally and therefore heightened risks of human trafficking. During the reporting period, SLBFE's legal division filed a total of 189 cases against illegal recruiters and recruitment agencies for fraudulent practices, compared with 172 cases in 2014. The government did not have the ability to regulate sub-agents under SLBFE, which officials recognized as a problem contributing to trafficking. The government did not report any efforts to reduce the demand for commercial sex acts or forced labor during the reporting period. The government provided anti-trafficking training to military personnel prior to their deployments abroad on international peacekeeping missions and for its diplomatic personnel.

SUDAN: Tier 3

Sudan is a source, transit, and destination country for men, women, and children subjected to forced labor and, to a lesser extent, sex trafficking. Street children in Khartoum—including Sudanese and migrant children primarily from West Africa—who beg in the streets and work in public transportation and large markets are particularly susceptible to forced labor; some experience sexual abuse and extortion. Human rights groups observe children working in brick-making factories, gold mining, and agriculture; these children are vulnerable to trafficking. Children observed in gold mining are exposed to threats, physical and sexual abuse, and harsh and unsafe working conditions, with limited access to schooling or health services. Unverified reports indicate South Sudanese children are seasonally contracted out or sold to families for agricultural work, particularly in agricultural states like West Kordofan; these children are vulnerable to exploitation. Sudanese law prohibits the recruitment of children as combatants and provides criminal penalties for perpetrators; however, children remained vulnerable to recruitment and use as combatants and in support roles by Sudanese military and security forces

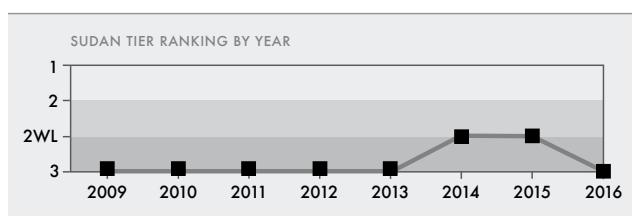
and non-governmental armed groups and militias. In 2015, an international organization reported that the Sudanese Armed Forces (SAF) recruited and used some children aged 16-17 years, while unverified reports indicate the Sudanese Rapid Response Forces recruited 12 boys. In addition, South Sudanese rebels reportedly abducted children from West Kordofan to fight in South Sudan. Sudanese women and girls, particularly internally displaced persons or those from rural areas, and refugee women are vulnerable to domestic servitude; Sudanese girls are also vulnerable to sex trafficking in restaurants and brothels. Some Sudanese officials are reportedly involved in child sex trafficking rings and profit from such crimes.

Migrants, unaccompanied minors, refugees, and asylum-seekers, primarily from East and West Africa, are highly vulnerable to sex trafficking and forced labor in Sudan. Ethiopian women are particularly vulnerable to domestic servitude in private homes in Khartoum and other urban centers; some Ethiopian women are forced into prostitution in Khartoum and experience debt bondage. A substantive number of Filipina women subjected to trafficking in Sudan work as domestic employees in Sudanese homes. Anecdotal reports indicate Syrian refugees, including children, are increasingly observed begging on the streets in Khartoum and are vulnerable to exploitation. Anecdotal evidence also suggests that Chinese women working for Chinese companies, especially restaurants, may be subjected to forced labor or prostitution. Bangladeshi adults migrate to Sudan for work and have been reported to be victims of trafficking. South Sudanese citizens, who lack formal immigration papers due to unimplemented agreements between Sudan and South Sudan on the legal status of South Sudanese in Sudan, are vulnerable to exploitation in Sudan. Many migrants from East Africa and the Middle East, including Yemenis and Syrians fleeing conflict, who transit Sudan en route to Europe are highly vulnerable to trafficking along this route. Some refugee and asylum-seekers from Eritrea and Ethiopia are abducted from Sudan-based refugee camps, eastern border regions, and Khartoum and transported to other countries, including Libya, for exploitative purposes. Eritrean nationals are abducted from refugee camps or at border crossings, extorted for ransom, and brutalized by smugglers primarily linked to the Rashaida tribe; some of those abducted are forced to perform domestic or manual labor and experience severe physical and sexual abuse, indicative of trafficking. Sudanese police and border guards allegedly facilitate abductions of Eritrean nationals, some of whom are trafficking victims, and allow potential victims to be transported across security checkpoints or international borders without intervention.

Sudanese citizens are subjected to forced labor, domestic servitude, and sex trafficking abroad. Some Sudanese men who voluntarily migrate to the Middle East as low-skilled laborers are subjected to forced labor. The Sudanese government reported the use of Sudanese children in Saudi Arabia for forced begging and street vending, especially during the Hajj season. Sudanese criminal gangs falsely promise Sudanese nationals jobs in Libya, but sell them to Libyans who force them to work in agriculture. In March 2016, the media reported a Sudanese youth was allegedly sold by his uncle for forced labor in a mine in Libya. Some Sudanese citizens who migrate to Europe via Egypt are reportedly detained in the Sinai Peninsula; these individuals are highly vulnerable to exploitation and severe physical and sexual abuse.

The Government of Sudan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Although the government reported

law enforcement efforts against trafficking offenders, officials frequently conflated trafficking with other crimes, such as smuggling and kidnapping, and convicted offenders received severely weak sentences that were insufficient to deter the crime. Moreover, the government continued to deny the existence of sex trafficking of adults and children, and it did not report on forced labor or the recruitment and use of child soldiers by government security forces. The government identified a significant number of victims of abuse, including some trafficking victims, during security operations; however, the government failed to identify victims of sex trafficking or forced labor. Authorities continued to punish trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration violations. The government lacked capacity and resources to provide adequate protective services to victims of all forms of trafficking. In March 2016, the government finalized an action plan—negotiated with an international organization—to end the recruitment and use of child soldiers. Despite this positive effort, authorities were unable to fully prevent or end the use of children in the armed forces and failed to provide protective services or reintegration support to demobilized child soldiers.



RECOMMENDATIONS FOR SUDAN:

Prevent the recruitment of child soldiers by all armed groups and demobilize all child soldiers from the ranks of government forces, aligned militias, and rebel groups and provide them access to protective services; criminalize child prostitution in the absence of coercion, and amend the anti-trafficking law to include a definition of exploitation and exclude the requirement to prove gain or advantage to the trafficker; implement the anti-trafficking law to increase prosecutions and convictions of traffickers as distinct from smuggling perpetrators, and significantly increase penalties imposed for trafficking offenders to deter the crime; establish clear legal distinctions between human trafficking and smuggling crimes, including enacting federal anti-smuggling legislation and harmonizing national and state-level anti-trafficking legislation; train law enforcement authorities on how to distinguish trafficking cases from other crimes, and establish procedures for authorities to identify and provide protective services to trafficking victims among vulnerable populations, such as domestic workers, women and children in prostitution, refugees and asylum-seekers, foreign migrants, and Sudanese nationals abroad; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking, and do not detain victims and witnesses of trafficking crimes and allow them full freedom of movement; amend the Law of 1955 Regarding Domestic Servants to provide additional rights and protections for domestic workers; implement and dedicate adequate resources to the national anti-trafficking action plan; allow victims of all forms of trafficking protective services, including open shelter, security, legal aid, psycho-social and rehabilitative care, and translation services, regardless of their participation in the investigation of their trafficker, and ensure protective services to those willingly participating in trafficking investigations; institute regular anti-trafficking training for

relevant government officials and Sudanese diplomats overseas; and implement awareness campaigns that address all forms of trafficking, including forced labor and sex trafficking.

PROSECUTION

The government demonstrated insufficient and questionable anti-trafficking law enforcement efforts, especially as officials continued to conflate trafficking and smuggling, impairing effective implementation of anti-trafficking legislation. The 2014 anti-trafficking law does not criminalize all forms of human trafficking. Contrary to international law, it does not prohibit child prostitution in the absence of coercion and fails to adequately define “exploitation.” The law prescribes between three and 10 years’ imprisonment for acts of trafficking, between five and 20 years’ imprisonment for aggravated trafficking, and capital punishment in cases where the trafficking victim dies; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape, but were rarely imposed to the full extent. The Sudan Armed Forces Act of 2007 prohibits members of the armed forces from recruiting children younger than 18 years old, enslaving civilians, or coercing civilians into prostitution.

Law enforcement and judicial officials failed to appropriately apply the national anti-trafficking law and often utilized other legal frameworks, some carrying lesser penalties, to punish trafficking offenders. In some instances, the government prosecuted victims under immigration laws and charged perpetrators of other crimes, such as smuggling, under the national anti-trafficking law. The national anti-trafficking committee reported the government initiated 127 investigations in 2015, of which 42 were ongoing at the end of 2015. Security forces reported police initiated an investigation of 13 criminal syndicates operating child begging rings in Khartoum at an unspecified time during the reporting period. It was unclear, however, if any perpetrators were arrested or prosecuted for trafficking crimes. The government prosecuted and closed 85 cases, but it was unclear how many of them resulted in convictions or what sentences were imposed. Further, as the government did not provide details of the charges, it could not be determined if they involved human trafficking or other crimes, such as smuggling, kidnapping, organ trafficking, or immigration violations. In fact, as some perpetrators were charged under the passport and immigration act, it is unclear whether the government charged trafficking victims—rather than traffickers—for crimes during the reporting period. The government reportedly convicted at least nine traffickers in 2015, who received minimal financial penalties in lieu of prison sentences or prison terms of only two to three months; some convicted offenders were set free on bail. Weak sentences for convicted traffickers were far below the minimum penalty established under the 2014 anti-trafficking act and provided no deterrent to perpetrating trafficking crimes in the future. Despite reports that security and law enforcement officials were complicit in human trafficking crimes, the government did not report any investigations, prosecutions, or convictions of such officials. Furthermore, the government did not disclose investigations or prosecutions of officials in the SAF or other security and military elements allegedly complicit in the use and recruitment of children. The government did not directly provide anti-trafficking trainings to officials or diplomats stationed abroad and continued to rely on international organizations to do so.

PROTECTION

The government demonstrated limited efforts to identify trafficking victims, while authorities continued to punish victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government did not report identifying any victims of internal sex trafficking, domestic servitude, forced begging, or forced child labor—including those exploited in child soldiering—or Sudanese nationals exploited abroad. The government did not have systematic procedures to identify trafficking victims among vulnerable populations, nor did it consistently utilize a standard referral mechanism to refer victims to protection services. The Commission for Refugees, however, reportedly screened new refugees for vulnerabilities to trafficking and referred an unknown number of victims to an international organization for care. Throughout 2015, the government allowed a local NGO access to detention facilities in eastern Sudan to screen for and identify trafficking victims among detainees, but it was unclear how many—if any—victims it identified. Security officials reported rescuing 1,296 foreign migrants during security operations, some of whom may have been trafficking victims and most of whom were likely smuggled or extorted for ransom. It was unclear if authorities referred any of these migrants to appropriate protective services. The government continued to arrest, detain, prosecute, or deport trafficking victims among vulnerable populations for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration violations. During the reporting period, the government regularly rounded up children who were forced to beg in the streets of Khartoum and placed them in holding facilities, including 20 unaccompanied minors placed in a detention center in Khartoum in November 2015; authorities failed to screen these children for trafficking. Authorities—particularly in eastern Sudan—continued to charge some trafficking victims for immigration violations in order to prevent their movement and use them as witnesses in trafficking investigations. Moreover, some investigative authorities pressured trafficking victims to cooperate in trafficking investigations, making their stay in protection facilities contingent on their cooperation. Some victims participating in investigations risked retaliation by their perpetrators, but authorities did not provide effective mechanisms to protect victims from such harm. During the reporting period, authorities regularly deported unidentified trafficking victims among vulnerable populations, failing to screen them for trafficking or refer them to NGOs for care.

The government did not fund shelters or other care facilities that provided appropriate services to trafficking victims. It relied heavily on international organizations and civil society to provide assistance to victims, but it did not independently fund such entities assisting vulnerable groups, including trafficking victims. A safe house for vulnerable refugees in Kassala state, which was formally supported by the government but funded by an international organization, provided secure shelter, medical treatment, and psycho-social support to 35 trafficking victims from April to September 2015. The safe house, however, was frequently overcrowded, and government authorities did not allow all victims to leave freely. Moreover, government-appointed social workers in the safe house were unable to provide continuous psycho-social support to victims. During the reporting period, the Ministry of Health reportedly hired a psychiatrist in Kassala State Hospital to provide mental health assistance to trafficking victims that sought assistance at the hospital. It was unclear, however, if the hospital assisted any trafficking victims during the reporting period. The Law of 1955 Regarding Domestic Servants outlined a process for employing and registering domestic workers and provided

limited labor rights and protections for them. The government, however, did not report if any domestic workers were registered and protected under the law during the reporting period. The government reportedly provided legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution.

PREVENTION

The government made insufficient efforts to prevent trafficking, and some government policies may have caused the exploitation of some vulnerable populations. In March 2016, President Bashir announced that South Sudanese immigrants would be considered illegal unless they formally registered within one week of arriving in Sudan. This policy restricts South Sudanese access to legal work and potentially exposes them to exploitative work situations. Authorities continued to deny that forced labor and sex trafficking of adults and children occurred in the country. Because the government continued to deny commercial sex and forced labor existed in Sudan, it did not make efforts to reduce the demand for commercial sex acts and forced labor, nor did it raise awareness of child sex tourism. The government continued to deny that it recruited and used child soldiers. The government expressed a commitment to ending the recruitment and use of children in the armed forces. It was not clear, however, that any officials who carried out these practices were held accountable for their actions. The SAF's Child Protection Unit continued to partner with international organizations to address the recruitment and use of child soldiers, and in October 2015 the government formed a taskforce composed of multiple ministries to address this issue. In March 2016, the government endorsed and finalized an action plan to end the recruitment and use of children in armed conflict, which it drafted and negotiated with international organizations. Nevertheless, Sudan's Disarmament, Demobilization, and Reintegration Commission remained a weak entity that lacked capacity and financial resources to carry out its mandate.

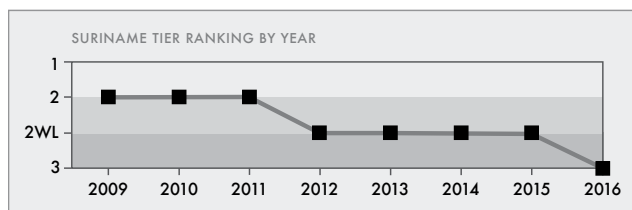
The government's national anti-trafficking committee continued to meet on a regular basis, yet it struggled to coordinate across relevant ministries and had limited collaboration with civil society. Furthermore, the committee lacked a dedicated budget to carry out its mission, limiting its effectiveness. In March 2016, the government approved a national anti-trafficking action plan, valid from 2016 to 2017. The government, however, did not allocate a budget for implementation of the activities and programs listed in the plan. The government did not implement anti-trafficking awareness campaigns and continued to rely on international organizations to undertake such efforts. The government continued to participate in regional processes and committees addressing trafficking and smuggling in the Horn of Africa and irregular migration from Africa to Europe. The government did not provide anti-trafficking training for its diplomatic personnel.

SURINAME: Tier 3

Suriname is a source, transit, and destination country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Reported cases of trafficking in Suriname's remote jungle interior—which constitutes approximately 80 percent of the country—have increased in recent years; limited government presence in the interior renders the full scope of the problem unknown. Women and girls from Suriname, Brazil, Dominican Republic, Guyana, and

Venezuela are subjected to sex trafficking in Suriname, including in remote and illegal gold mining camps in Suriname's interior. During the reporting period, authorities discovered parents who subjected their daughters to sex trafficking, citing increasing poverty as the cause. Venezuela's deteriorating economy may render Venezuelan women more vulnerable to sex trafficking in Suriname. Officials note a shift towards in-home brothels makes such establishments—and cases of possible sex trafficking—harder to detect. Migrant workers in agriculture and on fishing boats off Suriname's coast are highly vulnerable to forced labor, as are children working in gold mines and informal urban sectors. Chinese associations—and allegedly some Hong Kong traffickers—recruit and subject Chinese immigrants to sex and labor trafficking in the mining, service, and construction sectors. Surinamese women in neighboring countries and territories engage in prostitution and may be vulnerable to sex trafficking. Traffickers from Suriname exploit victims in the Netherlands. Traffickers may transport victims through Suriname's remote interior to bypass official checkpoints. There are reports of corruption and local official complicity in trafficking crimes that may impede anti-trafficking efforts. During the reporting period, the government began an investigation of Alien Affairs Department staff for selling residence permits to Hong Kong criminal networks that allegedly facilitated the networks' fraudulent recruitment of Chinese workers to Suriname for forced labor.

The Government of Suriname 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, Suriname is not making significant efforts to meet the minimum standards and is therefore placed on Tier 3. The government reconvened its anti-trafficking working group and continued efforts to raise awareness. It devoted more office space to the police anti-trafficking unit, which continued to investigate and prosecute trafficking offenses. However, the government did not provide adequate staff or resources to the anti-trafficking police unit or convict any traffickers—a large decrease from 10 convictions the previous reporting period. For the third year, it failed to open a proposed government shelter for female and child trafficking victims, and it did not provide funding or support to the NGOs and police that it relied upon to provide the majority of victim care. The lack of long-term protection measures, including witness support and psychological counseling, caused some foreign victims to leave the country after providing statements to the authorities, which led to the dismissal of trafficking investigations and acquittals of alleged traffickers.



RECOMMENDATIONS FOR SURINAME:

Provide adequate long-term shelter to male and female trafficking victims of all ages, and open the proposed government shelter for female and child victims; vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including officials complicit in human trafficking; continue to increase resources, especially additional staff, to the police anti-trafficking unit; increase efforts to identify trafficking victims, including forced labor victims in the interior; provide

additional training to law enforcement, immigration, health care, labor, and judicial officials to better identify and protect victims; develop programs to support and facilitate victims' participation in investigations against their traffickers; continue to develop and implement formal standard operating procedures for the referral of identified victims to care, and train officials to use such procedures; broaden labor inspectors' mandates to include monitoring of informal sectors, including gold mining; provide reintegration support for trafficking victims, including long-term psychological counseling; increase training for social workers and victim shelter staff on proper victim care protocols; strengthen and sustain partnerships with NGOs to identify victims and provide protective services; provide sufficient funding and resources to the anti-trafficking working group for implementation of the national anti-trafficking strategy; and increase efforts to raise awareness of trafficking.

PROSECUTION

The government made inadequate law enforcement efforts. Suriname prohibits all forms of human trafficking through a 2006 criminal code amendment that prescribes penalties of five to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Police reported seven investigations—six for sex trafficking and one for forced labor—involving 16 suspects, a decrease from 15 investigations—11 for sex trafficking and four for forced labor—in 2014. The prosecutor's office initiated nine prosecutions—eight for sex trafficking and one for forced labor—and continued one forced labor prosecution from the previous year; all prosecutions remained ongoing at the end of the reporting period. This is consistent with 10 prosecutions reported in 2014; however, the government did not convict any traffickers during the year, which is a significant decrease from 10 convictions in 2014. Prosecutions of five alleged sex traffickers initiated in 2015 were discontinued, in some cases because foreign victims had returned home before the defense could conduct interviews or for lack of sufficient evidence.

Police operated a specialized 13-person anti-trafficking unit charged with investigating cases; however, officials acknowledged the unit's staff required additional training, and the staff was inadequate in number. While the government provided additional office space to the unit during the reporting period, it did not improve the capacity of its staff. Nonetheless, the unit provided training to other specialized police units on the links between trafficking and other crimes and began to develop a standard anti-trafficking training. Due to a lack of anti-trafficking training, some law enforcement and judicial officials conflated trafficking with human smuggling and may have prosecuted some smuggling offenses under human trafficking laws. Despite the government's recognition that its officials needed specific anti-trafficking training, it did not provide such training for law enforcement or judicial officials. The government conducted an awareness session for law enforcement and police in March 2016. The government allocated insufficient resources for trafficking investigations in the country's interior.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, it did launch an investigation into government corruption allegedly related to trafficking. During the reporting period, authorities discovered employees in the Alien Affairs Department sold residence permits to Hong Kong criminal networks that allegedly used the documents to fraudulently bring Chinese workers into Suriname for forced labor. While the employees involved were relieved of their

duties in the Alien Affairs Department, some maintained employment in different departments or were relocated to other government ministries. The investigation was ongoing at the end of the reporting period, and authorities had yet to file formal charges. General government corruption and possible complicity continued to impede anti-trafficking efforts. Brothels are illegal in Suriname but many officials tolerate their operation, which hinders law enforcement's ability to identify and investigate possible cases of trafficking. Surinamese police cooperated with the Governments of Guyana and Venezuela on anti-trafficking law enforcement efforts during the reporting period.

PROTECTION

The government decreased its efforts to identify trafficking victims and continued to provide inadequate victim assistance. Police reported identifying 11 sex trafficking victims and one victim of forced labor—three Surinamese and nine foreigners—a decrease from 59 potential victims identified in 2014, including 42 forced labor victims. Suriname lacked specialized, long-term shelter for trafficking victims, and protective services for adults and children were inadequate. Police frequently took responsibility for providing basic, immediate services to victims—including food, clothing, and emergency medical care—and provided such services to victims identified during the reporting period. Police could refer adult victims to short-term, government-run shelters for victims of domestic abuse, and they referred approximately eight victims to such shelters during the reporting period. NGOs provided shelter and additional services to child trafficking victims; however, the shelter and services were not trafficking-specific. Due to the lack of victim shelters, police continued to place some child victims in juvenile detention facilities. In 2013, the Ministry of Social Affairs launched a process to open a government-run shelter for female and child trafficking victims; in 2015, authorities identified a potential building for the shelter but did not fund, staff, or open the shelter. The government did not report what funding—if any—it provided to NGO shelters or for victim assistance. Authorities employed some formal procedures to identify victims, though health care workers did not screen for trafficking indicators among persons in prostitution, and victim identification in the interior was limited. The government did not have a formal process to refer victims to care, but a subgroup of the anti-trafficking committee began drafting such procedures during the reporting period.

The government did not sponsor any programs to facilitate victims' reintegration, such as a witness-protection program or long-term psychological counseling. Victims had the option of pursuing civil suits against their traffickers, but no such cases were reported. The government did not have a formal policy in place to encourage victims to participate in the investigations against their traffickers. As a result, some foreign victims left the country after providing statements to the authorities, which led to the dismissal of trafficking prosecutions and acquittals of alleged traffickers. The attorney general implemented a new procedure in January 2016 that allows for the judiciary to commence judicial investigations immediately after it receives a trafficking allegation so the defense may question victims earlier in the investigation; it is unclear if the government employed this procedure in any trafficking cases during the reporting period. The government had no specialized mechanism to provide foreign victims with alternatives to their removal to countries where they faced hardship or retribution. After a trafficking court case concluded, foreign victims could apply for the same work or residence permits available to other foreign citizens; however, no victims did so during the year. There

were no reports of victims penalized for crimes committed as a direct result of being subjected to trafficking.

PREVENTION

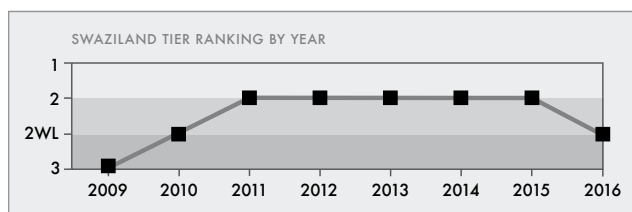
The government maintained modest prevention efforts. The anti-trafficking working group reconvened in January 2016 after having been inactive since December 2014; the reconstituted group included representatives from six government agencies and focused on awareness-raising programs, interagency coordination on anti-trafficking efforts, and developing protocols for victim care. The working group made minimal progress towards implementing the 2014 national anti-trafficking strategy; it did create an anti-trafficking awareness campaign and informational materials for press, radio, television, and social media. The police anti-trafficking unit continued to raise awareness of trafficking through radio programs to sensitize the general public and newspaper ads that warned workers of fraudulent recruitment and youth about the risk of traffickers using social media. The police anti-trafficking unit and the youth police continued to work with an NGO to run a child and youth hotline. While the hotline did not receive any reports of trafficking during the reporting period, the police units provided anti-trafficking training to hotline staff and operators. Labor inspectors trained to identify trafficking victims were limited by law to inspecting formal workplaces, which rendered much of Suriname's workforce—employed in informal sectors—invisible to such inspections. Police reports indicate labor inspectors did not inspect formal workplaces where workers were at an increased risk of trafficking, such as fisheries, even when authorities noted specific cases of potential trafficking in those sectors. Although many Surinamese businesses hire foreign laborers, the government did not have formal procedures to oversee or regulate foreign recruitment agencies. The government made no efforts to reduce the demand for commercial sex acts or forced labor. The police anti-trafficking unit provided anti-trafficking training for diplomatic personnel and other staff within the Ministry of Foreign Affairs.

SWAZILAND: Tier 2 Watch List

Swaziland is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Swazi girls, particularly orphans, are subjected to sex trafficking and domestic servitude, primarily in Swaziland and South Africa. The HIV/AIDS pandemic has contributed immensely to the increasing number of orphans and other vulnerable children at risk of exploitation through trafficking. Swazi chiefs coerce children and adults—through threats and intimidation—to work for the king. Swazi boys and foreign children are forced to labor in commercial agriculture, including cattle herding, and market vending within the country. Mozambican boys migrate to Swaziland for work washing cars, herding livestock, and portering; some of these boys become victims of forced labor. Traffickers use Swaziland as a transit country to transport foreign victims to South Africa for forced labor. Traffickers reportedly force Mozambican women into prostitution in Swaziland, or transit Swaziland en route to South Africa. Some Swazi women are forced into prostitution in South Africa and Mozambique after voluntarily migrating in search of work. Reports suggest labor brokers fraudulently recruit and charge excessive fees to Swazi nationals for work in South African mines—means often used to facilitate trafficking

crimes. Swazi men in border communities are recruited for forced labor in South Africa's timber industry. Reports indicate a recent downturn in the textile industry has led textile workers to follow promises of employment in neighboring countries, potentially increasing their vulnerability to trafficking.

The Government of Swaziland does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In collaboration with the Southern African Development Community and an international organization, the government launched victim identification guidelines, completed in the previous reporting period, and a national referral mechanism, finalized in 2015. The government piloted a data collection and reporting system developed by an international organization to guide victim assistance and investigations. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Swaziland is placed on Tier 2 Watch List. During the year, the government investigated two suspected trafficking cases, in comparison to nine the previous year, and did not prosecute or convict any suspected traffickers during the reporting period. The government has not yet convicted a trafficker under its anti-trafficking act, in effect since 2010. The government continued to assist victims with basic necessities such as food, clothing, shelter, toiletries, counseling, and medical care in collaboration with NGOs. Nonetheless, the limited availability of space in NGO-run shelters remained a significant concern, and the government neglected victims of internal trafficking as it predominantly focused on cross-border trafficking. The anti-trafficking taskforce and its secretariat continued to guide national anti-trafficking efforts and maintained awareness-raising efforts; however, inadequate financial and in-kind support for their work stymied the effectiveness of national anti-trafficking efforts.



RECOMMENDATIONS FOR SWAZILAND:

Enact and implement the draft Trafficking in Persons and Migrant Smuggling Bill; implement the anti-trafficking law through vigorous investigations and prosecutions of trafficking crimes, including internal trafficking cases, and convict and punish trafficking offenders; ensure the activities of the taskforce, secretariat, and implementing departments are sufficiently funded, particularly to enable adequate accommodation and care to victims; train officials on procedures for victim identification and referral guidelines; train law enforcement officials and social workers to identify trafficking victims proactively among vulnerable populations; begin regulating labor brokers and investigate allegations of fraudulent recruitment; implement a unified system for collecting trafficking case data for use by all stakeholders; develop and implement an updated multi-year national anti-trafficking strategy and action plan; and conduct anti-trafficking public awareness campaigns, particularly in rural areas.

PROSECUTION

The government made decreased anti-trafficking law enforcement

efforts. Section 12 of the People Trafficking and People Smuggling (Prohibition) Act, 2009, which became effective in 2010, prescribes penalties of up to 20 years' imprisonment for the trafficking of adults. Section 13 of the act prescribes penalties of up to 25 years' imprisonment for trafficking of children, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government has not drafted or enacted implementing regulations for the law or used it to successfully convict a trafficker. A 2011 trafficking case revealed inconsistencies between the anti-trafficking act and the Immigration Act of 1992, leading to the deportation of six victims. In response, the attorney general's office and the secretariat, in partnership with an international organization, drafted the Trafficking in Persons and Migrant Smuggling Bill intended to repeal the existing People Trafficking and People Smuggling (Prohibition) Act; however, this legislation still awaited passage and enactment at the end of the reporting period.

The government investigated two suspected trafficking cases—one case each of forced labor and sex trafficking—in comparison to nine the previous year. The government did not prosecute or convict any suspected traffickers during the reporting period. Officials continued to confuse crimes involving transnational movement with trafficking offenses. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government uploaded 20 total victim profiles from previous years to the data collection and reporting system developed by an international organization to gather case data to guide victim assistance and investigations. In February 2015, the government participated in a regional workshop hosted by an international organization to orient key stakeholders on the regional data collection system.

During the reporting period, the secretariat continued hosting training for the police and labor inspectorate, including victim identification and protection procedures, as well as training to improve communication and cooperation between officials. Two part-time instructors continued to provide anti-trafficking training at the police college for all in-service and pre-service police officers during the reporting period. The government continued its collaboration with Mozambican and South African authorities on cross-border issues, including human trafficking, now guided by the work of a formal coordinating committee.

PROTECTION

The government made minimal efforts to protect trafficking victims. The government identified and sheltered two victims—one forced labor victim from Lesotho and one sex trafficking victim from Mozambique—during the reporting period in a secure, government-owned witness protection facility. The government provided victims with basic necessities such as food, clothing, shelter, toiletries, counseling, and medical care in collaboration with NGOs. There are no government-run shelters specifically for trafficking victims and NGO-run shelters had limited ability to house trafficking victims among their general populations. The government maintained its allocation of 10,000 Swazi Lilangeni (\$645) to a victim assistance fund for these services.

In November 2015, the government launched its victim identification guidelines and national referral mechanism developed in partnership with an international organization; however, it did not yet train officials on or begin implementation of these mechanisms by the end of the reporting period. A day

after the launch authorities rescued a trafficking victim. The government referred the victim to care and provided support. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking. The government continued reviewing amendments to the immigration act to provide immunity from prosecution to victims and witnesses of trafficking, to conform to the provisions of the People Trafficking and People Smuggling (Prohibition) Act, and to create a renewable permit specific to trafficking victims, allowing them to remain in Swaziland for up to two years. While under review, the government developed an *ad hoc* process among relevant ministries to permit victims to remain in Swaziland even if discovered to be present illegally.

PREVENTION

The government demonstrated modest efforts to prevent trafficking through awareness campaigns; however, limited public awareness in rural areas remained a concern. The government began development of an updated national action plan. The TaskForce for the Prevention of People Trafficking and People Smuggling and its secretariat, which coordinates the work of the taskforce, held regular meetings and continued to be instrumental in guiding the government's anti-trafficking response. In 2015, for the first time, the government commemorated the World Day Against Trafficking in Persons. The secretariat conducted public awareness activities at the Swaziland international trade fair, targeting traditional leaders, students, young women, and parents with information on preventing child trafficking and how to report suspected cases. The secretariat also conducted sessions on human trafficking at schools with the assistance of teachers and police officers. The secretariat continued its border campaign, placing posters at various land borders and the airport to raise awareness on trafficking. Swazi officials also presented messages targeting young women on television and radio. The government's anti-trafficking hotline continued to receive tips on potential cases; it received only one potential trafficking tip, in comparison to seven the previous reporting period.

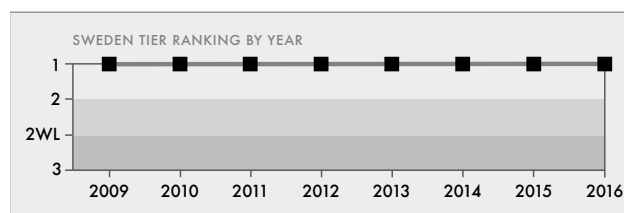
The Ministry of Labor had three investigators dedicated to its child labor unit; however, there were no labor inspections conducted solely to address child labor violations in 2015. Two alleged violations of child labor prohibitions that were previously identified, one in domestic service and the other in retail, remained unresolved at the end of the reporting period. Officials from the Ministry of Labor educated employers and employees on forced labor and trafficking legislation. Labor brokers are wholly unregulated in Swaziland and some are thought to operate in an unethical manner. In 2015 the secretariat and Ministry of Labor established a committee to analyze vulnerabilities within the recruitment of Swazis seeking employment abroad. 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.

SWEDEN: Tier 1

Sweden is a destination and, to a lesser extent, source and transit country for women and children subjected to sex trafficking, and a destination country for men, women, and children subjected to forced labor, including forced begging and stealing. Identified and suspected victims of sex trafficking largely originate from Eastern Europe, West Africa, Asia, and—to

a lesser extent—Western Europe. Forced prostitution remains the most common form of trafficking in Sweden, although reported cases of labor trafficking are increasing. Identified and suspected victims of labor trafficking, who largely originate from Eastern Europe, Africa, the Middle East, and Asia, face exploitation in domestic service, hospitality, construction, agriculture, forestry, and as seasonal berry pickers. Roma are vulnerable to forced begging and criminality and originate primarily from Romania and Bulgaria. The more than 162,000 migrants who applied for asylum in 2015, primarily from Syria, Afghanistan, Iraq, and East Africa, are vulnerable to human trafficking. Unaccompanied children are especially vulnerable; more than 35,000 unaccompanied foreign children applied for asylum in Sweden in 2015, primarily teenage boys from Afghanistan, Syria, Somalia, and Eritrea. A study published in December found more than half of suspected child trafficking victims identified since 2012 arrived in Sweden as unaccompanied minors, primarily from Africa and Eastern Europe. Police note street children, especially boys from Morocco, are vulnerable to child sex trafficking and forced criminality. A study found between 4,000 and 5,000 Swedes commit child sex tourism offenses abroad annually. Swedish women and girls are also vulnerable to sex trafficking within the country.

The Government of Sweden fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government instituted a national mechanism to identify and refer victims to care and identified more victims. However, the European migration crisis overwhelmed government institutions, hindering authorities' ability to conduct sufficient screenings of migrants to identify potential instances of trafficking. The migration agency created regional anti-trafficking coordinators and a national advisory group of experts. The government increased efforts to prevent labor trafficking and forced begging through employer inspections and worker outreach. Authorities nearly doubled the number of investigations for both sex and labor trafficking; however, very few investigations resulted in prosecutions for trafficking offenses.



RECOMMENDATIONS FOR SWEDEN:

Vigorously prosecute and convict labor and sex traffickers using the anti-trafficking statute; adopt an updated national action plan that incorporates labor exploitation; expand authority to grant 30-day reflection and recovery periods to non-law enforcement authorities such as social workers to ensure all victims, including those not already in contact with law enforcement, are able to receive these benefits in practice; vigorously prosecute Swedish child sex tourism offenders; establish a permanent national anti-trafficking coordinator; strengthen efforts to identify and provide trafficking-specific assistance to child trafficking victims; provide specialized housing to trafficking victims, including adult male victims; train judges on the anti-trafficking law; and raise awareness of labor trafficking.

PROSECUTION

The government demonstrated limited progress in law

enforcement efforts. Sweden's 2002 anti-trafficking law prohibits sex trafficking and forced labor and prescribes penalties of two to 10 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In June, the government initiated a legal review of its anti-trafficking law to strengthen prohibitions against, and punishments for, sex trafficking. Police investigated 58 sex trafficking cases in 2015 (including 11 child sex trafficking cases), compared with 31 in 2014. Authorities prosecuted and convicted two sex traffickers, compared with one prosecution and conviction in 2014. They were sentenced to 26 and 30 months' imprisonment, fined 82,200 kronor (\$9,736) each in damages, and will be deported following their prison terms. The government increased efforts to identify and investigate cases of forced begging. Police investigated 122 cases of forced labor in 2015 (including 30 child forced labor cases), 55 of which were cases of forced begging, compared with 62 forced labor cases in 2014. There were no prosecutions or convictions for labor trafficking in 2015. The national anti-trafficking coordinator and national rapporteur noted the ongoing reorganization of the police hindered law enforcement efforts. Observers reported many judges continued to lack sufficient understanding of human trafficking, which may result in fewer convictions and less stringent sentences. The national rapporteur conducted training for police and judges, and the prosecutor's office and national rapporteur offered online training for prosecutors and national police, respectively. Swedish authorities collaborated with foreign governments on transnational investigations. The government reported one ongoing investigation of a government official suspected of involvement in a trafficking-related corruption case; however, it did not report any prosecutions or conviction of government officials complicit in human trafficking. There were no reports of wider complicity in trafficking offenses among government officials.

PROTECTION

The government increased victim protection efforts. During the reporting period, the government instituted a national referral mechanism to identify victims and refer them to care. Authorities identified approximately 58 victims of sex trafficking and 122 victims of forced labor and forced begging in 2015, compared with 31 sex trafficking and 63 forced labor victims in 2014; 41 of these new victims were children. Despite these measures, implementation of the new referral mechanism was limited. Although authorities identified significantly more victims during the reporting period, the ongoing European migration crisis overwhelmed government institutions, hindering authorities' ability to conduct sufficient migrant screening to identify potential trafficking victims. Additionally, the migration agency's anti-trafficking coordinator identified 195 suspected trafficking cases among asylum-seekers (66 of which involved children), a 76 percent increase in suspected cases from 2014. During GRETA's most recent visit to Sweden in 2013, it found identification largely depended on victims' willingness and ability to meet with police and provide evidence to start a criminal investigation. Municipalities were responsible for providing services to victims, including medical and psychological care, shelter, and social assistance. NGOs operated most shelters with public and private funding. The government provided 300,000 kronor (\$35,500) to a civil society platform representing 23 NGOs for a pilot program to strengthen civil society's role in providing care to victims. Although there were no shelters dedicated exclusively to trafficking victims, the national coordinator led a network of approximately 40 NGO-run safe houses, and adult female victims of trafficking could receive services at general women's shelters. These shelters offered

victims assistance with immigration issues, medical care, and educational and employment needs, including Swedish language training; adults could leave the shelters unchaperoned and at will. Authorities referred child victims to social services officials, who placed child victims in foster care or group housing. The government provided training to safe houses and victim support centers. The national anti-trafficking coordinator provided 15 training sessions for professionals who come into contact with victims. Police received training in victim identification and the migration agency trained 600 staff members; beginning in April 2015, all new migration agency staff received anti-trafficking instruction as part of their introductory training.

The Aliens Act entitles victims to a 30-day reflection period to recover and contemplate cooperation with law enforcement; however, authorities stated that because only an investigating police officer or prosecutor could file this application, such temporary residency was in practice primarily available to victims already in contact with law enforcement. Victims and witnesses in trafficking cases who cooperated with authorities were granted temporary residence permits; 12 trafficking victims and 29 witnesses received these permits in 2015. Although only victims who assisted in investigations were eligible for residence permits, the government continued to provide medical care and repatriation assistance for victims not assisting law enforcement. In 2015, the government repatriated 22 victims through a safe return program in conjunction with an international organization. State prosecutors had the power to file applications for permanent residence permits on behalf of victims during or after trials based upon need of protection, such as in cases in which victims would face retribution in their countries of origin; the migration agency did not issue any permanent residence permits in 2015 or 2014. There were no reports the government penalized victims for acts committed as a direct result of being subjected to human trafficking, although in past years GRETA referenced reports of Swedish authorities deporting irregular migrants who had been subjected to trafficking without identifying them as potential victims, despite the presence of trafficking indicators. GRETA also previously expressed concern that foreign victims who were not ready to provide evidence to law enforcement were quickly removed from Sweden, which did not permit adequate risk assessments of repatriating victims.

PREVENTION

The government increased prevention efforts. The migration agency created six regional anti-trafficking coordinators and a national advisory group of experts. The government extended the national anti-trafficking coordinator's mandate through 2016 and allocated 6.5 million kronor (\$770,000) for the office in 2015; however, the government did not establish a permanent office, which limited the coordinator's ability to develop and implement long-term anti-trafficking programs and projects. The national police rapporteur on trafficking continued to provide an annual report of the trafficking situation and the government's progress. However, the government did not have a current national action plan to address trafficking. Authorities put increased focus on preventing foreign labor exploitation through a national study, outreach to vulnerable groups, and increased monitoring efforts. In January 2016, authorities began conducting mandatory interviews with foreign workers employed in at-risk sectors who were seeking to extend their work permits. During the reporting period, there were no reports of labor trafficking among berry pickers, who were notably vulnerable to exploitation in recent years, which authorities attributed to increased police efforts, labor reforms, unannounced inspections, efforts to inform workers of their rights, and bilateral cooperation. The

government continued to fund a national helpline to assist victims and public authorities seeking guidance. Authorities conducted awareness training for taxi, hotel, and restaurant staff to detect trafficking at their places of work. The government continued to conduct activities to reduce the demand for commercial sex and forced labor. Sweden's law prohibiting child sexual offenses has extraterritorial reach, allowing the prosecution of suspected child sex tourists for crimes committed abroad. In May, the government signed a bilateral agreement with Cambodia, a destination country for Swedish child sex traffickers, to improve efforts to identify Cambodian victims and Swedish perpetrators of sex trafficking. The government has not prosecuted a Swedish citizen for committing child sexual offenses abroad since 2012. The government provided anti-trafficking training to its diplomatic personnel and training on sexual exploitation and abuse, including on human trafficking, to troops prior to their deployment abroad as part of international peacekeeping missions.

SWITZERLAND: Tier 1

Switzerland is primarily a destination and, to a lesser extent, a transit country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor, including forced begging and criminal activities. Trafficking victims originate primarily from Central and Eastern Europe—particularly Romania, Hungary, and Bulgaria—although victims also come from Brazil, Cameroon, China, the Dominican Republic, Nigeria, and Thailand. Forced labor exists in the domestic service sector and in agriculture, catering, construction, and tourism. During the reporting period, Thai transgender individuals were subjected to sex trafficking within the country.

The Government of Switzerland fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government co-hosted several awareness campaigns, provided training to law enforcement officials, allocated 400,000 Swiss francs (\$417,000) in funding to NGOs, and a government-supported NGO assisted the most trafficking cases in its history. Authorities also continued to prosecute and convict sex traffickers, although law enforcement action did not focus as heavily on labor trafficking and many convicted traffickers did not receive prison sentences commensurate with the crime committed. Officials did not consistently identify and protect victims among vulnerable populations, particularly asylum applicants and victims of labor trafficking. NGOs said that some victims were occasionally penalized for actions committed as a direct result of being subjected to human trafficking. This, however, occurred prior to their identification as victims. The government did not finalize a new national action plan during the reporting period.



RECOMMENDATIONS FOR SWITZERLAND:

Increase the number of convicted traffickers who receive

sentences commensurate with the severity of the crime; amplify training on and enforcement of labor trafficking laws, including laws covering forced begging and forced criminal activities; finalize and implement a current national action plan; enhance efforts to provide specialized care for trafficking victims seeking asylum; increase trafficking-specific services for children and male victims; continue efforts to identify and assist victims of forced labor; improve the collection and compilation of law enforcement and victim assistance data; and continue to raise public awareness about trafficking in persons.

PROSECUTION

The government sustained law enforcement efforts. Switzerland prohibits all forms of trafficking through articles 182 and 195 of the Swiss penal code, with penalties of up to 20 years' imprisonment, which are commensurate with those prescribed for other serious crimes, such as rape. In 2015, authorities investigated 306 cases of human trafficking, compared with 300 in 2014. The government initiated prosecutions of 46 defendants under article 182 and 50 defendants under article 195 in 2014—the most recent year comprehensive government data were available—compared with 51 under article 182 and 77 under article 195 in 2013. In 2014, authorities reported 15 convictions under article 182 and 26 convictions under article 195, compared with 12 and 21, respectively, in 2013. Some traffickers were convicted under both articles 182 and 195. Only 11 of the 41 convicted traffickers were sentenced to prison in 2014, with terms ranging from 182 days to 14 years. The government did not disaggregate data on law enforcement efforts between sex trafficking and forced labor; however, Swiss officials could only confirm two convictions for forced labor to date, demonstrating potentially inadequate efforts to address this form of the crime, especially when compared to the increasing number of forced labor victims receiving assistance from NGOs. In 2015, authorities provided training to law enforcement officials on investigating trafficking cases and victim identification, as well as training and awareness seminars for asylum personnel to improve victim identification among migrant and refugee populations. Additionally, a federal court provided the country's first judicial training for 60 officials. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government improved its victim protection efforts. Trafficking victims were entitled to shelter, free medical aid, living stipends, and psychological, social, and legal assistance from government-funded victim assistance centers. Three government-supported NGOs offered specialized shelter for female victims; one of the shelters was opened in June 2015 and also had services in place for children and male victims. Authorities placed male victims in assistance centers, hotels, or NGO-operated shelters for men. Several cantons maintained counseling centers for male victims of violence, including trafficking; however, none of these centers provided specialized services for trafficking victims. The federal government allocated 400,000 Swiss francs (\$410,000) to the country's anti-trafficking NGOs in 2015.

A leading NGO reported assisting 229 trafficking cases in 2015—the most ever assisted, compared with 226 in 2014. Thirty-seven of the 57 newly identified victims in 2015 assisted in investigations or prosecutions during the year, compared with 45 of the 64 victims identified in 2014. Cantonal immigration

offices granted a three-month reflection period for victims to consider whether to participate in an investigation to 25 victims and issued 54 short-term residence permits to victims for the duration of legal proceedings against their traffickers in 2015, compared with 25 reflection periods and 52 short-term residence permits in 2014. The government also granted 15 victims long-term residence permits on personal hardship grounds in 2015, a decrease from 19 victims in 2014. Twenty-eight victims received restitution payments from their traffickers following their convictions. NGOs expressed concern that it remained difficult for victims to obtain victim protection and hardship residence permits without the assistance of a judge, making it particularly difficult for victims who were not prepared to testify against traffickers. Observers reported victim identification among vulnerable populations, particularly asylum seekers and victims of labor trafficking, remained a problem. NGOs said that victims were occasionally penalized for unlawful acts committed as a direct result of being subjected to human trafficking, although this occurred prior to their identification as victims.

PREVENTION

The government maintained prevention activities. A specialized unit within the federal police coordinated national efforts, including anti-trafficking policy, information exchange, cooperation, and training. The unit organized the second national meeting of the heads of the cantonal roundtables focused on trafficking to exchange information and best practices. The government's national action plan expired in 2014 and it did not finalize or implement a new national action plan during the reporting period. In October 2015, the government co-hosted and co-funded several awareness-raising events in collaboration with NGOs. Also in October, the city of Zurich issued a new law reducing the hours persons in street prostitution could solicit clients, from 10 to four hours a night, in an effort to reduce the number of clients in this area and increase protection of persons in prostitution; however, NGOs reported that this and other related efforts aimed at limiting street prostitution had a negative effect on victim protection and identification by pushing street prostitution underground. In November 2015, the government supported the OSCE's launch of a French-language handbook to prevent the exploitation of domestic workers in diplomatic households. Officers from the federal police's child sexual exploitation unit participated in several international conferences on child sex tourism and supported the production of a documentary on the subject, which was broadcast on public television in June 2015. Authorities continued to regulate the employment of domestic servants in diplomats' homes, including monitoring salaries and working conditions of domestic workers. The government provided anti-trafficking training for its diplomatic personnel.

SYRIA: Tier 3

Syria is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. The situation in Syria continues to deteriorate amid the ongoing civil war with sub-state armed groups of varying ideologies exerting control over wide geographic swathes of the country's territory. Human rights groups and international organizations estimate more than 250,000 persons have been killed since the beginning of protests against the Bashar al Asad regime in March 2011. Incidents of human trafficking continue to increase and trafficking victims remain trapped in Syria, particularly as the

designated terrorist organization, Da'esh—also known as the Islamic State of Iraq and the Levant (ISIL), Islamic State of Iraq and Syria (ISIS), or the Islamic State (IS)—consolidated control of the eastern governorates of Raqqa. In June 2014, Da'esh announced the establishment of an Islamic "Caliphate" in Iraq and Syria, and during 2015, Da'esh seized control of areas in southern Syria in and around Palmyra, Homs, Damascus, and Aleppo. More than half of Syria's pre-war population of 23 million has been displaced; over 4.5 million have fled to neighboring countries and roughly 6.5 million are internally displaced. Syrians, both those that remain in the country and refugees in neighboring countries, continue to be highly vulnerable to trafficking.

Da'esh continues to target women and girls for sexual slavery and forced labor. In December 2014, Da'esh publicly released guidelines on how to capture, forcibly hold, and sexually abuse female slaves. In April 2015, an international organization reported the system of organized sexual slavery and forced marriage—which can lead to commercial sexual exploitation and forced labor—by Da'esh militants is a central element of the terrorist group's ideology. Da'esh continues to force local Syrian girls and women in Da'esh-controlled areas into marriages with its fighters, and it routinely subjects women and girls from minority groups to sexual slavery. In 2014 and 2015, Da'esh abducted thousands of women and girls from the Yezidi and other minority groups in Iraq and sold them in Syria in human trafficking rings or to provide to fighters where they experience forced marriage, domestic servitude, systematic rape, and sexual violence. Da'esh routinely forces Iraqi and Syrian girls to undergo virginity tests before trading them in "slave bazaars" and sending them to various Syrian provinces and other countries for sexual slavery. Additionally, following the February 2015 Da'esh incursion into Assyrian villages in the northeastern province of Hasaka, it captured as many as 30 Assyrian Christian women and forced them into sexual slavery.

In June 2015, an international organization reported the recruitment and use of children in combat in Syria has become "commonplace." Syrian government forces, pro-regime militias, armed opposition forces, and designated terrorist organizations recruit and use children as soldiers, human shields, suicide bombers, and executioners, as well as in support roles. In November 2014, children were among the civilians forced at gunpoint to shield Syrian government forces' tanks entering the town of al-Sheikh Meskin in Dar'a to secure the Dar'a-Damascus highway. Militants also use children for forced labor and as informants, exposing them to retaliation and extreme punishment. An international organization verified hundreds of cases of boys and some girls who have been recruited and used by the Syrian government and armed groups, including the Free Syrian Army (FSA) and FSA-affiliated groups, Kurdish forces, Da'esh, and al-Nusra Front (ANF). Some armed groups fighting with the Syrian government, such as Hezbollah and pro-regime militias known as the National Defense Forces (NDF) or "shabiha," forcibly recruit children, some as young as 6 years old. Reports of the recruitment and use of boys by Da'esh and ANF increased significantly in 2015. Da'esh actively deploys children—some as young as 8 years old—in hostilities, including coercing children to behead Syrian regime soldiers; the terrorist group has deliberately targeted children for indoctrination and used schools for military purposes, endangering children and preventing their access to education. Da'esh operates at least three child training camps in Raqqa; forces children to attend indoctrination seminars; and promises children salaries, mobile phones, weapons, a martyr's place in paradise, and the "gift" of a wife upon joining the terrorist

group. By forcibly recruiting and using children in combat and support roles, Da'esh has violated international humanitarian law and perpetrated war crimes on a mass scale.

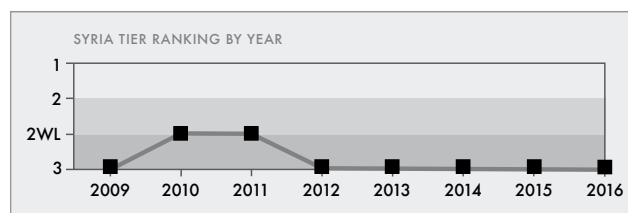
The Kurdish People's Protection Units (YPG) continued to recruit and use boys and girls, including children younger than 15 years old, reportedly taking them to indoctrination and training camps, despite signing a pledge of commitment with an international organization in June 2014 to demobilize all fighters younger than 18 years old. In May 2015, the YPG and the Women's Protection Units (YPJ) announced compulsory "self-defence duty" for all those aged 18 and older in the Kurdish canton of Afrin in the northern part of the Aleppo Governorate; however, in April 2015, a 16-year-old girl in Aleppo was allegedly recruited by the YPJ against the wishes of her family. An NGO reported in January 2016 instances in which the Iranian government forcibly recruited or coerced male Afghan refugees and migrants, including children, living in Iran to fight in Syria. Some foreigners, including migrants from Central Asia, children, and western women, are reportedly forced, coerced, or fraudulently recruited to join extremist fighters, including Da'esh.

Syrian children are reportedly vulnerable to forced early marriages—which can lead to commercial sexual exploitation and forced labor—and children displaced within the country continue to be subjected to forced labor, particularly by organized begging rings. In 2015, there were credible reports of South Asian women fraudulently recruited to Syria as domestic servants or forced into prostitution, including hundreds of Nepalese women who transited India, Oman, and United Arab Emirates to Syria under false pretenses of employment. According to the media, some Bangladeshi women migrate to Lebanon or Jordan for domestic work with the help of Bangladeshi recruitment agencies but are sold and transported to Syria, where they are subjected to forced labor and sex trafficking.

The Syrian refugee population is highly vulnerable to trafficking in neighboring countries, particularly Jordan, Lebanon, and Turkey. In 2015, an international organization reported a high number of child marriages among Syrian girls among refugee populations, which can lead to commercial sexual exploitation and forced labor. In previous years, there were isolated reports of Syrian refugees forced into "temporary" marriages—for the purpose of prostitution and other forms of exploitation—by men from Jordan and the Gulf states. Arab men reportedly visit refugee camps in Jordan in search of Syrian brides; most reports, however, remain second-hand and very few have been documented and corroborated by the Jordanian government or international organizations working with Syrian refugees. Reports continue of illicit prostitution rings of Syrian refugee women and girls, which are administered by local men, in Turkey and Lebanon, while the Lebanese police issued reports in 2014 detailing the sale of Syrian refugee women by local men. Syrian refugee children continue to engage in street begging in Turkey, Lebanon, and Jordan, some of which may be forced; Syrian women and children begging in the streets in Yemen are highly vulnerable to forced labor and sex trafficking. Syrian gangs inside Lebanon force refugee men, women, and children to work in agriculture in Lebanon's Beqaa Valley, where victims are forced to work under harsh conditions with little to no pay and some are subject to physical abuse. LGBTI persons among the Syrian refugee population in Lebanon are reportedly vulnerable to sex trafficking by Lebanese pimps. Syrian adults are reportedly subjected to forced labor as low-skilled workers in Qatar and Kuwait. In 2014, an international

organization reported Syrian nationals temporarily residing in Sudan preferred to travel through Libya en route to Italy with the use of smugglers; these Syrians could be at risk of trafficking along this route. Likewise, displaced Syrians seeking illegal sea passage to Europe through the use of smugglers may be at risk of trafficking.

The Government of Syria does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government's actions directly contributed to the vulnerability of the population to trafficking and continued to perpetrate human trafficking crimes routinely. As the conflict continued, the government maintained its forcible recruitment and use of child soldiers, subjecting children to extreme violence and retaliation by opposition forces; it also failed to protect and prevent children from recruitment and use by government and pro-regime militias, armed opposition forces, and designated terrorist organizations such as Da'esh. The government continued to arrest, detain, and severely abuse trafficking victims, including child soldiers, and punished them for crimes committed as a direct result of being subjected to human trafficking. The government did not investigate or punish traffickers, including officials complicit in recruiting and using child soldiers, nor did it identify or protect any trafficking victims.



RECOMMENDATIONS FOR SYRIA:

Stop the forcible recruitment and use of child soldiers by government forces, pro-regime militias, and—to the extent possible in a civil war—armed opposition forces and designated terrorist organizations such as Da'esh; provide adequate protection services to demobilized children; ensure trafficking victims are not punished for crimes committed as a direct result of having been subjected to trafficking, particularly children forcibly recruited as soldiers by the regime and armed opposition and extremist groups; implement the anti-trafficking law through increased investigations and prosecutions of traffickers, including officials complicit in the recruitment and use of child soldiers; and proactively identify potential trafficking victims and provide them with appropriate protection services.

PROSECUTION

The government did not report any anti-trafficking law enforcement efforts, and the government and government-affiliated militias remained complicit in trafficking crimes, including child soldiering. The increasingly violent civil war continued to directly amplify the magnitude of human trafficking crimes occurring within Syria and affecting displaced Syrians. Decree No. 3 of 2011 provides a legal foundation for prosecuting trafficking offenses and protecting victims, but it does not include a clear definition of human trafficking. This decree prescribes a minimum punishment of seven years' imprisonment, a penalty that is sufficiently stringent, though not commensurate with those prescribed for other serious crimes, such as rape. The government adopted Law No. 11/2013 in June 2013, which criminalizes all forms of recruitment and use of children younger than the age of 18 by armed

forces and armed groups; however, the government made no efforts to prosecute child soldiering crimes perpetrated by government and government-affiliated militias, armed opposition groups, and designated terrorists organizations. The government did not report investigating, prosecuting, or convicting suspected traffickers, nor did it investigate, prosecute, or convict government officials complicit in human trafficking, including officials who forcibly recruited and used child soldiers in combat and support roles. The government did not provide anti-trafficking training for officials.

PROTECTION

The government did not identify or protect trafficking victims. The government failed to protect children from forcible recruitment and use as soldiers, human shields, and in support roles by government forces and pro-government armed groups, armed opposition groups, and terrorist organizations. Furthermore, the government arrested, detained, raped, tortured, and executed children, whom opposition groups forcibly recruited and used; the government made no efforts to exempt these children from punishment or to offer them any protection services. The government neither encouraged trafficking victims to assist in investigations or prosecutions of their traffickers nor provided foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

PREVENTION

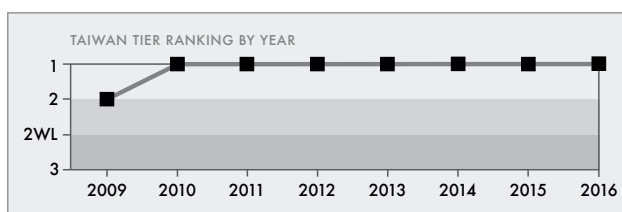
The government did not prevent human trafficking; the government's actions continued to amplify the magnitude of human trafficking crimes. The government failed to implement measures to prevent children from recruitment and use as combatants and in support roles by government, government-affiliated militias, opposition armed groups, and terrorist organizations. The government did not raise awareness of human trafficking among the general public or officials. The government did not report efforts to reduce the demand for commercial sex acts or forced labor, nor did it prevent child sex tourism by Syrian nationals abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

TAIWAN: Tier 1

Taiwan is a destination for men and women subjected to forced labor and sex trafficking and, to a lesser extent, a source of men and women subjected to forced labor and of women and children subjected to sex trafficking. Most trafficking victims are migrant workers from Indonesia, the Philippines, Thailand, Vietnam, and to a lesser extent, individuals from China and Cambodia. Most of Taiwan's more than 587,000 migrant workers are hired in their home countries through recruitment agencies and brokers, some of which are from Taiwan, to perform low-skilled work as home caregivers and domestic workers, or in farming, manufacturing, construction, and fishing industries. Some migrant workers are charged exorbitantly high recruitment fees, resulting in substantial debts used by brokers or employers as tools of coercion to obtain or retain their labor. After recruitment fee repayments are garnished from their wages, many foreign workers in Taiwan earn significantly less than the minimum wage. Domestic workers and home caregivers are especially vulnerable to exploitation, since they often live in their employers' residences, making it difficult to monitor their working and living conditions. Brokers in Taiwan often assist employers in forcibly deporting "problematic" foreign

employees should they complain, enabling the broker to fill the empty positions with new foreign workers and continually use debt bondage to control the work force. Documented and undocumented fishermen on Taiwan-flagged fishing vessels, mostly from China, Indonesia, and Vietnam, experience non- or under-payment of wages, long working hours, physical abuse, lack of food, and poor living conditions, which are indicators of trafficking. Women from China and Southeast Asian countries are lured to Taiwan through fraudulent marriages and deceptive employment offers for purposes of sex trafficking. There have been reports of men and women from Taiwan engaged in illegal business operations overseas that present indicators of human trafficking, as well as women from Taiwan being lured into forced prostitution in the United States.

Taiwan authorities fully meet the minimum standards for the elimination of trafficking. During the reporting period, authorities continued to prosecute trafficking offenses, including both forced labor and sex trafficking, trained law enforcement and other officials on trafficking indicators, took steps to make the system of direct hiring of employees without the use of brokers more accessible, promulgated interagency procedures for handling cases involving trafficking of foreign workers on fishing vessels, and raised public awareness of trafficking. There were, however, no arrests or convictions for trafficking violations on Taiwan fishing vessels. Prosecutors and judges continued to treat many cases involving trafficking indicators as lesser crimes and, in many cases, sentenced traffickers to lenient penalties not proportionate to the crimes.



RECOMMENDATIONS FOR TAIWAN:

Increase efforts to prosecute and convict traffickers under Taiwan's anti-trafficking law; sentence convicted traffickers to sufficiently stringent punishments; vigorously investigate and prosecute, using the newly established procedures, the owners of Taiwan-owned or -flagged fishing vessels that allegedly commit abuse and labor trafficking onboard long haul fishing vessels; clearly define roles and responsibilities for the agencies that oversee Taiwan-flagged fishing vessels; differentiate the process of victim identification from prosecution, such that victim identification is not tied to the successful prosecution of traffickers; increase efforts to reduce brokers' exploitation of migrant workers by continuing to simplify the process of direct hiring and build public awareness of the Direct Hiring Service Center and by strengthening broker evaluation and accountability systems; improve the effectiveness of anti-trafficking training and increase prosecutors' and judges' understanding of human trafficking; pursue legislative changes that would address gaps in basic labor protections for household caregivers and domestic workers; establish a systematic information-sharing process to foster more robust interagency anti-trafficking coordination; enhance cross-border efforts to identify victims and prosecute offenders; and continue efforts to increase public awareness of all forms of trafficking.

PROSECUTION

Authorities sustained anti-trafficking law enforcement efforts. Taiwan's Human Trafficking Prevention and Control Act

(HTPCA) prohibits sex and labor trafficking and prescribes penalties of up to seven years' imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Despite the anti-trafficking law, authorities prosecuted the majority of trafficking cases under other laws, such as the criminal code, and the Children and Youth Sexual Transaction Prevention Act.

Authorities initiated prosecutions against 30 suspected traffickers, compared with 71 in 2014, and convicted 22 traffickers, compared with 17 in 2014, under the HTPCA; sentences imposed on the majority of the traffickers were six months to less than one year, which are inadequate to serve as an effective deterrent to the commission of trafficking crimes. Under the Children and Youth Sexual Transaction Prevention Act, authorities initiated prosecutions against 30 alleged traffickers, compared with 57 in 2014, and convicted 31 traffickers, compared with 25 in 2014, with the majority receiving sentences of three to five years' imprisonment. Under the criminal code, authorities initiated prosecutions against 50 alleged traffickers, compared with nine in 2014. In 2014 a Cambodian court convicted six Taiwan nationals for enslaving 74 Cambodians onboard Taiwan fishing vessels, but at the end of the reporting period Taiwan's investigation was still underway, and Taiwan authorities had not convicted any traffickers associated with this case (five of the six remained at-large in Taiwan). During the year, authorities continued to train law enforcement officers, prosecutors, and judges through various workshops, seminars, and conferences; however, many prosecutors and judges continued to demonstrate a limited understanding of trafficking crimes. As part of the Ministry of the Interior's action plan to eliminate sexual crime, Taiwan police arrested over 10,000 suspects accused of lewd and lascivious acts. Authorities did not report any investigations, prosecutions, or convictions of Taiwan officials complicit in human trafficking offenses.

PROTECTION

Authorities sustained efforts to protect victims of trafficking. Authorities identified 278 trafficking victims (197 sex trafficking victims and 81 forced labor victims), compared with 292 in 2014; 192 of these victims were referred to shelters for assistance. Law enforcement officials used standardized questions and evaluation forms when interviewing and referring potential trafficking victims, including screening foreigners with immigration violations for indicators of trafficking. The National Immigration Agency (NIA) operated three shelters dedicated to trafficking victims, and the Ministry of Labor subsidized an additional 20 shelters and a 24-hour hotline trafficking victims could access. These shelters provided trafficking victims—both men and women—with medical and psychological services, legal counseling, vocational training, small stipends, interpretation, and repatriation assistance. Authorities encouraged victims to participate in investigations against their traffickers by offering temporary residence and work permits. Authorities made available permanent residence visas to foreign trafficking victims who faced retribution or hardship if they returned to their country of origin. Victims were able to obtain restitution or file civil suits against traffickers, and one victim was awarded civil restitution during the reporting period. Although victims could receive immunity for crimes committed as a result of being subjected to trafficking, NGOs reported authorities occasionally treated trafficking victims as criminals. NGOs also noted authorities did not permit victims from China to stay in non-NIA operated shelters and were deported if courts found them not to be trafficking victims, unlike other victims

who could remain in NGO-operated shelters even if a judge determined they were not trafficking victims.

PREVENTION

Authorities sustained efforts to prevent trafficking through numerous awareness campaigns, workshops, and conferences. A cabinet-level minister-without-portfolio continued to implement the national plan of action and oversee an interagency working group, which met twice in 2015. Various agencies continued to fund advertisements and public service announcements on human trafficking prevention in newspapers, magazines, and on the radio; distributed anti-trafficking materials; and held trainings for vulnerable populations, such as youth, foreign spouses, and fishing sector workers. Authorities continued to operate foreign-worker service stations and international airport service counters around Taiwan to assist migrant workers and educate them on their rights. To address exploitation associated with labor recruitment, authorities fined 89 perpetrators in cases of illegal brokerage activities and excessive fees and ordered 12 of those individuals to terminate business operations. Authorities streamlined procedures to allow employers to hire foreign workers directly through the Direct Hiring Service Center, instead of utilizing brokers. Most employers; however, continued to deem it easier and more expedient to hire brokers. Taiwan's laws criminalize sexual exploitation of children by Taiwan passport holders traveling abroad, but authorities have not investigated or prosecuted any child sex tourism offenses committed abroad since 2006. Authorities made efforts to reduce the demand for commercial sex acts and forced labor. Authorities provided anti-trafficking training for diplomatic personnel.

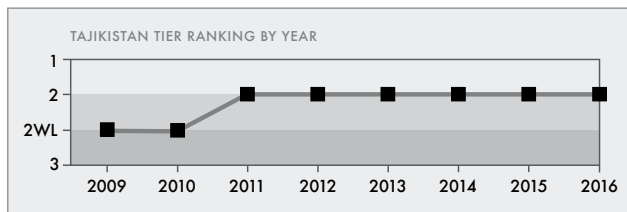
TAJIKISTAN: Tier 2

Tajikistan is a source and, to a lesser extent, destination country for men, women, and children subjected to forced labor, and a source country for women and children subjected to sex trafficking. Extensive economic migration exposes Tajik men, women, and children to exploitation. Tajik men and women are subjected to forced labor in agriculture and construction in Russia, United Arab Emirates (UAE), and, to a lesser extent, in neighboring Central Asian countries. Women and children from Tajikistan are subjected to sex trafficking primarily in UAE and Russia, and also in Saudi Arabia, Kazakhstan, and Afghanistan, as well as within Tajikistan.

Women are increasingly vulnerable to trafficking after they are informally divorced from their absent migrant husbands and need to provide for their families. Some women who traveled to Syria or Iraq with promises of marriage were instead sold into sexual slavery. Tajik women and girls are transported to Afghanistan for the purpose of forced marriage, which can lead to sex trafficking and debt bondage. Tajik children are subjected to sex trafficking and forced labor, including forced begging, in Tajikistan and Afghanistan. Tajik children and adults may be subjected to agricultural forced labor in Tajikistan—mainly during the fall cotton harvest. Afghan and Bangladeshi citizens are vulnerable to forced labor in Tajikistan.

The Government of Tajikistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made increased law enforcement efforts, initiating prosecution of 24 suspected traffickers and convicting 10. The government made slow

progress in the implementation of its 2014 law, Counteracting Trafficking in Persons and Providing Support to Victims of Trafficking in Persons, which created a legal framework for designating a person a “victim of trafficking” and established programs to protect and provide services to such victims. The government offered training for government officials on identifying, investigating, and prosecuting trafficking crimes, but continued to lack procedures to identify trafficking victims proactively among vulnerable populations and remained unable to provide adequate victim protection services. In particular, budget limitations and high turnover of officials with the necessary specialized knowledge to assist trafficking victims constrained such efforts. Nonetheless, the government increased its anti-trafficking law enforcement efforts, investigating and prosecuting an increased number of cases in 2015.



RECOMMENDATIONS FOR TAJIKISTAN:

While respecting due process, vigorously investigate and prosecute suspected trafficking offenders, including officials complicit in trafficking, and convict and appropriately sentence perpetrators; develop standard operating procedures for identifying trafficking victims; dedicate funding or provide in-kind assistance specifically for combating human trafficking and offering comprehensive victim assistance; protect victims and encourage their assistance in the investigation and prosecution of traffickers; continue to enforce the prohibition against the forced labor of children in the annual cotton harvest by inspecting fields during the harvest in collaboration with local officials and NGOs; train law enforcement to screen men and women in prostitution for signs of trafficking and ensure sex trafficking victims are not penalized for prostitution offenses; improve the collection of anti-trafficking law enforcement data; approve a national action plan and national referral mechanism for assisting trafficking victims; ensure the inter-ministerial commission meets quarterly to continue coordinating governmental anti-trafficking efforts; and provide anti-trafficking training or guidance for diplomatic personnel and other government employees, including law enforcement officers, border guards, and customs officials, to prevent their engagement or facilitation of trafficking crimes.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. Article 130.1 of the 2003 criminal code, amended in 2004 and 2008, prohibits all forms of trafficking, including the use of force, fraud, or coercion for the purpose of sexual exploitation and forced labor. The article prescribes penalties of five to 15 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Article 130.1 does not, however, criminalize the prostitution of minors as trafficking without regard to the use of coercive means, as required by international law. Article 132 criminalizes recruitment for sexual or other exploitation through fraud—but not if done by coercion—and carries a maximum penalty of five years. Contrary to international law, it also does not criminalize child sex trafficking in the

absence of force, fraud, or coercion. Article 167 prohibits the buying and selling of children, prescribing five to 15 years' imprisonment; this provision goes beyond the scope of trafficking, as it does not require that exploitation be the intent of the transaction. Several other amendments to the criminal code include trafficking crimes; for example, article 130.2, “Use of Slave Labor”, and article 241.2, “Use of minors with the purpose of production of pornographic materials and products.” In 2015, Tajikistan's Inter-ministerial Commission to Combat Trafficking in Persons led a working group to harmonize and ensure uniformity between existing legislation and the 2014 law, more clearly delineate interagency responsibilities, enable effective implementation of the 2014 law, and establish a state fund for trafficking victim services.

The government investigated 25 cases, involving 39 suspected traffickers, and prosecuted 13 cases, involving 24 suspected traffickers in 2015, an increase from 28 suspected traffickers investigated and 22 prosecuted in 2014. Courts convicted 10 traffickers, with sentences ranging from six months' to 12.5 years' imprisonment and with a median sentence of six years' imprisonment, compared with one conviction in 2014. Endemic corruption inhibited law enforcement action during the year and facilitated trafficking across borders and through inspection points; however, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government continued modest efforts to identify and assist trafficking victims. The government made slow progress in implementing the 2014 Law on Counteracting Trafficking in Persons and Providing Support to Victims of Trafficking in Persons, enacted during the previous reporting period, which extensively defined human trafficking; outlined victim services and government standards for service delivery among providers, including governmental agencies and NGOs; and created a national referral mechanism. In partnership with NGOs, the government delivered training for officials on victim-centered approaches to identifying, investigating, and providing services to trafficking victims. However, these services will not be available to victims until existing legislation is amended to align with the 2014 law.

Authorities remained without a formal system for identifying and referring victims to assistance during the reporting period, as the referral mechanism remained under review. Officials sometimes temporarily detained sex trafficking victims, but later released and referred them for assistance. Furthermore, as law enforcement officials did not attempt to identify trafficking victims proactively among men and women in prostitution, it was possible officials prosecuted or penalized sex trafficking victims for prostitution crimes. During the reporting period, the government identified and referred eight victims to international organizations for assistance, a decrease from 26 victims in 2014. Civil society groups and international organizations provided protective services to 56 Tajik trafficking victims in 2015, including eight victims of sex trafficking.

The government did not directly provide shelter or services to victims; it relied on NGOs, which provided medical and psycho-social care, legal and vocational training, and assisted in family reunification. Although the government did not provide financial support to any organizations assisting trafficking victims, it funded the utilities for two shelters, one in Khujand, which closed in September 2015, and another in Dushanbe.

The government provided free basic education and vocational training to trafficking victims through its adult training centers. Despite provisions in the 2014 law for security measures for trafficking victims, the government did not keep victims' personal information confidential or provide protection for victim witnesses and their advocates. The law provides foreign victims the right to request temporary legal residency, which can be extended for one year following the completion of a criminal case. The 2014 law does not link victim benefits to a victim's participation in a trial and provides victim services regardless of legal status or prior consent to participate in trafficking activities.

PREVENTION

The government continued efforts to prevent human trafficking. The Ministry of Education continued to disseminate letters to local governments highlighting prohibitions against the use of child labor in the cotton harvest and conducted inspections of schools in cotton-growing districts to ensure students remained in attendance. Government-funded campaigns targeted potential victims, local officials responsible for preventing trafficking, and school authorities who had previously mobilized children in the cotton harvest. NGOs monitored the cotton harvest in 17 districts, and did not report any evidence of forced child labor.

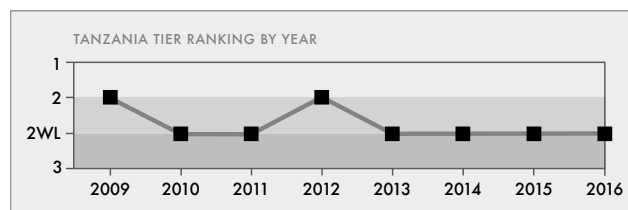
The 2014 law established a framework for the government to address human trafficking, and a national anti-trafficking commission tasked with coordinating the government's anti-trafficking efforts and developing a national plan. In May 2015, the government appointed a chair to the commission, which held its first dialogue in October 2015, after nearly two years of inactivity. The government drafted, but has not yet approved, its 2014-2016 national action plan. The Committee for Youth, Sports and Tourism and the Ministry of Internal Affairs' anti-trafficking department jointly operated a hotline to receive calls from female victims of crime, including trafficking. The government continued to conduct anti-trafficking courses for officials, school administrators, and law students. The government supported training on victim identification and protection for consular officers, but did not provide any other anti-trafficking training for its diplomatic personnel. Tajik law requires entities engaged in labor recruitment abroad obtain licenses from migration authorities. The Tajik Migration Service provided migrants with information on the risk of trafficking prior to travel abroad. In partnership with the migration service, lawyers employed by an international organization provided legal consultation on migration and trafficking for victims at migration service support centers. The government made efforts to reduce the demand for commercial sex by investigating and prosecuting consumers of commercial sex. The government did not report any efforts to reduce the demand for forced labor.

TANZANIA: Tier 2 Watch List

Tanzania is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking and characteristically facilitated by victims' family members, friends, or intermediaries offering assistance with education or securing employment in urban areas. Impoverished children from the rural interior remain most vulnerable to trafficking. Girls are exploited in domestic servitude throughout the country and sex trafficking particularly in tourist hubs and along the border with Kenya. Boys are

subjected to forced labor on farms—including as cattle herders and occasionally as hunters—and in mines and quarries, the informal commercial sector, and on fishing vessels operating on the high seas, as well as in sex trafficking. Some unscrupulous individuals manipulate the traditional practice of child fostering—in which poor children are entrusted into the care of wealthier relatives or respected community members—to subject children to domestic servitude and other forms of exploitative labor. Previous media reports indicate Tanzanian children with physical disabilities are transported to Kenya for forced begging and girls are subjected to sex trafficking in China. Tanzanian nationals are sometimes subjected to forced labor, including domestic servitude, and sex trafficking in other African countries, the Middle East, Europe, and the United States. Trafficking victims from other countries—particularly children from Burundi and Kenya, as well as adults from India, Nepal, and Yemen—are forced to work in Tanzania's agricultural, mining, and domestic service sectors; some are also subjected to sex trafficking. Citizens of neighboring countries may transit Tanzania before being forced into domestic service or prostitution in South Africa, Europe, and the Middle East.

The Government of Tanzania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government allocated a sufficient budget to its anti-trafficking committee for the second consecutive year and closed 70 recruitment agencies suspected of fraudulently recruiting Tanzanians for employment in the Middle East. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Tanzania is placed on Tier 2 Watch List for the fourth consecutive year. Per the Trafficking Victims Protection Act, Tanzania 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. While the government updated its national action plan to incorporate implementing regulations for the 2008 anti-trafficking law, it did not widely apply the implementing regulations for the 2008 anti-trafficking law to overhaul its victim protection capabilities. The government has not allocated funding to its victims' assistance fund since its creation in 2008. The government obtained one conviction and sentenced the trafficker to an unprecedented one-year prison term; however, reforms to mandate stringent jail sentences for trafficking crimes in lieu of fines did not progress during the year and law enforcement efforts remained disproportionate to the prevalence of the crime.



RECOMMENDATIONS FOR TANZANIA:

Increase efforts to enforce the 2008 Anti-Trafficking in Persons Act by prosecuting trafficking offenses, convicting trafficking offenders, and applying stringent penalties upon conviction; amend the anti-trafficking act to remove the sentencing provision of fines in lieu of prison time; operationalize the updated 2015-2017 national action plan to fully implement the protection provisions of the anti-trafficking act, as outlined

in the implementing regulations, including by allocating resources to the victim assistance fund; implement policies and procedures for government officials to proactively identify potential trafficking victims among vulnerable groups and refer them to protective services; train judges and prosecutors to delineate differences between trafficking and smuggling; provide training to law enforcement authorities on how to effectively detect and investigate trafficking crimes; compile trafficking-specific law enforcement and victim protection data at the national level; and continue budget allocation for the anti-trafficking committee and anti-trafficking secretariat to implement the national action plan to combat trafficking.

PROSECUTION

The government maintained its limited anti-trafficking law enforcement efforts. The 2008 Anti-Trafficking in Persons Act prohibits all forms of trafficking and prescribes punishments of one to 10 years' imprisonment or a fine between 1 and 150 million Tanzanian shillings (TZS) (\$465 and \$70,000), or both. For sentences that only include a fine, penalties are not sufficiently stringent or commensurate with those prescribed for other serious crimes, such as rape. A provision allowing offenders to pay a fine in lieu of serving prison time is insufficient to the gravity of the crime and an ineffective deterrent. The government remained without a system to compile comprehensive law enforcement statistics and relied on press reports or officials' recollections. In 2015, the government reportedly initiated investigations of 12 suspected trafficking cases, but dismissed 10, in comparison to the four cases it investigated during the previous year. It reported 10 prosecutions in 2015, an increase from five in 2014, and convicted one individual, who was sentenced to one year in prison after the defendant was deemed by the judge to be unable to pay the imposed fine. Four prosecutions initiated the previous year remained pending at the close of the reporting period. The government continued to include human trafficking components into standard police academy training for an unknown number of new recruits. The government also incorporated trafficking information into the curricula of a gazetted training for law enforcement officials, including root causes and effective use of victim referral manuals. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses; however, general corruption within the judicial system remained an issue.

PROTECTION

The government provided insufficient and uneven protective services for trafficking victims. Officials remained without comprehensive statistics to track victims identified or assisted. During the reporting year, officials inconsistently applied the implementing regulations for the protection provisions of the 2008 anti-trafficking law. For example, officials did not establish a statistical database to track and compile information on victims identified and referred for protective services, which the implementing regulations required. In addition, although the implementing regulations required police and immigration authorities to follow standardized procedures for victim investigation, identification, and referral, such procedures were not widely used in 2015. An international organization reported it identified 45 domestic and five foreign potential trafficking victims. The government did not identify any victims during the year, however, which marks a reduction from the 22 foreign victims it identified the previous year. The government relied primarily on NGOs to operate shelters for trafficking victims, though government officials continued to provide

psycho-social support for the victims in those shelters and streamlined referral services to enable government officials to more effectively place victims in such shelters. During the previous year the government supported the repatriation of 22 victims and provided them with protection and housing.

There were no reports the government arrested or punished trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. While implementing regulations mandated the government to proactively assess for potential trafficking indicators among vulnerable groups, officials detained a large number of African migrants for immigration offenses without such screening during the reporting year. The 2008 anti-trafficking law provides foreign victims legal alternatives to their removal to countries where their safety or the safety of their families may be endangered. In 2015, the government provided an unknown number of foreign victims with travel documents and safe passage to respective country borders. It diplomatically facilitated repatriation with foreign governments or attempted to resettle victims in a third country; the government did not grant residency or temporary stay to any victims during the reporting period.

PREVENTION

The government slightly increased its efforts to prevent trafficking. For the second consecutive year, the government allocated a budget of TZS 80 million (\$37,000) to its anti-trafficking committee. In February 2015, the anti-trafficking committee drafted an updated national action plan, effective through 2017, which incorporated the implementing regulations of the 2008 anti-trafficking law; however, the extent to which the government implemented the revised plan or allotted funding for its implementation was unknown, although it did commit in-kind support. During the reporting period, the government closed 70 recruitment agencies that were alleged to be complicit in subjecting Tanzanians to forced labor in the Middle East under pretenses of employment. Local officials in the semi-autonomous region of Zanzibar continued to conduct anti-trafficking public awareness campaigns across the island, and immigration officials on the mainland disseminated informational brochures on trafficking for use at public events; however, the government remained without sufficient resources to effectively sensitize the public on trafficking issues. Officials made no discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. A foreign donor facilitated specialized anti-trafficking training for Tanzanian troops prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

THAILAND: Tier 2 Watch List

Thailand is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Thai victims of trafficking and some of the estimated three to four million migrant workers in Thailand are forced, coerced, or defrauded into labor or sex trafficking. Some labor trafficking victims are exploited in commercial fishing and related industries, factories, agriculture, and domestic work, or forced into street begging. Migrant workers who are trafficking victims may be deported without effective screening for indicators of trafficking. Sex trafficking remains a significant problem in Thailand's extensive commercial sex industry.

Women, men, boys, and girls from Thailand, Laos, Cambodia, Vietnam, and Burma are subjected to labor and sex trafficking in Thailand. Thailand is also a transit country for victims from China, North Korea, Vietnam, Bangladesh, India, and Burma subjected to sex trafficking or forced labor in countries such as Malaysia, Indonesia, Singapore, Russia, South Korea, the United States, and countries in Western Europe. Thai nationals have been subjected to forced labor and sex trafficking in Thailand and in countries in North America, Europe, Africa, Asia, and the Middle East. Members of ethnic minorities, highland persons, and stateless persons in Thailand have experienced instances of abuse indicative of trafficking. Children from Thailand, Burma, Laos, and Cambodia are victims of sex trafficking in brothels, massage parlors, bars, karaoke lounges, hotel rooms, and private residences. Local NGOs report the use of social media to recruit children into sex trafficking. Some parents or brokers force children from Thailand, Cambodia, and Burma to sell flowers, beg, or work in domestic service in urban areas. Reports indicate separatist groups in southern Thailand continue to recruit and use children to commit acts of arson or serve as scouts.

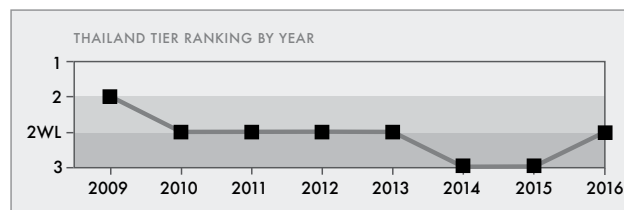
Many foreign trafficking victims migrate willingly to Thailand seeking employment, often with the assistance of relatives and community members or informal recruitment networks. Most migrate through irregular channels without identity documents or travel documents from their countries of origin. Instances of human trafficking, smuggling, abduction, and extortion of migrants occur as migrants move between Thailand and neighboring countries. Traffickers, including registered and unregistered labor brokers of Thai and foreign nationalities, bring foreign victims into Thailand through both formal migration and smuggling routes and serve as intermediaries between job-seekers and employers. Some brokers charge substantial fees or collaborate with corrupt law enforcement officials, and some migrant workers incur significant debts to obtain employment and are subjected to debt bondage. A number of brokers and employers continue to confiscate identity documents. Thai men and women who migrate overseas also rely on registered and unregistered labor brokers to facilitate acquisition of low-skilled contract work or agricultural labor and are sometimes subjected to conditions of forced labor and debt bondage.

Trafficking in the fishing industry remains a significant concern. Thai, Burmese, Cambodian, and Indonesian men are subject to forced labor on Thai and foreign-owned fishing boats. Some remain at sea for several years, are paid very little or irregularly, work as much as 18 to 20 hours per day for seven days a week, or are reportedly threatened, physically beaten, drugged to work longer, and even killed for becoming ill, attempting to escape, or disobeying orders. Some trafficking victims in the fishing sector had difficulty returning home due to isolated workplaces, unpaid wages, and the lack of legitimate identity documents or safe means to travel.

Corruption continues to undermine anti-trafficking efforts. Reports persist that some government officials are directly complicit. Migrant workers, especially those who are undocumented, are fearful of reporting trafficking crimes and cooperating with authorities due to minimal protections both in Thailand and in countries of origin and lack of awareness of their rights. Reports persist that some government officials profit from bribes and direct involvement in the extortion of migrants and their sale to brokers. Some of these migrants are kidnapped and held for ransom, which increases their vulnerability to sexual servitude, forced labor, or debt bondage. Some officials

allegedly profit from trafficking and other criminal offenses committed against trafficking victims. Credible reports indicate some corrupt officials protect brothels and other commercial sex venues from raids and inspections and collude with traffickers.

The Government of Thailand does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government amended its 2008 anti-trafficking laws and other laws related to forced labor in the fishing and seafood industry, which increased criminal and civil penalties on traffickers, allowed for the closure of businesses involved in forced labor, and provided legal protection for whistleblowers. The government increased the numbers of investigations, prosecutions, convictions, and victims identified in 2015, compared with 2014. Labor trafficking investigations increased; however widespread forced labor in Thailand's seafood sector continued to occur. The government increased efforts to hold government officials complicit in trafficking crimes criminally accountable; however, official complicity continued to impede progress in combating trafficking. The government established a specialized anti-trafficking prosecution division and an anti-trafficking court division and increased anti-trafficking training for police, prosecutors, judges, labor inspectors, social workers, and navy personnel. Multidisciplinary teams inspected sea vessels and land-based seafood processing workplaces and found 430 cases of labor violations, including human trafficking cases. The government solicited multi-stakeholder feedback to improve victim identification questions and procedures and hired more interpreters; however effective, proactive screening for victims remained limited, and officials often failed to identify trafficking cases involving non-physical coercion or debt bondage. Only 10 percent of trafficking victims in government shelters worked outside of shelters during the reporting period. The government did not provide legal alternatives to victims who faced retribution or hardship upon return to their home countries. The court dismissed criminal defamation cases against two journalists who reported on trafficking and official complicity; however, fear of retaliation or defamation suits discouraged reporting on trafficking crimes.



RECOMMENDATIONS FOR THAILAND:

Prosecute officials allegedly complicit in trafficking, and convict and punish those found guilty with sufficiently stringent sentences; increase efforts to identify victims among vulnerable populations, including migrants, stateless persons, children, and refugees; prosecute and convict traffickers through proactive law enforcement and systematic cooperation with civil society; increase resources for the specialized human trafficking investigation, prosecution, and court divisions; increase training and resources for multidisciplinary teams, including labor inspectors, at ports and on vessels to better detect indicators of forced labor and debt bondage, and refer cases for criminal investigation; improve the consistency for victim identification, screening, and interview procedures, and prioritize the rights and safety of potential victims; increase roles of labor inspectors in actively screening and assisting potential labor trafficking victims; regulate, investigate, and

improve labor recruitment practices for migrant workers; fully implement new rules conferring legal status and work permits for trafficking victims and ensure that adult trafficking victims be able to travel, work, and reside outside shelters in accordance with the anti-trafficking law; continue to increase the availability of qualified interpretation services across government agencies with responsibilities for protecting workers, migrants, refugees, and victims of trafficking; enhance government capacity to implement anti-trafficking laws and regulations, especially at state and local levels; foster press freedom including on human trafficking reporting; promote an environment conducive to robust civil society participation in all facets of fighting human trafficking; increase incentives for victims to cooperate with law enforcement in the investigation and prosecution of trafficking cases, including by providing foreign trafficking victims legal alternatives to deportation to countries in which they would face retribution or hardship and providing witness protection services; continue to develop specialized law enforcement and social welfare services for child sex trafficking victims; continue to increase anti-trafficking awareness efforts directed at employers and clients of the sex trade, including sex tourists; and improve migrant workers' rights, legal status, and labor migration policies to minimize the risk of trafficking.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2008 anti-trafficking law criminally prohibits all forms of trafficking and prescribes penalties ranging from four to 10 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. A 2015 amendment to the law imposed harsher penalties in cases resulting in death, to include up to life imprisonment and a maximum fine of 400,000 baht (\$13,333). The amendment also includes measures to protect whistleblowers and gives authorities power to temporarily halt operations and immediately suspend licenses of businesses involved in human trafficking. An October 2015 amendment to the Anti-Money Laundering Act enabled the Anti-Money Laundering Office (AMLO) to freeze assets with a court order during trafficking investigations and to allocate a portion of the seized assets to victim compensation.

The government reported investigating 317 trafficking cases (280 in 2014), prosecuting 242 traffickers (155 in 2014) and convicting 241 traffickers (104 in 2014). Despite the prevalence of forced labor in Thailand, the government reported only 72 investigations (58 in 2014) involving suspected cases of forced labor and prosecuted only 33 cases of forced labor involving 71 suspected traffickers. The government did not report how many convictions it obtained for forced labor. Sixty-four percent (29 percent in 2014) of convicted traffickers received prison sentences greater than five years; and 84 percent (68 percent in 2014) received sentences of more than three years' imprisonment. AMLO investigated 40 cases reportedly tied to human trafficking. It reported dropping four cases, and the other 36 remained pending.

The government initiated prosecutions of cases involving abused Rohingya asylum-seekers and Bangladeshi migrants, some of whom were suspected trafficking victims. Of the 155 arrest warrants issued, 92 perpetrators were arrested during the reporting period, including a senior military officer, and several other police, military, and local officials. All were charged with human trafficking offenses, as well as other related criminal charges. AMLO seized 210 million baht (\$5.8 million) and provided evidence of related financial transactions for use in

ongoing criminal proceedings. Court proceedings for the cases were expected to last several years. Despite new whistleblower protections, one of the lead police investigators resigned and subsequently left the country, reportedly in fear for his safety.

The government investigated ship owners, captains, and brokers for labor trafficking in the fishing industry in 41 cases, with 31 vessels seized; 24 of the cases related to the Indonesian islands of Ambon and Benjina in which the government issued arrest warrants for 98 suspects, 19 of whom have been arrested. Most cases remain under prosecution, but in one case the criminal court sentenced one broker to 12 years and six months' imprisonment. Of the 1,476 Thai workers who returned to Thailand from Indonesia, the government identified 57 trafficking victims and assisted 150 workers subjected to wage violations; however, companies reportedly sent home others to avoid allegations of trafficking. With evidence from an NGO, the government arrested and began prosecution of a business owner in Kantang province and seven others during the reporting period in connection to an investigation into forced labor on fishing boats started in 2013. Fifteen perpetrators, including a former Buddhist abbot and a former military officer, were arrested in a case involving seven child sex trafficking victims. The former Buddhist abbot was sentenced to 50 years' imprisonment. A local NGO noted that the number of child beggars overall fell significantly due to the government's policy of seeking out and disrupting street begging rings. The government successfully prosecuted two cases of child forced labor and one case of child forced begging.

The government enacted legislation in December 2015 that criminalizes the possession and distribution of child pornography and leveraged the new legislation to build probable cause in cases involving internet-facilitated child trafficking and sexual exploitation. Foreign and Thai traffickers were arrested and charged with crimes including sex trafficking following the creation of the Thai Internet Crimes Against Children (TICAC) Task Force. TICAC represents a multi-agency and multidisciplinary response to child trafficking in the digital age. TICAC officers have made several arrests and enforcement actions that have resulted in human trafficking charges.

The government maintained robust anti-trafficking training efforts. It funded anti-trafficking training for 2,640 police, prosecutors, judges, labor inspectors, social workers, and navy personnel. Separate trainings focused on amendments to the 2008 Anti-Trafficking Act, guidelines on forced labor and debt bondage, joint inspections of human trafficking in the fishing industry, victim identification, child-friendly and gender-sensitive investigation procedures, and enhanced cooperation within the judiciary on human trafficking. Law enforcement officials cooperated with foreign counterparts to investigate foreign nationals involved in child sex trafficking and Thai national sex trafficking victims abroad. While there have been improvements in coordination between prosecutors and police and in the trafficking expertise of the multidisciplinary teams, limited interagency coordination and frequent personnel changes among law enforcement, prosecutors, and multidisciplinary team members hindered prosecution efforts. The government continued efforts to establish a national database that could improve interagency information sharing.

The government established specialized anti-human trafficking divisions within the Bangkok Criminal Court and the Office of the Attorney General in 2015 to address the need for quicker judgments and trafficking expertise among prosecutors and judges. The government reported that, on average, judgments

were rendered more quickly than in prior years with more than 43 percent of cases convicted within six months, although some trafficking cases continued to take two years or longer to complete. Some victims were reluctant to remain in shelters while waiting to participate in lengthy trials. With the new anti-trafficking division, the government stated new cases should be completed within one year. Some suspected offenders fled the country or intimidated victims after judges granted bail, further contributing to a climate of impunity for trafficking crimes. The government amended the Criminal Procedure Act No. 30, effective on December 2015, to require the court to be more stringent in considering bail requests.

The government made some efforts to address official complicity, but corruption and official complicity in trafficking crimes continued to impede anti-trafficking efforts. In 2015 it filed criminal charges against 34 officials, including several mid- to high-level officials for involvement in human trafficking, as compared with seven officials charged in 2014. The government also reported investigating five additional cases involving several officials who received bribes from entertainment venues where victims of trafficking were found. Of the seven officials charged in 2014, five of those cases remain pending while two were convicted in 2015. One local administrative official was convicted of charges of subjecting a Rohingya man to trafficking in 2015, sentenced to 22 years and six months in prison, and ordered to pay 126,900 baht (\$3,520) in compensation to the victim. A second official was sentenced to 16 years' imprisonment and ordered to pay 60,000 baht (\$1,708) in compensation to each of six sex trafficking victims. The government issued an administrative order to prevent public officials' involvement in trafficking and clearly define complicity as any sort of facilitation of trafficking. The order requires commanding officers to take action within 10 days on any allegations, encourages monetary rewards for those who come forward with actionable reports of official complicity, and established a national committee to coordinate anti-complicity policy. Given the extensive nature of corruption, however, efforts to combat trafficking-related corruption, including official involvement, remained insufficient. Fear of defamation suits or retaliation likely discouraged some journalists, government officials, and civil society members from reporting and law enforcement officials from pursuing trafficking cases.

PROTECTION

The government maintained efforts to identify and protect trafficking victims, although overall victim screening and protection efforts remained inadequate. The government identified 720 trafficking victims in 2015, compared with 595 victims in 2014. The Ministry of Social Development and Human Security (MSDHS) reported providing assistance to 471 victims at government shelters (compared with 303 in 2014), including 126 Thai victims (67 in 2014) and 345 foreign victims (236 in 2014); 320 were victims of forced labor and 151 were victims of sex trafficking. Authorities assisted in the repatriation of 401 victims (211 Thai victims and 190 foreign victims). Thailand signed onto the ASEAN Convention against Trafficking in Persons, especially women and children (ACTIP) on November 21, 2015.

The government improved victim identification procedures, but proactive screening remained inadequate. There continued to be insufficient interpreters available in some areas; an uneven understanding of trafficking indicators among front-line officers; and a lack of private spaces to screen potential victims. The government successfully registered 138 qualified

interpreters and trained 89 volunteer interpreters. It trained 910 police officers and 300 other government officials on victim identification and referral systems. It also deployed multidisciplinary teams in some cases to screen for indications of trafficking among women in prostitution and potential victims of child sex trafficking. Thai workers, some Rohingya and Bangladeshi migrants identified during raids or onboard fishing vessels, and other vulnerable populations. Multidisciplinary teams' composition and level of expertise varied; some were very effective in interviewing potential victims, while others lacked adequate training or protocols to conduct effective screening. Some law enforcement officers failed to recognize debt bondage (exploitive debt) or traffickers' manipulation of undocumented migrants' fear of deportation as non-physical indicators of trafficking. Investigators and multidisciplinary teams may also have failed to recognize trafficking cases where victims originally consented to work, but were deceived about working conditions and subjected to trafficking conditions. Labor inspectors were not required to have a background in labor law and could be held personally liable for claims of abuse of power, which limited their ability to perform their work. The government continued to screen for trafficking indicators among fishermen returning to Thailand and on fishing vessels. Interviews were sometimes brief and conducted in open environments where brokers and ship captains were sometimes present in the same room, which may have led to many unidentified trafficking victims. Through consultations with civil society, the government revised its standard interview guide for potential trafficking victims that detailed indicators of forced labor and debt bondage; the new procedures were deployed in January 2016.

The government maintained the availability of protective services for victims. The government continued to refer victims to one of 76 short-stay shelters or one of nine long-term regional trafficking shelters run by the MSDHS, where they reportedly received counseling, legal assistance, and medical care, civil compensation and financial aid, victim/witness protection, education or vocational trainings and employment either inside or outside shelters. While multidisciplinary teams could conduct additional interviews with potential victims not initially identified as trafficking victims, many undocumented migrants were quickly deported or unwilling to collaborate due to fearing of long stays in shelters with limited employment opportunities, making this less effective in practice. As a result, some front-line immigration officers reportedly deported potential labor and sex trafficking victims. In some complicated cases, MSDHS hired human rights lawyers to be co-plaintiffs, participate in interviews, and coordinate and prepare witnesses for trial. Following a significant influx of Rohingya and Bangladeshi migrants in 2014-2015 and the discovery of largely abandoned smuggling/trafficking camps on the Thai-Malaysian border, 514 Rohingya and Bangladeshi remained in Thailand at the end of the reporting period. The government reported identifying 119 Rohingya and 83 Bangladeshi as trafficking victims. In coordination with UNHCR and IOM, 99 Rohingya resettled to a third country, while 146 were in the process of resettlement at the end of the reporting period; some of these were trafficking victims. There were likely additional trafficking victims among those not formally identified. Accommodations remained limited for Rohingya men not identified as trafficking victims due to insufficient space at immigration detention centers (IDCs). There have been reports of violence against several Rohingya men by IDC authorities.

Although most (53 percent) identified victims were younger than 18 years old, the government had limited specialized services

for child trafficking victims. Some children picked up in police raids were separated from their parents and, if undocumented, forced to choose between spending years in a shelter or being deported by themselves. However, police maintained effective cooperation with international law enforcement counterparts in child sex trafficking cases involving foreign perpetrators. Judicial officials did not always follow procedures to ensure the safety of witnesses; victims, including children, were at times forced to testify in front of alleged perpetrators or to disclose personal information such as their address, which put them at serious risk of retaliation. Although the government passed the Anti-Human Trafficking Amendment No. 2, reportedly to enhance protection and reduce the threat of intimidation against whistleblowers, NGOs reported witnesses remained vulnerable to intimidation even in government-run shelters. In response, the government expanded witness protection to 82 victims; many of whom were trafficking victims. NGOs reported concerns over the lack of appropriate options for foreign children whose families were complicit in their trafficking or who could not be identified.

The government did not make significant progress in ensuring that all adult trafficking victims were able to travel, work, and reside outside shelters as provided by Thailand's anti-trafficking law. Of the 497 victims in government shelters, the government issued 58 work permits and visas (compared with 57 in 2014), to work temporarily in Thailand during the course of legal proceedings. Only 47 victims worked outside the shelter. Others were either formally repatriated, chose not to work, could not find work, were too young to work, or accepted paid work in the shelter. On March 15, 2016, the Cabinet approved additional measures to permit migrant trafficking victims and witnesses to stay in Thailand for up to one year (previously six months), allowed foreign victims to renew work permits after the completion of a case, streamlined the process of obtaining work permits from 45 days to 10 days, and stated that all witnesses of human trafficking cases would be automatically entitled to the witness protection program. On February 2016, a new regulation on financial rewards and compensation came into force, which allows the government to disburse financial rewards and/or compensation of \$846 – \$2,828 for persons assisting in arrest and prosecution of human traffickers.

In 2015, the government disbursed 7.1 million baht (\$197,222) from its anti-trafficking fund to 472 victims (463 in 2014). The government filed petitions on behalf of 77 victims (57 in 2014) and received civil compensation of 3.3 million baht (\$93,020). The law protects victims from prosecution for acts committed as a result of being subjected to human trafficking; however, flaws in the government's victim identification procedures and its efforts to arrest and soft-deport immigration violators increased victims' risk of being re-victimized and treated as criminals. Unidentified victims were likely among migrants subjected to government citations for lack of proper documentation during the year detained in sometimes-overcrowded immigration detention facilities.

A 2005 cabinet resolution established stateless trafficking victims in Thailand could be given residency status on a case-by-case basis; however, the Thai government had yet to report granting residency status to a foreign or stateless trafficking victim. The government did not provide legal alternatives to victims who faced retribution or hardship upon return to their home countries but coordinated with international organizations to resettle 99 victims to a third country. The government systematically repatriated 401 Thai and foreign victims through a government-to-government process if they

were unwilling to testify or following the conclusion of legal proceedings.

PREVENTION

The government maintained efforts to prevent trafficking. It significantly increased funding for migrant labor management and anti-trafficking efforts from 1.53 billion baht (\$42 million) in fiscal year 2015 to 2.08 billion baht (\$57 million) in fiscal year 2016. It conducted campaigns through radio, television, billboards, and handouts to raise public awareness of the dangers of human trafficking throughout the country. Given the low literacy rate and the diversity of languages among at-risk persons, however, this information remained inaccessible to many. The Ministry of Social Development and Human Security and the Ministry of Labor increased the number of non-Thai language speaking hotline operators, but NGOs deemed the quality of the service variable and at times insufficient in informing callers of whether labor laws had been violated.

In 2015, courts acquitted two journalists of criminal defamation after their 2013 reporting on Navy complicity in trafficking Rohingya in Thailand. Advocates, however, expressed concerns that ongoing cases against an anti-trafficking proponent, despite the dismissal of one case against him, had the effect of silencing other human rights advocates. A lead investigator on high-profile official corruption and trafficking cases resigned and reportedly sought asylum in Australia after publicly indicating he faced threats and intimidation. These developments impeded a climate conducive to preventing trafficking, discovering and reporting trafficking crimes, identifying victims, and apprehending additional traffickers.

The government strengthened border control enforcement to prevent the crossing of both traffickers and vulnerable populations. The government registered and offered work permits to 149,623 migrant workers in the fishing and seafood sector in an attempt to regularize their legal status in Thailand. The government made limited efforts to regulate recruiters or employment service agencies that provide service to migrant workers. While the number of migrant workers using the formal government-to-government migration system for foreign workers to work in Thailand modestly increased from 217,111 in 2014 to 279,311 in 2015, most migrant workers did not use this mechanism due to high costs tied to corruption on both sides of the border, lengthy processing times, and difficulties in changing employers. The Supreme Court ruled in August 2015 that employers could not deduct migration and documentation expenses from workers' wages. The government granted citizenship to 8,038 stateless persons, an increase from 5,667 in 2014.

The government acknowledged the labor shortage in the fishing sector was due in large part to some workers' unwillingness to work in the industry due to poor working and living conditions. The government established a Command Center for Combating Illegal Fishing (CCCIF) to combat illegal unreported and unregulated (IUU) fishing, and with some responsibilities to identify trafficking victims and improve working conditions. The CCCIF established 28 port-in-port-out centers, which perform inspections at port, at sea, and on land to ensure that fishing vessels are operating legally and workers have contracts, work permits, and identity documents. From May 2015 – January 2016, the multidisciplinary teams of the CCCIF inspected 8,398 vessels at sea and 152 on land seafood processing workplaces, in addition to port inspections. These inspections led to the investigation of 430 cases of labor violations under various laws,

four trafficking cases, suspension of operations at 19 workplaces, one arrest, and non-trafficking criminal charges against 27 workplaces for labor violations. A shortage of government interpreters meant, however, that many labor inspectors were unable to speak with many migrant workers, and interviews were often conducted in front of ship captains, which prevented workers from speaking freely. During the reporting period, 4,562 vessels were equipped with vessel monitoring technology, and the government approved and implemented regulations to prohibit workers younger than age 18 from working in seafood processing industries. Exploitative labor practices in the fishing industry, however, remained a significant issue, partly exacerbated by weak law enforcement, delays to hold business owners or boat captains criminally accountable, nascent efforts to improve data linkage among relevant agencies, and fragmented coordination among regulatory agencies. Due to training and staffing limitations, officials on multidisciplinary teams focused primarily on whether workers were in legal immigration status and had legal documentation, rather than on indicators of forced labor.

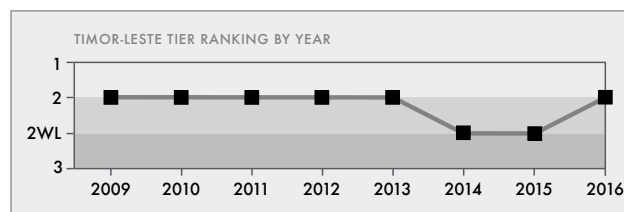
In 2015, the government found unlawful practices in 10 of the 433 labor recruitment agencies that facilitate overseas and domestic employment. For these cases, the government suspended the licenses of three agencies and filed criminal charges against seven agencies. It further initiated prosecutions against 68 illegal brokers under the Employment and Job-Seeker Protection Act in 73 cases involving 287 Thai laborers. The government also implemented government-to-government programs with four countries to reduce the costs to Thai workers going to work abroad in guest worker programs. The government, however, remained ineffective in regulating the excessive formal and informal fees incurred by some Thai workers to obtain employment abroad, which made them vulnerable to debt bondage or exploitative working and living conditions.

To prevent child sex tourism, the government reported it denied entry to 511 known foreign sex offenders, compared with 98 in 2014. The Ministry of Tourism organized four trainings for 647 local government officials, tourism sector workers, and civil society organizations on prevention of child sexual exploitation in the tourism industry, and held an anti-trafficking seminar for 200 members of the tourism industry. The government reported operating a surveillance network on child sex tourism by training business operators in high-risk areas to identify and report cases to the police. The government took steps to decrease the demand for commercial sex acts, including a public awareness campaign to inform tourists and Thai citizens of the severe criminal punishment of those found to be involved in child sexual exploitation. The government set up the Thai Internet Crimes Against Children Taskforce to combat internet-facilitated child sex trafficking and exploitation. The government made efforts to decrease demand in forced labor. It passed a new Royal Ordinance on Fisheries, which allows the government to close or revoke business licenses of a factory and significantly increase criminal penalties on employers in fishing and seafood processing facilities that employ workers without a permit to stay and work. The government investigated and prosecuted prominent forced labor cases in the export-oriented commercial fishing and seafood processing sectors this year involving 112 defendants and publicized the prosecutions in an attempt to decrease the demand for forced labor. The government provided anti-trafficking training to its diplomatic personnel.

TIMOR-LESTE: Tier 2

Timor-Leste is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Timor-Leste may be a source for women and girls sent to Indonesia and other countries for domestic servitude. Timorese women, girls, and occasionally young males from rural areas are lured to the capital with the promise of better employment or education prospects and subjected to sex trafficking or domestic servitude; at least one village chief has been complicit in this form of trafficking. Timorese family members place children in bonded domestic and agricultural labor, primarily in rural areas but also in the United Kingdom, to pay off family debts. Foreign women, including those from Indonesia, China, and the Philippines, are vulnerable to sex trafficking in Timor-Leste. Transnational traffickers may be members of Indonesian or Chinese organized crime syndicates. Some NGOs report fishermen on foreign vessels operating in Timorese waters may be vulnerable to trafficking. Police may accept bribes from establishments involved in trafficking or from traffickers attempting to cross borders illegally. Police have been identified as clients of commercial sex venues investigated for suspected trafficking.

The Government of Timor-Leste does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government reported prosecuting six defendants and convicting two traffickers, though lack of details made it difficult to verify these were cases of human trafficking as defined in international law. The government reestablished the inter-ministerial working group on trafficking, designated the Ministry of Justice as the lead agency to coordinate its efforts, and finalized a national action plan to combat trafficking. Authorities did not employ formal procedures for victim identification, leaving some victims vulnerable to punishment for crimes committed as a direct result of trafficking. Although the overall availability of specialized services, shelter, or long-term support for victims was limited, the government reported providing services to 10 victims and referring additional victims to government-funded NGOs for support.



RECOMMENDATIONS FOR TIMOR-LESTE:

Establish, implement, and train officials on formal procedures for victim identification among vulnerable populations, such as individuals in prostitution and domestic work and migrant workers on fishing vessels; adequately fund law enforcement officers to conduct thorough investigations of trafficking offenses, proactively initiate prosecutions, and convict and punish traffickers, including complicit officials; properly resource protective services, and establish and train officials on standard operating procedures to ensure victims are consistently referred to appropriate care; improve data collection on anti-trafficking efforts; enact comprehensive anti-trafficking legislation that is consistent with international law; conduct training for prosecutors and judges, including on how to integrate victim protection throughout the duration of court proceedings; and

increase anti-trafficking education and awareness campaigns for the public.

PROSECUTION

The government made modest anti-trafficking law enforcement efforts and improved its data collection. Articles 163 and 164 of the penal code prohibit and punish all forms of trafficking; articles 162 and 166 prohibit slavery and the sale of persons. These articles prescribe sufficiently stringent penalties ranging from eight to 25 years' imprisonment, which are commensurate with those prescribed for other serious crimes, such as rape. In April 2015, the Council of Ministers approved draft anti-trafficking legislation—which has been in development since 2009 and would expand legal provisions on protection and prevention measures—and sent it to the parliament, where it remained at the close of the reporting period. The government provided more information on its anti-trafficking law enforcement efforts than in the previous year but did not offer complete statistics or provide adequate detail to verify all reported cases involved human trafficking offenses. According to information from government, NGOs, and media sources, authorities investigated 12 cases of suspected trafficking and prosecuted six suspected traffickers. One prosecution resulted in the March 2016 conviction of a Timorese woman on attempted trafficking charges after she was apprehended while attempting to transport five Timorese young adults to the United Kingdom without appropriate work documents. The details of the second conviction are unknown. There were no further updates on the other investigations or prosecutions. In July 2015, the court upheld the guilty verdict for the former village chief convicted and sentenced to prison during the previous reporting period for child sex trafficking. There were no updates on an investigation from the previous reporting period of a police officer suspected of forced child labor offenses. Judges and prosecutors have limited expertise in applying anti-trafficking laws effectively. In the past, police officers reported using their own personal funds to pursue trafficking investigations due to inadequate resource allocation from the government. Police and prosecutors lacked adequate training in victim-centered approaches to law enforcement and legal proceedings. A government-funded NGO and foreign government donors provided anti-trafficking training to Timorese law enforcement officials.

PROTECTION

The Government of Timor-Leste demonstrated increased efforts to protect victims. The government reported identifying and providing some services to 10 victims and referring additional victims to local NGOs for assistance. Reports from law enforcement, NGOs, and the media indicate cases investigated during the reporting period included at least 55 potential victims; it is unknown whether all victims received protective services. There were no formal procedures for victim identification, and authorities did not systematically screen for trafficking indicators among vulnerable groups, such as individuals in prostitution and domestic work and migrant workers on fishing vessels. Police reported having a list of questions to identify a case of trafficking, although these questions relied on the movement of people to make a positive determination of trafficking and it was unclear how frequently they were used. The government allocated funds to an NGO specifically to provide social services to trafficking victims. The NGO reported providing services to 11 victims, including four male victims. There were limited specialized services for trafficking victims in the country, with female victims primarily receiving services available to victims of other crimes, such

as domestic violence and sexual assault. The government's referral system used Ministry of Social Solidarity field staff to coordinate with police and NGOs. NGOs reported improved cooperation through the referral network. An unknown number of victims received vocational training, legal assistance, or reintegration support from NGOs, some of whom received funds from the government. Unidentified trafficking victims may have been among the individuals arrested and deported during the year, particularly foreign women in prostitution apprehended for immigration violations. Local NGOs noted the overall lack of incentives to cooperate with law enforcement may have contributed to some victims being unidentified or unwilling to participate in the investigation and prosecution of traffickers. The government did not provide foreign victims with alternatives to their removal to countries where they may face hardship or retribution.

PREVENTION

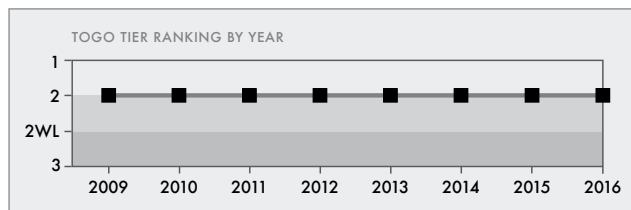
The Government of Timor-Leste demonstrated increased efforts to prevent trafficking. The government conducted an anti-trafficking educational campaign in seven schools in districts across the country and provided funding to an NGO to conduct a community education workshop. During the reporting period, the government reestablished the inter-ministerial working group on trafficking and designated the Ministry of Justice as the lead agency to coordinate its efforts. The working group finalized a national action plan to combat trafficking, to which the government designated personnel resources and for which ministries will use their funding to support their required tasks. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not take measures to reduce the demand for forced labor or commercial sex acts.

TOGO: Tier 2

Togo is a source, transit and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The western border of the Plateau region, which provides easy access to major roads leading to Accra, Ghana, and Lome, was a primary source for trafficking victims during the reporting period. Most Togolese victims are children exploited within the country. Forced child labor occurs in the agricultural sector—particularly on coffee, cocoa, and cotton farms—as well as in stone and sand quarries. Traffickers bring children from rural areas to Lome, where they are subjected to forced labor as domestic servants, roadside vendors, and porters, or exploited in prostitution. Boys are subjected to forced labor in construction, in salvage yards, mines, and as mechanics, often working with hazardous machinery. Children from Benin and Ghana are recruited and transported to Togo for forced labor. Girls from Ghana are exploited in sex trafficking in Togo. Togolese boys and girls are transported to Benin, Cote d'Ivoire, Democratic Republic of the Congo, Gabon, Ghana, Nigeria and forced to work in the agricultural sector. From September to April, many Togolese adults and children migrate in search of economic opportunities to Benin, Burkina Faso, Niger, and Mali, where many are subjected to labor and sex trafficking. In Nigeria, Togolese men endure forced labor in agriculture and Togolese women are exploited in domestic servitude. Togolese women have been fraudulently recruited for employment in Saudi Arabia, Lebanon, the United States, and Europe, where they are subjected to domestic servitude or forced prostitution.

The Government of Togo does not fully meet the minimum

standards for the elimination of trafficking; however, it is making significant efforts to do so. The government reported increased numbers of investigations, prosecutions, and convictions of traffickers for child trafficking crimes in 2015 compared to the previous reporting period; however, it did not provide the details of these cases. It amended the penal code to criminalize trafficking of adults; however, it did not demonstrate or report any tangible efforts to address trafficking of adults. The government assisted in the repatriation of transnational child trafficking victims but did not report any efforts to identify or assist other potential trafficking victims, including adults and victims within Togo. While the government increased the number of labor inspectors, it did not have adequate resources to address forced labor cases.



RECOMMENDATIONS FOR TOGO:

Develop a formal system to identify trafficking victims, including adults, and train law enforcement, immigration, and social welfare officials on victim identification; increase efforts to prosecute and punish traffickers, including of adult victims, using the amended penal code; effectively track the number of trafficking victims who receive services from the government, are referred to NGOs, or are returned to their families; develop a system among law enforcement and judicial officials to track suspected human trafficking cases and prosecution data; allocate sufficient funds to operate the Tokoin and Oasis centers; and increase efforts to raise public awareness about the dangers of human trafficking, including the trafficking of adults.

PROSECUTION

The government increased law enforcement efforts against child trafficking, but did not demonstrate tangible efforts to address trafficking of adults. During the reporting period the national assembly passed a revised penal code, which significantly increased penalties for traffickers and amended the definition of trafficking to include adult forced labor. The revised code increases the prison sentence from a minimum of 10 years to 20 years, an increase from two to five years under previous laws, and increases the maximum fine to 30 million FCFA (\$51,000) from 5 million FCFA (\$8,500). Unlike pending draft anti-trafficking legislation, the revised penal code does not include provisions for victim protection. Togolese law prohibits all forms of trafficking. Article 4 of the 2006 labor code prohibits forced and compulsory labor, but its prescribed penalties of three to six months' imprisonment are not sufficiently stringent, and its definition of forced or compulsory labor includes some exceptions that constitute trafficking. The 2007 child code prohibits all forms of child trafficking and prescribes penalties of two to five years' imprisonment, which are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. The 2005 Law Related to Child Smuggling prescribes prison sentences of three months' to 10 years' imprisonment for abducting, transporting, or receiving children for the purposes of exploitation. Despite eight years of the TIP Report recommending the enactment of legislation criminalizing the trafficking of adults, the government did

not take action during the reporting period to enact its draft legislation, which has remained pending since 2009.

The government reported 123 investigations and 59 convictions of traffickers, an increase from 103 investigations and 40 convictions in 2014. It is unclear how many of these cases actually involved trafficking charges, as the government was unable to provide details of the cases. The government did not provide any trafficking-specific training to its law enforcement officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Experts reported judges were often reluctant to convict or fine parents who subjected their children to trafficking, as they felt it would exacerbate the economic situation that drove a parent to commit the crime. The government cooperates with the governments of Benin, Ghana, and Nigeria under a quadripartite agreement on the control and monitoring of borders to prevent child trafficking, repatriate victims, and extradite traffickers. Additionally, the government cooperates with all West African states under the West African Multilateral Accord and with all west and central African states under the Multilateral Cooperation Agreement to Combat Trafficking in Persons in West and Central Africa.

PROTECTION

The government assisted in the repatriation of transnational child trafficking victims and provided protective services for other potential victims; however, it did not report data regarding its assistance and data collection remained a significant concern during the reporting period. During the reporting period, the government funded and facilitated the repatriation of 20 child trafficking victims forced to work in Gabon. The children, who originated from four villages in Togo, were initially held in Benin and Nigeria prior to being transported by boat to Gabon.

After repatriation, the government reunited the children with their families in Togo. In 2014, the government reported identifying 712 potential child trafficking victims, including 351 boys and 361 girls; the majority of these children were intercepted and rescued prior to reaching their destinations, where they likely would have faced exploitation as farm laborers or domestic servants. The government did not report the number of children referred to care facilities. The government did not identify any adult victims of trafficking.

In Lome, the Ministry of Social Affairs (MSA) continued to run a toll-free 24-hour helpline, Allo 10-11, which received an unknown number of calls regarding child trafficking and other forms of child abuse. The National Committee for the Reception and Social Reinsertion of Trafficked Children, Togo's national anti-trafficking committee comprised of government officials and NGOs, continued to operate jointly with the police an ad hoc referral system to respond to hotline tips. The MSA continued to operate two shelters; the Tokoin Community Center served as an intermediary shelter for child victims before transfer to care facilities managed by NGOs, while the Oasis Center provided shelter, legal, medical, and social services to child victims up to age 14. The government was unable to provide the total budget for victim assistance and protection. The government did not offer temporary or permanent residency status to foreign victims facing hardship or retribution upon return to their country of origin. The government did not have a formal process to encourage and support victims' participation in the investigation and prosecution of their traffickers, and it is unclear whether any victims did so during the reporting period. There were no reports of child victims being penalized

for unlawful acts committed as a direct result of being subjected to trafficking.

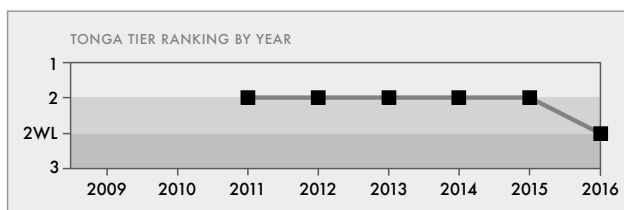
PREVENTION

The government continued minimal efforts to prevent child trafficking during the year and showed no discernible efforts to prevent adult trafficking. The government employed 109 labor inspectors across all five regions during the reporting period, an increase of 23 inspectors from the previous year. Despite the increase, there were still far too few inspectors to effectively investigate child labor cases. An NGO reported inspectors often did not address even obvious cases of child labor in large, open-air markets in urban centers. The government has not instituted policies or laws regulating foreign labor recruiters to hold them civilly and criminally liable for fraudulent recruiting. The government reduced the demand for forced labor through the continuation of a program partnering with 30 traditional religious leaders to eliminate the practice of religious “apprenticeships”—a practice in which children are entrusted to religious leaders who exploit them in forced domestic work, or sexual slavery when parents are unable to pay school fees. The government has not updated its national action plan since 2008. The government did not take any discernible measures to decrease the demand for commercial sex acts. The government provided anti-trafficking training to Togolese troops prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

TONGA: Tier 2 Watch List

Tonga is a destination country for women subjected to sex trafficking and, to a lesser extent, a source country for women and children subjected to domestic sex trafficking and forced labor. East Asian women, especially those from China, are exploited in prostitution in clandestine establishments operating as legitimate businesses; some East Asian women are recruited from their home countries for legitimate work in Tonga, paying large sums of money in recruitment fees, and upon arrival are forced into prostitution. Some Tongan women and children are reportedly subjected to involuntary domestic servitude. There are reports of foreign men who attempted to transit Tonga in situations of potential debt bondage.

The Government of Tonga 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, Tonga is placed on Tier 2 Watch List. During the reporting period, the police force began to include anti-trafficking as part of its training of new recruits. In addition, it provided 50,000 pa’anga (\$23,507) to an NGO that assists women and child victims of crime, including potential trafficking victims. While the government began investigating one potential trafficking case, it remained without formal procedures for the identification of trafficking victims. The government did not make progress in establishing a national coordinating body on human trafficking or in developing anti-trafficking awareness campaigns.



RECOMMENDATIONS FOR TONGA:

Develop and fully implement procedures to identify trafficking victims proactively among vulnerable groups; increase training for law enforcement officials and labor inspectors on human trafficking, including on how to identify and assist victims; increase efforts to investigate and prosecute trafficking crimes, including child sex trafficking, and punish traffickers; ensure anti-trafficking laws are not limited to cross-border movement; provide Asian-language interpretation services to facilitate identification of foreign victims and their referral to care and cooperation with law enforcement; enact a law or policy to provide explicit protections for trafficking victims, such as restitution, legal and medical benefits, and immigration relief; develop and conduct anti-trafficking information and education campaigns; raise awareness of child sex trafficking; develop a national action plan and establish a coordinating body to guide national anti-trafficking efforts; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made minimal anti-trafficking law enforcement efforts. The Counter Terrorism and Transnational Organized Crime Act does not prohibit all forms of trafficking because it defines trafficking only as a transnational crime. This law prescribes penalties of up to 15 years’ imprisonment for trafficking offenses involving adult victims and 20 years’ imprisonment for offenses involving children; these penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. Since convicting its first trafficker in April 2011, the government has not identified any trafficking victims or prosecuted any trafficking cases. The government initiated one investigation of a potential trafficking case involving Bangladeshi men in conditions indicative of forced labor and began to include anti-trafficking in persons training for new police recruits during the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government made minimal efforts to protect trafficking victims, identifying four potential trafficking victims during the reporting period. Nonetheless, it did not develop or employ systematic procedures for victim identification among at-risk groups, such as undocumented migrants or women in prostitution. The government has procedures to refer crime victims to an NGO service provider for assistance and referred trafficking victims to counseling services in 2015. The government provided 50,000 pa’anga (\$23,507) to one local NGO for operations to assist women and children victims of crime; although trafficking victims were eligible to use these services, no identified trafficking victims benefited from these services in 2015. There are no shelter facilities available to male victims older than 15 years old. Under the immigration act, the principal immigration officer has broad discretionary authority

to grant trafficking victims permits to stay in the country for any length of time necessary for their protection. In the one potential human trafficking case under investigation, the government provided permits to the foreign males found to be in conditions indicative of forced labor, allowing them to reside and work in Tonga legally during the investigation. Victims could be granted asylum in Tonga if they feared retribution or hardship in their country of origin, although no trafficking victim has ever requested asylum. Victims have the ability to file civil cases against their traffickers, but none filed such cases in 2015. There were no reports officials penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking.

PREVENTION

The government made negligible efforts to prevent human trafficking. The government did not develop a national action plan to combat trafficking, establish a coordinating body to spearhead anti-trafficking efforts, or conduct educational campaigns to increase awareness of trafficking in Tonga. The government did not take action to reduce the demand for commercial sex acts or forced labor during the reporting period. The government did not provide anti-trafficking training to its diplomatic personnel. Tonga is not a party to the 2000 UN TIP Protocol.

TRINIDAD AND TOBAGO: Tier 2 Watch List

Trinidad and Tobago is a destination, transit, and source country for adults and children subjected to sex trafficking and forced labor. Women and girls from the Dominican Republic, Guyana, Venezuela, and Colombia are subjected to sex trafficking in brothels and clubs, often lured by offers of legitimate employment, with young women from Venezuela especially vulnerable. NGOs noted the availability of children for commercial sex through classified ads and that children are subjected to trafficking for commercial sex by Trinbagonians and foreign sex tourists. Economic migrants from the Caribbean region, especially Guyana, and from Asia, in particular those lacking legal status, are vulnerable to forced labor in domestic service and the retail sector. Immigration officials note an increase in international criminal organizations' involvement in trafficking, and NGOs report young boys are coerced to sell drugs and guns. New brothels continue to open across the country, particularly in the east where they are incorporated into small bars and rum shops and are difficult to detect; NGO and police sources note that both prostitution and trafficking are historically dependent on police corruption. Law enforcement and civil society organizations reported some police and immigration officers facilitate trafficking and some law enforcement officials exploit sex trafficking victims.

The Government of Trinidad and Tobago 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, Trinidad and Tobago is placed on Tier 2 Watch List for the second consecutive year. Following the election of a new government in September 2015, the government demonstrated renewed political will to combat human trafficking. The government increased funding for

its anti-trafficking unit, which sustained efforts to identify trafficking victims and refer them to care. The government also increased training for law enforcement, conducted public awareness activities, and adopted a national plan of action as mandated under the law. The government reported one new investigation of a complicit official. It acknowledged a larger complicity problem, but has not held anyone criminally accountable, thus it has not effectively addressed the rampant complicity problem. The government has never convicted an individual under its anti-trafficking law, including officials complicit in trafficking.



RECOMMENDATIONS FOR TRINIDAD AND TOBAGO:

Investigate, prosecute, and convict traffickers, including complicit immigration and law enforcement officials; develop specialized services for victims in collaboration with NGOs, and ensure adequate funding for robust services; implement procedures to guide front-line officials in the identification and referral of potential sex and labor trafficking victims, especially among foreign women in prostitution, migrant workers, and children; train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence to reduce dependence on victim testimony; further expand training and outreach to educate officials about the manifestations of trafficking in the country to aid in the effective investigation of sex and labor cases and prosecution and conviction of traffickers; raise public awareness, especially among the migrant population, about forced labor; and continue implementing the national action plan.

PROSECUTION

The government made modest law enforcement efforts; official complicity continued to undermine government efforts. The Trafficking in Persons Act of 2011 prohibits both sex trafficking and forced labor and prescribes penalties of 15 years to life imprisonment and fines. The Children Act (2012), which entered into force in May 2015, prescribes penalties of 10 years' to life imprisonment for subjecting a child to prostitution. These are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the government's anti-trafficking unit investigated 53 possible cases of trafficking, at least one of which was for labor trafficking, compared with 35 cases in 2014. The government initiated the prosecution of five accused traffickers under the anti-trafficking law, compared with one in 2014 and 12 in 2013. The government also charged one suspected trafficker in its first child sex trafficking case. Prosecutions from previous reporting periods involving 10 suspected traffickers were ongoing. The government has yet to convict a trafficker. Inefficiencies in the judicial system resulted in a significant backlog of cases. The interagency counter-trafficking unit within the national security ministry led efforts to investigate sex trafficking and forced labor and provide victim services, but suffered from institutional challenges. Its staff of police and immigration officers reported to their respective agencies

and not to the head of the unit. The unit lacked permanent leadership throughout the reporting period. The government assigned four additional personnel to the unit during the reporting period, bringing the total to 10 law enforcement and two immigration officers, and increased the unit's budget to eight million Trinidad and Tobago dollars (TTD) (\$1.25 million) for fiscal years (FY) 2015-2016 from five million TTD (\$780,800) for FY 2014-2015.

The national security ministry reported that law enforcement and immigration officials were complicit in trafficking crimes. The government reported one new investigation of a police officer complicit in sex trafficking; the 2013 prosecution of a law enforcement official for the sex trafficking of three Colombian nationals remained ongoing. Some government officials report that law enforcement and immigration officials received bribes in exchange for protection and sabotaging police investigations. A national security ministry source said one police station routinely sent new recruits to purchase commercial sex from a local brothel. In a separate case, an NGO reported that police frequented a brothel to procure commercial sex, including from potential trafficking victims, and brothel owners intimidated victims by claiming friendship with police officials. In 2015, the government reported no evidence of official complicity in a case from December 2014, reportedly involving a trafficking network in which immigration and police officers were supposedly involved in facilitating the sex trafficking of Venezuelan women. The counter-trafficking unit conducted anti-trafficking training for more than 100 police officers, with assistance from an international organization, and provided funding for 40 government officials and law enforcement to participate in a two-week advanced human trafficking law enforcement training course. The government collaborated with authorities in Venezuela to investigate suspected trafficking cases. During the reporting period, the labor ministry provided targeted training to 18 labor inspectors to help them identify possible cases of human trafficking. The government has sought assistance from and collaborated with the U.S. embassy on combating trafficking.

PROTECTION

The government sustained efforts to identify and protect trafficking victims. The government identified and referred six trafficking victims to care—five Venezuelan adult female victims and one Trinbagonian minor female victim of sex trafficking—compared with eight in 2014. The counter-trafficking unit partnered with NGOs and public hospitals to provide basic services to victims, including medical care and counseling; no specialized services exist. Domestic violence shelters, which received some government funding, provided accommodation to adult female trafficking victims. In the case of men and children, the government provided shelter mainly by securing private safe houses. Other government-funded victim care services available included food, medical assistance, translation services, psychological counseling, legal services, and arranging contact with families; at least two victims received legal services during the reporting period. NGOs reported deficiencies in the counter-trafficking unit's ability to arrange assistance for victims, which they attributed to poor but improving coordination between the unit and service providers. The counter-trafficking unit spent approximately one million TTD (\$156,200) on victim care and protection, the same amount spent in 2014. It provided some funding to NGOs that in turn provided direct care and assistance; however, there were questions by NGOs about whether the funding was sufficient. Victims housed in NGO-run shelters were allowed freedom of movement after an

initial security assessment by the government; victims housed in alternative accommodations were under constant watch by unit officers.

The counter-trafficking unit developed a screening form to identify victims and new procedures to guide front-line officials in the identification and referral of potential victims, which it disseminated to law enforcement. The referral process remained ad hoc in practice. The government did not punish any identified trafficking victims for crimes committed as a direct result of a trafficking situation; however, unidentified victims were vulnerable to being inadvertently punished or charged with immigration or prostitution violations. The government provided five Venezuelan trafficking victims with work and residence permits to remain in the country to assist law enforcement in trafficking investigations. Most foreign victims provided a statement to aid in prosecution prior to repatriation. The government afforded witness protection to victims that chose to participate in the trial process and allowed them to return to their home countries between court hearings. The government partnered with an international organization and victims' home governments to ensure safe repatriation.

PREVENTION

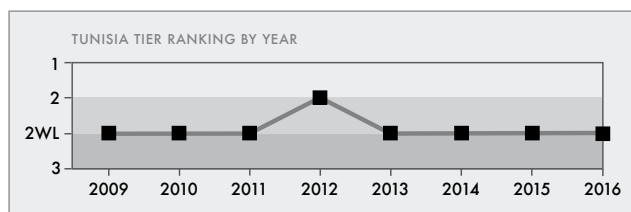
The government increased efforts to prevent trafficking. The inter-ministerial national taskforce on trafficking met three times during the reporting period. The taskforce approved a national plan of action. The counter-trafficking unit engaged more than 50 government and NGO stakeholders for three days in a national threat assessment, and presented the findings to the taskforce, but had no plans to make the assessment public. The national security minister presented the counter-trafficking unit's mandated annual report on the government's 2014 anti-trafficking efforts to Parliament in November 2015. The trafficking unit launched a two-month country-wide official awareness campaign via public service announcements on local television and radio stations to educate the public and publicize the toll-free hotline through which individuals can report suspected human trafficking cases. The government also provided a small amount of funding toward a six-month NGO-run child trafficking awareness campaign that displayed prevention messages on billboards. The trafficking unit held awareness events at youth camps and universities, and provided financial support to assist in the production of two films seeking to raise awareness of trafficking. These activities contributed to an increased number of calls to the hotline, from five per month to five per week, and to creating greater public discourse on the issue. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government made efforts to reduce the demand for commercial sex acts and for forced labor during the reporting period. Authorities did not report any cases of child sex tourism investigated or prosecuted during the reporting period.

TUNISIA: Tier 2 Watch List

Tunisia is a source, destination, and possible transit country for men, women, and children subjected to forced labor and sex trafficking. According to a baseline study published in 2013, Tunisian youth are subjected to various forms of trafficking. According to the study, some Tunisian girls, mainly from the northwest, working as domestic servants for wealthy families in Tunis and major coastal cities experience restrictions on movement, physical and psychological violence, and sexual

abuse. International organizations report an increased presence of street children and rural children working to support their families in Tunisia since the 2011 revolution; according to the baseline study, these children are vulnerable to forced labor or sex trafficking. Tunisian women have reportedly been forced into prostitution under false promises of work both within the country and elsewhere in the region, such as Lebanon, United Arab Emirates, and Jordan. Civil society organizations report an increase in women, primarily from West Africa, subjected to domestic servitude in private homes in Tunis, Sfax, Sousse, and Gabes. Migrants fleeing unrest in neighboring countries continue to be vulnerable to trafficking in Tunisia. Security officials reported in 2014 that organized gangs force street children to serve as thieves and beggars and to transport drugs.

The Government of Tunisia 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, Tunisia is placed on Tier 2 Watch List for the fourth consecutive year. Per the Trafficking Victims Protection Act, Tunisia 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. As in the previous reporting period, Parliament did not pass draft anti-trafficking legislation, and due to the lack of legal framework, the government did not provide a clear mandate for officials to address human trafficking crimes effectively. The government reported investigating and prosecuting potential trafficking crimes, but without the details of the cases it was unclear how many—if any—traffickers were adequately punished. The government did not fully implement victim identification guidelines or the national victim referral mechanism; therefore, some trafficking victims remained unidentified and vulnerable to punishment for unlawful acts committed as a direct result of being subjected to human trafficking. Nevertheless, authorities identified and provided protection services to some trafficking victims in government-operated centers for vulnerable groups. Although the government's inter-ministerial anti-trafficking committees remained active during the reporting period, political, economic, and security challenges in Tunisia prevented the government from dedicating resources and attention to human trafficking issues.



RECOMMENDATIONS FOR TUNISIA:

Enact anti-trafficking legislation that prohibits and adequately punishes all forms of human trafficking consistent with the 2000 UN TIP Protocol; in the absence of a law, use existing criminal statutes to prosecute trafficking offenses and convict and punish offenders with imprisonment; implement formal procedures to identify trafficking victims among vulnerable groups, such as street children, undocumented migrants, domestic workers, and persons in prostitution, and train officials on their use; fully implement the national victim referral mechanism to ensure

all trafficking victims are referred to appropriate protection services, and train law enforcement and judicial authorities on appropriately referring victims to care; provide adequate protection services to all trafficking victims distinct from other vulnerable groups, including adequate shelter and rehabilitative services, and ensure staff at government-operated centers are trained to provide trafficking victims with specialized care; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking, such as prostitution and immigration violations; and increase anti-trafficking trainings for all officials.

PROSECUTION

The government demonstrated limited anti-trafficking law enforcement efforts and did not yet enact draft anti-trafficking legislation introduced to Parliament in May 2014. The absence of a law greatly hindered law enforcement efforts, including data collection and case management, and contributed to the government's inability to differentiate human trafficking from other crimes. In various disparate statutes, the penal code prohibits some forms of human trafficking but prescribes penalties that are not sufficiently stringent or commensurate with penalties prescribed for other serious crimes, such as rape. The penalties prescribed for rape range from five years' imprisonment to the death penalty. The criminal code prescribes one to three years' imprisonment for forced prostitution of an adult, which are not commensurate or sufficiently stringent. The criminal code prescribes three to five years' imprisonment for sex trafficking of a child, which are commensurate and sufficiently stringent. The penal code prescribes only one to two years' imprisonment for forced child begging and penalties of up to 10 years' imprisonment for capturing or detaining a person for forced labor. As in the previous reporting period, the government did not report data on prosecutions and convictions of human traffickers due to the lack of a legal anti-trafficking framework. However, in 2015, the Ministry of Interior reported investigating more than 500 cases involving sexual exploitation of women and 41 cases involving children in forced begging, a significantly higher number of investigations than the 25 potential trafficking cases in 2014. The Ministry of Justice reported data on prosecutions of other crimes during calendar year 2014, such as begging, prostitution, kidnapping, and rape, but without additional details, none of these cases appeared to involve human trafficking crimes. The ministry also reported prosecuting 81 labor code violations in 2015, but it did not report if any of these cases involved human trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government provided training sessions during the reporting period for judicial and law enforcement officials and other relevant ministries.

PROTECTION

The government made limited efforts to identify and provide protection services to trafficking victims, while unidentified victims remained vulnerable to punishment for unlawful acts committed as a direct result of being subjected to human trafficking. In 2015, the government identified and assisted three Tunisian trafficking victims exploited abroad, and it provided assistance to 20 victims identified by an international organization subjected to trafficking in Tunisia. Despite these efforts, this demonstrates a decline in comparison to 59 victims the government identified in 2014. Although some law enforcement, immigration, and social service officials received training to identify trafficking victims among high-risk

populations, the government lacked formal victim identification procedures and did not implement systematic policies and procedures to protect unidentified victims from being punished for unlawful acts committed as a direct result of being subjected to human trafficking, such as women in prostitution, child sex trafficking victims, or illegal immigrants. An international organization reported in 2015 that police detained a sex trafficking victim on prostitution violations but later released the victim without charge; the government did not provide the victim with protection services. The government maintained a national victim referral mechanism for officials to refer trafficking victims to government-operated social centers or NGO-run shelters; however, it was unclear how many victims officials referred to protection services during the reporting period.

The government did not dedicate a budget specifically for the provision of protection services to trafficking victims; however, the Ministry of Social Affairs (MSA) reportedly provided more than \$250,000 to civil society organizations for the provision of social services to vulnerable populations, including trafficking victims. Three MSA-operated centers for vulnerable populations in Tunis, Sousse, and Sfax continued to be available to victims of all forms of trafficking. The center in Tunis held a dedicated office for male and female trafficking victims with a trained social worker and offered medical and psychological exams; in 2015, this center assisted 11 child victims of sexual exploitation and seven child victims of forced begging. MSA also continued to operate centers for vulnerable populations, including trafficking victims, victims of domestic violence and sexual assault, asylum-seekers, unaccompanied minors, and the homeless. The centers provided food and lodging, clothing, legal aid, medical care, education for child victims, and psychological services; however, it was unclear how many trafficking victims received services in these centers during the reporting period. The government reportedly offered temporary residency status and repatriation services—in coordination with international organizations—to foreign trafficking victims, although it did not report how many victims received these services in the reporting period; trafficking victims were not allowed to seek legal employment while under temporary residency status. The government did not have policies in place to encourage victims to participate in the prosecution of their traffickers, nor did it offer foreign trafficking victims legal alternatives to their removal to countries where they might face hardship or retribution.

PREVENTION

The government improved efforts to prevent trafficking. The inter-ministerial anti-trafficking working group met four times in 2015 to coordinate anti-trafficking policy, with representation from civil society and international organizations. In May 2015, the Ministry of Justice formed a national interim committee on human trafficking, which included trafficking focal points from relevant ministries; the committee also met four times during the reporting period to update the national anti-trafficking action plan, finalize language in the draft anti-trafficking legislation, and coordinate anti-trafficking efforts among relevant ministries. During the reporting period, the government implemented parts of its draft national anti-trafficking action plan related to victim assistance and prevention activities; however, it did not implement law enforcement or judicial activities in the plan because it did not have a legal anti-trafficking framework to support them. The government conducted multiple anti-trafficking public awareness campaigns during the reporting period. The government reported efforts to reduce the demand for forced labor. To prevent fraudulent labor

recruitment practices, the Ministry of Professional Training and Employment ordered 26 unauthorized recruitment bureaus to register formally with the ministry; it also brought procedures against 15 recruitment agencies for failing to comply with labor regulations. The government did not report efforts to reduce the demand for commercial sex acts or child sex tourism. The government provided anti-trafficking training for its diplomatic personnel.

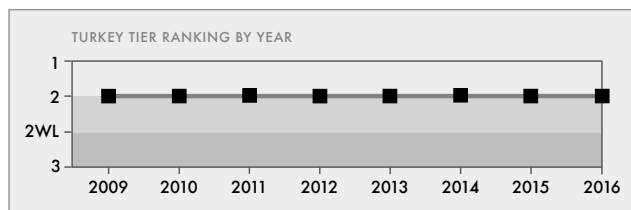
TURKEY: Tier 2

Turkey is a destination and transit country, and to a lesser extent source country, for women, men, and children subjected to sex trafficking and forced labor. Trafficking victims in Turkey are primarily from Central and South Asia, Eastern Europe, Syria, and Morocco. Georgian men and women are subjected to forced labor. Foreign victims are offered cleaning and childcare jobs in Turkey and, upon arrival, traffickers force them into prostitution in hotels, discos, and homes. Turkish women may be subjected to sex trafficking within the country. The Government of Paraguay reported working with an international organization to repatriate Paraguayan trafficking victims from Turkey. The government and NGOs report traffickers increasingly use psychological coercion, threats, and debt bondage to compel victims into sex trafficking. Transgender persons may be particularly vulnerable to trafficking, suffering from lack of protection by authorities and alleged police violence.

Displaced Syrians, Afghans, Iraqis, and Iranians are increasingly vulnerable to trafficking in Turkey, particularly as an estimated one million Syrians and 100,000 Iraqis arrived in Turkey during the reporting period, with little or no access to legal employment. An increasing number of Syrian refugee children engage in street begging and also work in restaurants, textile factories, markets, mechanic or blacksmith shops, and agriculture, at times acting as the breadwinners for their families; some are vulnerable to forced labor. Syrian refugee women and girls are vulnerable to sex trafficking by prostitution rings, including those run by extremist groups in Turkey. Some Syrian girls have been reportedly sold into marriages with Turkish men, in which they are highly vulnerable to domestic servitude or sex trafficking. International organizations report extremist groups increasingly recruit through fraud or coercion foreign men, women, and children from Central Asia, Indonesia, and Trinidad to join extremist fighters in Syria; some of these individuals may willingly join the Islamic State in Iraq and the Levant militants, including some girls who were reportedly forced to remain in Syria against their will after offering to marry fighters. Reports indicate youth, sometimes under coercion, participate in Kurdistan Workers' Party forces, a group designated as a terrorist organization by the United States and Turkish governments.

The Government of Turkey does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased law enforcement efforts against traffickers, identified significantly more victims than the previous year, including a small number of Turkish citizens and Syrian refugees, and passed a new regulation providing added legal support to its fight against trafficking. Efforts to protect the growing and highly vulnerable refugee and migrant communities in the country remain inadequate, and the government continued to face capacity constraints in addressing the increasing challenges. The government approved a regulation in January 2016 establishing a work-permit regime for Syrians under temporary protection in order to reduce

their economic vulnerability. The government also stated that it screened for trafficking indicators in all migration and asylum-related interviews. The government continued to train front-line responders in victim identification, prosecution, and protection measures. However, the government did not convene its interagency trafficking taskforce or renew its national anti-trafficking action plan, which was created in 2009. Some officials, including police, downplayed the seriousness of the crime and failed to recognize the need for increased vigilance to combat trafficking among the refugee population.



RECOMMENDATIONS FOR TURKEY:

Vigorously investigate, prosecute, and convict traffickers, including forced labor offenders, and provide comprehensive law enforcement statistics to demonstrate such efforts; formalize the national referral mechanism and significantly increase victim identification efforts among vulnerable populations, such as refugees, women and girls in prostitution, and children begging in the streets; provide specialized care for all victims, including children, Turkish, and male victims; conduct interviews with potential victims identified by NGOs; provide victims unhindered access to protection services, including through the funding of NGO-led shelters; continue to train law enforcement and other first responders on victim identification, including recognizing the signs of non-physical methods of control used by traffickers and increase cooperation with NGOs and international organizations in victim identification and referral to assistance; establish a victim-centered framework for victim identification and assistance with stable funding and institutionalized partnerships with NGOs; ensure the interagency anti-trafficking taskforce convenes regularly and provides effective policy implementation; develop a national action plan to combat trafficking; and increase incentives for victims to voluntarily assist in the investigation and prosecution of traffickers, including the use of victim advocates.

PROSECUTION

The government demonstrated increased law enforcement efforts to combat sex trafficking, but did not take direct action to address forced labor. Article 80 of the penal code prohibits both sex and labor trafficking by use of force, threats, or abuse of power and prescribes penalties of eight to 12 years' imprisonment. Article 227(1) prohibits the facilitation of child prostitution and prescribes penalties of four to 10 years' imprisonment. Penalties under both articles are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The 2013 "Foreigners and International Protection Act" provides a legal definition of trafficking and establishes trafficking victims' eligibility for a special type of residence permit that can be renewed for up to three years.

The Ministry of Justice reported prosecuting 238 suspects in 50 new sex trafficking cases under article 80 in the first three quarters of 2015. It did not provide the details of these cases. In addition, the Ministry continued to prosecute 188 cases from the previous year with a total of 1,484 suspects, completing

a total of 75 cases during the first three quarters of 2015. Courts convicted 37 traffickers under article 80. All convicted traffickers received prison sentences, and 35 were also fined. The government acquitted 306 suspected traffickers, resulting in a 90 percent acquittal rate for criminal cases. The prosecutions and convictions reported in 2015 marked an overall increase from 2014, when the government prosecuted 749 defendants in 71 cases and convicted 25 traffickers. Observers criticized the government's inefficient handling of victims' statements, which were recorded during victim identification interviews and again during the early stages of the investigation, but often disregarded by judges, who required new statements, even post-repatriation, placing an unnecessary burden on victims. The government reported no new prosecutions or convictions of government employees complicit in trafficking offenses. The government reported entering into anti-trafficking cooperation agreements with various countries in Central Asia and Eastern Europe, and it began criminal processes against 87 alleged traffickers in cooperation with Georgian authorities during the reporting period, compared with 26 in the previous reporting period. The government provided anti-trafficking training to 3,673 officials, including law enforcement, prosecutors, judges, and deputy governors in 2015.

PROTECTION

The government increased protection efforts. The government identified 108 trafficking victims, including two Turkish victims and nine Syrian refugees, during the first three quarters of 2015, compared with 50 in the previous year. Ninety-one victims were female, 17 victims were male. Twenty-six victims were children, a significant increase from two children identified during the previous reporting period. The government did not report a breakdown of the number of victims exploited in sex or labor trafficking; however, sex trafficking remained the most common form of trafficking, despite an increase in the number of labor trafficking victims. Fifteen of the 17 male victims were Afghans subjected to forced labor, including 14 children. Thirty-five victims were between ages 18-25; 40 were between the ages of 26-35; and seven victims were over age 36. The victims were predominantly from Central Asia, Eastern Europe, Georgia, Ukraine, and Syria. Ninety-eight victims accepted support services and 84 elected immediate repatriation, which the government facilitated. The government reported using its national referral mechanism for victim identification and assistance, which included law enforcement, civil society groups, embassies, and international organizations. During the reporting period, the government approved a new regulation that further defines the roles and reporting lines across government agencies in the national referral mechanism. Although there were no reports that the government punished trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, NGO contacts report that front-line police officers often failed to identify sex trafficking victims, particularly among women in prostitution, and deported them without providing them access to victim assistance. NGOs reported providing shelter and services to 89 trafficking victims, including 7 children. Most victims were repatriated; however, 32 sex trafficking victims, most of whom were single mothers exploited in Turkey, remained in Turkey after receiving protective services. Observers expressed concern that law enforcement for Syrians was handled differently than for other foreigners, noting Syrians might not be channeled through the national referral mechanism. NGOs continued to report some front-line responders and police officers were not trained in victim identification and assistance, and police and prosecutor re-assignments and firings made it difficult for

NGOs to coordinate effectively with law enforcement officials.

The government reported budgeting 1.2 million Turkish Lira (\$400,000) for three NGO shelters offering assistance to trafficking victims, including psychological and medical care, legal counseling on humanitarian visa and residence permit issuance, and counseling on their rights to return home; however, it did not specify the timeframe for this budget. The government also reported providing an additional 190,000 euros for these shelters via a partially donor-funded project. As in previous years, NGOs noted their biggest challenge was ensuring consistent funding to operate shelters and provide protective services. The government did not offer specialized facilities for Turkish, male, or child trafficking victims; however, during the reporting period several child and male victims were placed in shelters run by the Ministry of Family and Social Policies (MOFSP). The Directorate General for Migration Management (DGMM) and MOFSP drafted an operating protocol during the reporting period to guide their coordination in placing child and male victims in MOFSP shelters. The government continued to grant any identified foreign trafficking victim automatic residency status for 30 days, which could be extended for up to three years; victims were not repatriated unless they requested it. Observers reported the distribution of DGMM's social workers and psychologists throughout the country was uneven, although the government hired 45 social workers and 45 psychologists to work on trafficking cases in the provinces. In addition, NGOs alleged that the government delegated significant authority for victim identification interviews to newly-hired migration experts who lacked specialized trafficking experience. This reduced the quality of victim identification efforts and potentially re-traumatized victims. NGOs reported significant hurdles for victims in the work permissions process, including a requirement that victims move out of trafficking shelters to be eligible.

PREVENTION

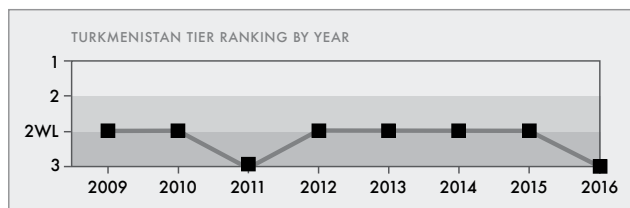
The government increased some prevention efforts; however, efforts on key national-level coordination mechanisms were stalled. The government did not convene its interagency taskforce on combating human trafficking during the reporting period; however, it convened working groups to discuss interagency cooperation and the referral mechanism. DGMM's Department for the Protection of Victims of Human Trafficking, which has the primary responsibility for coordinating the government's anti-trafficking efforts, hired a new director, engaged and trained new staff, and drafted a regulation that will provide greater legal definition to national efforts to combat trafficking in persons, including interagency cooperation. The government did not update its 2009 national action plan. The government took over operational control of the hotline for trafficking victims and law enforcement tips, and it publicized the phone number on pamphlets and posters in airports and other ports of entry around the country. The scope of the hotline expanded in 2015 from trafficking to include all migration-related issues, which increased the complexity of staffing the line with persons qualified to handle trafficking allegations. DGMM opened offices in all 81 provinces and tasked them with coordinating with law enforcement in identifying trafficking victims. The government also conducted public outreach on human trafficking in mid-2015. In January 2016, Turkey ratified the Council of Europe's Convention on Action against Human Trafficking, which has an independent monitoring mechanism. In January 2016, the government adopted a regulation allowing Syrians registered for temporary protection to work legally in the country. The government registered more refugees in the country, which

made them eligible for protective services. The provincial offices of the DGMM reportedly screened for trafficking indicators in all migration and asylum-related interviews. The government funded an expert to analyze the effectiveness of the referral mechanism. In September 2015, the government conducted field research on potential trafficking cases in media reports, although the scope of this effort remained unclear. The government neither made efforts to reduce the demand for commercial sex acts or forced labor, nor demonstrated efforts to prevent child sex tourism by Turkish nationals traveling abroad; furthermore, it denied child sex tourism occurred within Turkey or involving its nationals abroad. Turkish armed forces participated in anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

TURKMENISTAN: Tier 3

Turkmenistan is a source country for men, women, and children subjected to forced labor and sex trafficking. Turkmen men and women are subjected to forced labor after migrating abroad for employment in the textile, agricultural, construction, and domestic service sectors. Turkmen women are also subjected to sex trafficking abroad. Residents of rural areas are the most at risk of becoming trafficking victims. Turkey and Russia are the most frequent destinations of Turkmen victims, followed by other countries in the Middle East, South and Central Asia, and Europe. Internal trafficking within the country is also a problem. Workers in the construction sector are vulnerable to forced labor. The ILO Committee of Experts' report "notes with deep concern the widespread use of forced labour in cotton production." To meet government-imposed quotas for the cotton harvest, local authorities require university students, private-sector institutions, soldiers, and public sector workers (including teachers, doctors, nurses, and others) to pick cotton without payment and under the threat of penalty. Government officials threatened public sector workers with dismissal, having work hours cut, or salary deductions. Authorities threatened farmers with loss of land if they did not meet government-imposed quotas. In addition, the government compulsorily mobilized teachers, doctors, and other civil servants for public works projects, such as planting trees.

The Government of Turkmenistan 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 Turkmenistan meets the criteria for Tier 2 Watch List, because it has been on Tier 2 Watch List for four years it is no longer eligible for that ranking and is therefore ranked Tier 3. During the reporting period, the government continued to mobilize forced labor and did not take action to end its use of forced labor in the cotton harvest during the reporting period. The government adopted a 2016-2018 national action plan on March 18, 2016, which was the top recommendation in the 2015 TIP Report. It identified 12 trafficking victims, prosecuted three cases of trafficking in persons, and convicted nine traffickers. The government did not fund international organizations or NGOs to provide victim services, although it approved foreign funding for these services through international organizations.



RECOMMENDATIONS FOR TURKMENISTAN:

Take substantive action to end the use of forced adult labor during the annual cotton harvest, particularly by modifying the governmental policies that create pressure for mobilizations of labor; provide victim care services directly or by funding civil society; train police to recognize and investigate sex and labor trafficking crimes occurring within Turkmenistan; develop formal written procedures to identify and refer victims to protection services and train police, migration officers, and other relevant officials on such procedures; investigate and prosecute suspected trafficking offenses using article 129, respecting due process, and convict and punish trafficking offenders; continue to provide training for relevant government authorities on the proper application of article 129; and increase awareness of trafficking among the general public through government-run campaigns or financial support for NGO-run campaigns.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The government prohibits all forms of trafficking in persons through article 129 of its criminal code. Prescribed penalties under this statute range from four to 25 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 129, however, provides that, unless certain aggravating circumstances are present, a convicted trafficking offender would not be sentenced if he or she voluntarily freed the victim. The government initiated prosecution of three cases under article 129 in 2015, compared with six cases in 2014. The government reported convictions of nine persons in 2015, compared with nine in 2014. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. The government reported it independently trained officials on trafficking-related issues.

PROTECTION

The government made limited efforts to protect and assist victims. The government identified 12 victims in 2015; the government identified 19 victims in 2014 and 33 in 2013. An international organization reported assisting 40 victims. The government did not provide comprehensive services to all victims of trafficking, nor did it fund international organizations or NGOs to provide such services. An NGO operated one shelter for female trafficking victims in Turkmenistan with foreign donor funding. The shelter provided services to eight female victims in 2015. During the reporting period, the government did not have formal written procedures to identify victims or a formal process to refer victims to care providers, but the government agreed to create these procedures in March 2016. In the interim, migration officers would informally refer suspected trafficking victims to an international organization, which screened and later referred victims to the shelter. Government officials attended a workshop organized by an international organization in May 2015 on developing an identification and

referral mechanism, and the government agreed to establish a national referral mechanism. The prosecutor general's office reported victims could apply for physical protection and assistance in obtaining free medical care; however, officials did not provide details of specific cases where such assistance was provided during the year, and NGOs indicated some victims were required to pay for their own treatment. Prosecutors recognized the right of victims to come forth voluntarily and reported they would not pressure victims into giving information in support of prosecution efforts. There were no reports of victims seeking or obtaining restitution in civil suits. The government made no attempts to identify sex trafficking victims among women arrested for engaging in prostitution and, consequently, officials might have penalized sex trafficking victims for prostitution offenses. Government officials asserted trafficking has never occurred on Turkmen territory; rather, it occurred only to Turkmen who were abroad. After some Turkmen, including victims of trafficking, returned home following their deportation from other countries, the migration service reportedly blocked them from exiting Turkmenistan for a period of up to five years, but the government reported that it stopped fining persons deported from foreign countries, including potential victims.

PREVENTION

The government made increased efforts to prevent human trafficking, but it did not take steps to remove forced labor from the cotton harvest. The government approved its first-ever national action plan to combat trafficking in March 2016. The action plan was developed in conjunction with civil society experts, and its planned activities spanned from 2016 to 2018. The plan's objectives included, among other goals, developing guidelines for the identification of victims, increasing victims' access to rehabilitation services, and increasing the anti-trafficking capacity of law enforcement. The government's approved 2016 budget included funding for the plan's implementation. The government approved the requests of an international organization and NGOs to conduct public information events and campaigns, including through state-owned newspapers. The government reported an international organization provided anti-trafficking training for its diplomatic personnel. The stateless population in Turkmenistan, mostly consisting of former Soviet citizens, was vulnerable to trafficking, but in 2015 the migration service worked with UNHCR to grant Turkmen citizenship to 361 stateless persons. The government made efforts to reduce the demand for commercial sex acts.

UGANDA: Tier 2

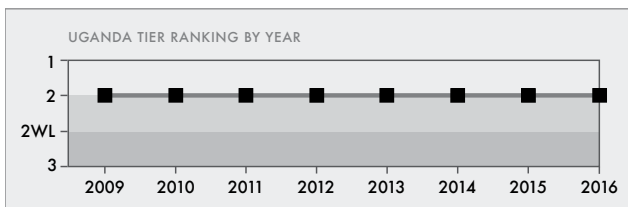
Uganda is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Ugandan children as young as 7 years old are exploited in forced labor in the country in agriculture, fishing, forestry, cattle herding, mining, stone quarrying, brick making, car washing, scrap metal collection, street vending, bars, restaurants, and domestic service. Prisoners in pre-trial detention engage in forced labor alongside convicts. Girls and boys are exploited in prostitution. Women and children from Uganda's remote and underdeveloped Karamoja region are particularly vulnerable to domestic servitude, commercial sexual exploitation, and forced begging. Children from the Democratic Republic of the Congo (DRC), Rwanda, Burundi, Kenya, Tanzania, and South Sudan are subjected to forced agricultural labor and prostitution in Uganda. Ugandan children

are taken to other East African countries for similar purposes and forced to engage in criminal activities. Additionally, many Karamojong children in Eastern Uganda endure forced labor in grazing and domestic servitude or are taken to Kampala where they are exploited. South Sudanese children in refugee settlements in northern Uganda are vulnerable to trafficking, and UNHCR suspects instances of trafficking involving this population. Until August 2006, the Lord's Resistance Army (LRA) abducted children and adults in northern Uganda to serve as soldiers, sex slaves, and porters; Ugandan children and adults previously abducted remain unaccounted for, and some remain captive with LRA elements in the DRC, Central African Republic, and the disputed area of Kafia Kingi, which is claimed by both Sudan and South Sudan.

Licensed and unlicensed Kampala-based security companies and employment agencies continued to recruit Ugandans to work as security guards, laborers, and drivers in the Middle East. Some Ugandan migrant workers endured forced labor in South Sudan, United Arab Emirates (UAE), Saudi Arabia, Qatar, and Kuwait, even when recruited by licensed agencies. Official complicity hindered government oversight of labor recruitment agencies. Despite a ban on recruiting Ugandans for domestic work overseas, licensed and unlicensed agencies circumvented this ban, recruiting for "cleaners" or other trades with the intent of employing women in domestic work. Some Ugandan women fraudulently recruited for employment in the Middle East were exploited in forced prostitution in UAE, Oman, Saudi Arabia, and Qatar. Illegal Kampala-based labor recruiters and brokers also operated in Rwanda, and illegal Nairobi-based recruiters were active in Uganda, recruiting Ugandans and resident Rwandans and Kenyans through fraudulent offers of employment in the Middle East and Asia.

A network of Ugandans reportedly coordinated sending Ugandan women to Kuwait and UAE where they were subjected to forced labor and forced prostitution. During the reporting period, the government reported the top destination countries for Ugandan trafficking were UAE, South Sudan, and Saudi Arabia, with the largest number of Ugandan victims identified in UAE.

The Government of Uganda does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated 108 trafficking cases in 2015, involving 347 victims. It reported 15 prosecutions and three convictions in 2015, in comparison with 23 prosecutions and four convictions the previous reporting period. It maintained strong efforts to identify trafficking victims and in 2015 began implementing standard procedures to identify child victims. The government did not provide victims with adequate services and relied on international organizations and NGOs to provide necessary care. The Coordination Office to Combat Trafficking in Persons (COCTIP) made efforts to raise public awareness. The government allocated funding to COCTIP for the first time. Limited funding for the Ministry of Gender, Labor, and Social Development (MGLSD), and its External Employment Unit (EEU), resulted in restricted services for victims.



RECOMMENDATIONS FOR UGANDA:

Significantly increase the availability of victim services by allocating resources for direct care provision or to NGOs that assist victims; designate an official entity to coordinate and oversee services for trafficking victims to ensure appropriate services are rendered; increase resources dedicated to anti-trafficking efforts within EEU and the Ministry of Internal Affairs (MIA); increase funding to Ugandan embassies to better assist trafficking victims abroad; establish policies and procedures for all front-line officials to identify adult trafficking victims and refer them to entities providing formal victim assistance; finalize regulations to fully implement the protection and prevention provisions of the 2009 Prevention of Trafficking in Persons (PTIP) Act; increase efforts to prosecute, convict, and punish traffickers; complete amendments to labor export regulations and use existing laws to proactively investigate and punish labor recruiters contributing to the sending of Ugandans into forced labor or prostitution abroad; institutionalize anti-trafficking training, including victim identification techniques, for all front-line officials, including diplomatic personnel; establish a unified system of documenting and collecting data on human trafficking cases for use by law enforcement, labor, and social welfare officials; expand the anti-trafficking public awareness campaign, with a particular focus on forced labor; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. The 2009 PTIP Act prohibits all forms of trafficking, prescribing punishments of 15 years' to life imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Amendments were proposed by EEU seeking to increase oversight of employment contracts and extend criminal liability for trafficking offenses to labor recruiters. These amendments remained pending for the fourth consecutive year.

The government reported 108 trafficking investigations, 15 prosecutions, and three convictions in 2015. One trafficker was sentenced to one year's imprisonment for labor and sexual exploitation; another was sentenced to a fine of 800,000 Ugandan shillings (\$235) for labor exploitation; and the third trafficker was fined 200,000 Ugandan shillings (\$58) for labor exploitation. As the anti-trafficking act prohibits illegal adoption and child selling, government-reported statistics may include such cases, which are not considered trafficking in persons under the 2000 UN TIP Protocol definition unless the adoption and child selling is for the purpose of forced labor or sex trafficking. In one case, the government prosecuted an Indian national for the labor exploitation of 43 Indians. Following a November 2015 request from the Department of State, the Ugandan government declined to waive immunity to allow the prosecution of a Ugandan diplomat and his spouse for labor trafficking and related offenses; the couple subsequently left the United States. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. Some civil servants and members of Parliament who own labor recruitment firms interfere in the certification of some firms, and, at times, use promises of good jobs abroad as a means to seek votes. Some judicial officers were not aware of the PTIP Act. NGOs reported trafficking victims are often paid monetary settlements by suspects to withdraw their requests and support for trafficking prosecutions. The government maintained its cooperative efforts with Rwanda, Kenya, and South Sudan.

However, its ability to cooperate internationally on trafficking investigations was hampered by a lack of funding.

The national taskforce, with support from international donors, provided training and logistical assistance for more than 224 law enforcement officials, social workers, and civil aviation officers on identification procedures, case management, investigation and prosecution techniques, and on guidance for assisting child trafficking victims during the year. In March and April 2015, Makerere University's Department of Social Work and Administration trained five police officers from the Child and Family Protection Unit on the protection of child victims. In collaboration with an international organization, MIA created a training curriculum on trafficking issues for immigration officers.

PROTECTION

The government made modest protection efforts. The government reported identifying at least 347 victims (an increase from 293 the previous reporting period), including 205 victims of forced labor and at least 21 of sex trafficking; the form of trafficking experienced by the remaining potential victims was unclear. Of the 347 victims, COCTIP registered 48 foreign trafficking victims, of whom 45 were Indian, two Tanzanian, and one Burundian. COCTIP also identified and referred to care 26 potential victims, including 22 Bangladeshis and four Ethiopians being transported through Uganda. In 2015, in partnership with NGOs, the national taskforce developed victim identification and assistance guidelines for child trafficking victims; the immigration department distributed these guidelines to immigration officers and provided training on their implementation. Nonetheless, the government remained without procedures to identify adult trafficking victims or a formal process to refer victims to protective services; however, the national taskforce and MGLSD consulted with an international organization to begin development of formal guidelines for victim referral. It did not complete implementing regulations for the 2009 PTIP Act or allocate funding for the implementation of its victim protection provisions. The government reported providing medical treatment, counseling assistance, and transportation through police clinics to victims; however, it continued to rely on NGOs and international organizations to provide most victim services. Victim care remained inadequate and services available were primarily for women.

The government provided repatriation assistance to seven Ugandan female trafficking victims from Saudi Arabia in January 2016. The government did not provide adequate shelter for many transnational victims identified outside of Uganda; it lacked funding and safe housing to temporarily house victims. In January 2016, the government banned the recruitment of domestic workers to Saudi Arabia due to reports of poor working conditions. While the PTIP Act prohibits the punishment of trafficking victims, due to lack of police awareness, the government detained trafficking victims, including children. Street children, including potential trafficking victims, were often held for up to three months at an under-resourced MGLSD juvenile rehabilitation center that provided food, medical treatment, counseling, basic education, and family-tracing services. Reports indicated police and communities treat street children as criminals, arbitrarily arresting, detaining, and beating them, and forcing them to clean detention facilities. Ugandan law permits foreign trafficking victims to remain in Uganda during the investigation of their cases and to apply for residence and work permits. However, victims cited a lack of faith in the judicial process and long court procedures as reasons for not

remaining in the country to see their case through.

PREVENTION

The government maintained its prevention efforts. The government launched and began to implement a national action plan to combat trafficking, but did not allocate sufficient resources for its full implementation. The MIA continued to oversee the government's COCTIP office, led by the national coordinator, a police commissioner. Staffing of the COCTIP office remained low. The national taskforce, with funding from MIA, coordinated with NGOs to conduct awareness campaigns through broadcast media and billboards, purposefully targeted at potential victims, including community outreach to schools during the year.

In 2015, the government continued its national awareness campaigns—composed of talks, media outreach, and distribution of written materials. The national taskforce placed banners at MIA's Office of Police Special Investigation Division and INTERPOL with information on identifying traffickers and getting help. INTERPOL continued additional screening for trafficking indicators for those attempting to emigrate for work. Immigration officials scrutinized travel documents, passports, and reasons for travel before clearing travelers to depart Uganda for work in foreign countries; however, there were reports of passport confiscation and restrictions to Ugandan citizens' freedom of movement, which reportedly led migrants to take more precarious routes through neighboring countries, such as Kenya.

The government's oversight of labor recruitment agencies remained inadequate. For the second consecutive year, the MGLSD continued its review of the regulations on the export of labor for the purpose of addressing trafficking loopholes used by recruitment agencies. The existing Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005, and Guidelines on the Recruitment and Placement of Ugandan Migrant Workers Abroad, 2015, remained in effect during this review process. Beyond corruption interfering in the oversight of labor recruitment firms, EEU remained understaffed, hindering implementation of its mandate; it did not conduct monitoring visits of employment agencies, as it had in the previous reporting period. The government did not report making efforts to close unlicensed recruitment agencies or suspend the licenses of those suspected of facilitating human trafficking; it merely recommended recruitment agencies bear the responsibility for repatriation of victims or face deregistration. The government did not pursue criminal prosecutions—under the 2009 PTIP Act—of these or other agencies for their role in fraudulent recruitment of Ugandans for overseas employment. MGLSD led the national taskforce's efforts in concluding a bilateral agreement with Saudi Arabia and continued negotiations with Kuwait and Qatar, although such agreements were not finalized at the end of the reporting period. The government continued to hold orientation sessions for Ugandans departing for work abroad, including on how to seek assistance if experiencing abuse. Labor officers and community development officers directed employers to stop using child labor and sometimes referred child labor cases to the police. The Industrial Court was previously established to hear child labor cases; however, no child labor cases were brought to the court during the reporting period. The government did not provide formal anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Uganda is not a party to the 2000 UN TIP Protocol.

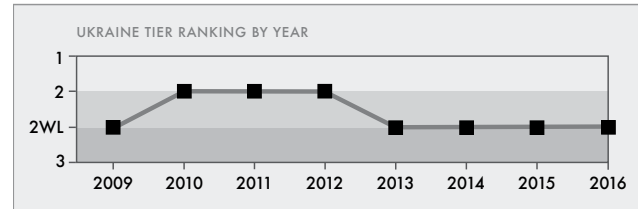
UKRAINE: Tier 2 Watch List

Ukraine is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Ukrainian victims are subjected to sex trafficking and forced labor in Ukraine, as well as in Russia, Poland, Turkey, the United States, and other parts of Europe, Central Asia, and the Middle East. Ukrainian women and children are subjected to sex trafficking within the country. Some Ukrainian children and vulnerable adults are subjected to forced begging. A small number of foreign nationals, including those from Moldova, Russia, Vietnam, Uzbekistan, Pakistan, Cameroon, and Azerbaijan, are subjected to forced labor in Ukraine in a variety of sectors including construction, agriculture, manufacturing, domestic work, the lumber industry, nursing, and street begging. The approximately 82,000-200,000 children institutionalized in state-run orphanages are especially vulnerable to trafficking. Officials of several state-run institutions and orphanages are allegedly complicit or willfully negligent in the sex and labor trafficking of girls and boys under their care.

Fueled by Russia's aggression, the conflict in eastern Ukraine has displaced nearly two million people, and this population is especially vulnerable to exploitation. In areas controlled by the Russia-led separatists, the situation has become particularly challenging. Employment options are limited and separatist "authorities" have restricted international humanitarian aid that would help meet civilian needs. There have been reports of kidnapping of women and girls from conflict-affected areas for the purposes of sex and labor trafficking. In 2015, there were several reports of Ukrainian internally displaced persons subjected to trafficking, as well as Ukrainians subjected to forced labor on territory not under control of the central government. During the reporting period, a variety of sources, including the OSCE Special Monitoring Mission in Ukraine, reported children as young as 15 years old continued to take part in active combat as part of combined Russian-separatist forces. There were reports that children ages 15 to 17 were actively being recruited to participate in militarized youth groups that teach children to carry and use weapons. Children who excel in this training were encouraged to form their own reconnaissance and sabotage groups and begin to fight. A Ukrainian government official reported that one children's battalion associated with this training program, the St. George the Victor Battalion, may include children as young as 12 years old. The recruitment of children by militant groups took place on territory not under the control of the central government and in areas where the government was unable to enforce national prohibitions against the use of children in armed conflict. Russian-led separatists also continued to employ children as informants and human shields during the reporting period.

The Government of Ukraine 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, Ukraine is placed on Tier 2 Watch List for the fourth consecutive year. Per the Trafficking Victims Protection Act, Ukraine 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. During the reporting period, the government developed and approved a new national action plan and approved more applications for official victim status. However, several factors

hindered the government's anti-trafficking efforts and capacity: corruption and weak rule of law; the drain on resources caused by Russian aggression; poor coordination at the national level; and a lack of understanding in government agencies about the issue. The number of trafficking convictions declined sharply, continuing a multi-year decline, and nearly 70 percent of convicted traffickers were not penalized with imprisonment. The government relied on foreign donors and NGOs to fund and provide most victim services.



RECOMMENDATIONS FOR UKRAINE:

Vigorously investigate and prosecute trafficking offenses, including public officials complicit in trafficking crimes, and ensure convictions result in proportionate and dissuasive sentences; provide adequate resources for and fully implement the 2016-2020 national action plan; certify more victims to ensure they are afforded their rights under the trafficking law; modify the procedure for granting victim status to lessen the burden on victims to self-identify and divulge traumatizing information; increase training for officials on victim identification, particularly in proactive screening of vulnerable populations, such as women in prostitution, children in sex trafficking, foreign migrant workers, and internally displaced persons; increase training for law enforcement, prosecutors, and judges in the investigation and prosecution of trafficking cases, including how to work with victims and gather evidence outside of victims' testimony; increase law enforcement monitoring of recruitment firms engaged in fraudulent practices that can lead to exploitation; and harmonize the trafficking law and the Law on the Legal Status of Foreigners to ensure foreign victims are entitled to remain in the country and access to victim services.

PROSECUTION

The government demonstrated weakened law enforcement efforts in pursuing trafficking cases. Article 149 of the criminal code prohibits all forms of trafficking and prescribes penalties from three to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated 111 suspected trafficking offenses in 2015, compared with 109 in 2014. Authorities initiated prosecutions of 59 cases in 2015 under article 149, but provided no number for comparison to 2014. The government convicted 25 traffickers in 2015 under article 149, a continued decline from 57 in 2014 and 109 in 2013. Of the 32 convicted traffickers whose sentences came into effect in 2015, only 12 were sentenced to prison terms, which ranged from one to 10 years, and the government confiscated assets from six defendants. Authorities collaborated with foreign governments on transnational investigations, including Israel, Poland, and the United States. The government, in conjunction with international funding and partners, provided training for 250 judges, prosecutors, and law enforcement officers. NGOs reported many local officials including law enforcement officials are new, following elections, decentralization, civil service reform, and police reforms; consequently, they were not sufficiently aware of trafficking or trained in how to respond. Prosecutors'

heavy reliance on the testimony of victims hindered successful prosecutions; victim testimony is an unreliable foundation for prosecution as victims may decide not to testify in open court due to intimidation or be too traumatized to give consistent testimony. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses, despite reports of government corruption enabling trafficking and of official complicity in the sex and labor trafficking of children housed in state-run institutions and orphanages.

PROTECTION

The government demonstrated progress in some areas of protection. In 2015, an international organization assisted 740 victims, compared with 903 in 2014. The government identified 102 victims in 2015, compared with 86 in 2014, reversing a multi-year trend in declining victim identification efforts. Similar to 2014, law enforcement and other officials identified only nine percent of the victims referred to an international organization in 2015. The government received more applications requesting official victim status and approved a significantly higher proportion of them: authorities approved 83 out of 91 applications in 2015, compared with 27 of 48 in 2014. The government's current procedure to identify victims relies on the victims—often exiting traumatic situations—to self-report and provide evidence of their victimization; this procedure led many victims to refuse to go through the process. Observers reported police did not display a willingness to screen individuals in prostitution in Ukraine for signs of trafficking.

International donors continued to provide the majority of funding for anti-trafficking activities and assistance to victims. The government disbursed 46,300 hryvnia (\$1,900) to the national budget and 215,900 hryvnia (\$9,000) to local budgets for anti-trafficking measures in 2015, an overall decrease from 2014. Within the local budgets, 104,400 hryvnia (\$4,400) was allocated to fund NGOs. The government also provided each of the 83 officially recognized victims with financial assistance in the amount of 1,176 hryvnia (\$49). The trafficking law, "On Combating Trafficking in Human Beings," which outlines protection requirements for victims, entitles victims to receive free temporary housing at a government shelter, psychological assistance, medical services, employment counseling, and vocational training. Most victims requiring shelter stayed at a rehabilitation center run by an international organization. Adult victims could also stay at government-run centers for socio-psychological assistance for up to 90 days and receive psychological and medical support, lodging, food, and legal assistance. Women and men were accommodated in separate rooms. GRETA reported the provision of assistance was problematic due to funding shortfalls and shortage of trained staff. Non-governmental partners delivered assistance not provided by public social services. Child victims could be accommodated in centers for socio-psychological rehabilitation of children for up to 12 months and receive social, medical, psychological, education, legal, and other types of assistance; however, no child trafficking victims used these services in 2015. In November 2015, the government and an international organization trained the heads of each regional child welfare services office on identifying trafficking indicators among vulnerable children.

The trafficking law affords foreign victims the right to remain in the country, but that right is not explicitly incorporated into the Law on the Legal Status of Foreigners; as a result, foreign victims have had difficulties obtaining legal status to stay in

Ukraine and be eligible to receive ongoing access to victim services. Authorities did not identify any foreign victims in Ukraine in 2015. The government drafted legislation to amend employment laws to allow certified foreign victims to work legally, as provided in the trafficking law; these amendments were not submitted to the legislature by the close of the reporting period. In 2015, 66 victims participated in the prosecution of alleged traffickers. Authorities provided physical security to four victims and provided identity changes for three victims assisting prosecutions in 2015. Courts have the authority to order compensation for victims that sought restitution, but corruption, unavailability of assets, and low effectiveness of the enforcement process hampered the administration of these decisions. Courts ordered 290,000 hryvnia (\$12,100) in restitution to victims in 2015. Various protective measures were available inside courtrooms for victims who testified at trial, but in practice, authorities rarely applied these measures and often did not treat trafficking victims serving as witnesses in a victim-sensitive manner.

PREVENTION

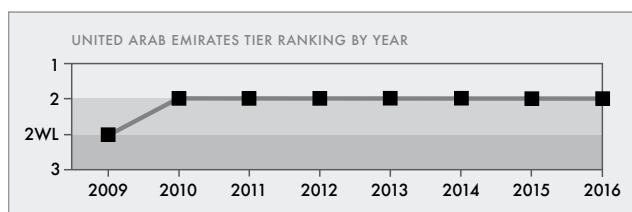
The government demonstrated mixed progress on prevention. The government approved its 2016-2020 national action plan in February 2016, and the Ministry of Social Policy (MSP) published an annual report on government anti-trafficking activities in 2015. In January 2016, ministries signed a joint order to create a unified database of statistics on trafficking crimes. Authorities developed an array of awareness campaigns, which particularly targeted young individuals seeking employment abroad. The government's ability to conduct labor inspections drastically declined in 2015 due to funding reductions and new rules governing inspections. MSP continued to publish a list of licensed recruitment companies. There were no criminal cases related to trafficking against recruitment agencies in 2015. The government conducted counter-trafficking pre-deployment trainings for Ukrainian troops assigned to multinational missions and provided anti-trafficking training for its diplomatic personnel. The government did not demonstrate specific efforts to reduce the demand for commercial sex acts and forced labor.

UNITED ARAB EMIRATES: Tier 2

The United Arab Emirates (UAE) is a destination and transit country for men and women predominantly from South, Southeast, and Central Asia and Eastern Europe subjected to labor and sex trafficking. Migrant workers, who comprise more than 95 percent of UAE's private sector workforce, are recruited globally, with a majority from South and Southeast Asia, the Middle East, and a small percentage from East Africa; some of these workers are subjected to forced labor in UAE. Women from some of these countries travel willingly to UAE to work as domestic workers, massage therapists, beauticians, hotel cleaners, or elsewhere in the service sector, but some are subjected to forced labor through unlawful passport withholding, restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. Sponsorship laws restrict the ability to leave an existing employer and often give employers power to control foreign domestic workers' movements, cancel residence permits, deny workers the ability to change employers, deny permission to leave the country, and threaten employees with abuse of legal processes, making them vulnerable to exploitation. To address longstanding problems

with source-country labor recruitment companies charging workers exorbitant fees and hiring them with false employment contracts, effectively forcing workers into involuntary servitude and debt bondage, UAE issued decrees in 2015 specifically to combat contract switching and make contracts enacted in source countries enforceable under UAE law. Though under UAE laws employers must cover the cost of recruitment, many source-country labor recruitment companies continue to charge workers high fees in home countries outside of UAE jurisdiction causing them to enter UAE owing debts in their countries of origin. Some women from Eastern Europe, Central Asia, East and Southeast Asia, East Africa, Iraq, Iran, and Morocco are subjected to forced prostitution in UAE.

The Government of the United Arab Emirates does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In January 2016, the government implemented three new labor reforms intended to reduce forced labor practices among foreign workers in the private sector by ensuring consistency between initial job offers and final contracts and increasing the ability of employees to leave their jobs and seek new ones. In March 2015, the government put into effect amendments to victim protection clauses of Federal Law 51 of 2006 on Combating Human Trafficking Crimes, including non-penalization of victims for crimes committed as a direct result of being subjected to trafficking. The government's anti-trafficking criminal prosecutions continued to largely focus on sex trafficking. The government prosecuted 17 sex trafficking cases involving 54 traffickers, compared to 15 sex trafficking cases involving 46 traffickers in 2014. It also referred two labor trafficking cases for prosecution involving 10 laborers, in comparison to none the previous year. The government convicted six traffickers and reported sentences were up to five years' imprisonment. The government provided assistance to at least 42 trafficking victims during the reporting year. With regard to domestic employees, who fall under the jurisdiction of the interior ministry and who are not covered by most labor protections afforded to private sector workers including the newly penned laws enacted January 2016, the government did not enforce a prohibition on withholding workers' passports by employers, which remained a problem. The government provided avenues to settle migrant workers' complaints of abuse through hotlines and a formal process for registering disputes. The government continued to implement numerous awareness campaigns and held trainings for labor recruitment agencies and police. The National Committee to Combat Human Trafficking (NCCHT) continued to implement the national action plan.



RECOMMENDATIONS FOR THE UNITED ARAB EMIRATES:

Significantly increase efforts to investigate, prosecute, and punish trafficking offenses, especially labor trafficking involving domestic workers, and convict and punish traffickers, including recruitment agents and employers; pass and implement comprehensive laws to improve protections for domestic workers; continue to use standard procedures for victim

identification among foreign workers subjected to forced labor, particularly domestic workers who have fled their employers; provide protection services to all trafficking victims, including of forced labor on par with those available for sex trafficking victims; uphold amendments to law 51 to ensure victims are not incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to trafficking; allow all male trafficking victims, of both sex and labor trafficking, access to services at the new shelter for male victims; and enforce prohibitions on withholding workers' passports.

PROSECUTION

The government moderately increased anti-trafficking law enforcement efforts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government prosecuted 17 sex trafficking cases involving 56 defendants; three cases resulted in the conviction of six traffickers and 14 cases remained pending at the end of the reporting period. It also referred two labor trafficking cases for prosecution involving 10 laborers, in comparison to none the previous year. Federal law 51 prohibits all forms of trafficking and prescribes penalties ranging from one year to life in prison, as well as fines and deportation. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In September 2015, the government issued three new labor decrees intended to reduce forced labor practices among private sector workers. Ministerial Decree 764 requires employers to give potential employees a contract at the time an offer is made, which meets standard criteria and is in a language the individual understands, prior to the prospective employee applying for a visa to enter the country. The contract must then be signed by the worker a second time within one week of entering the country, making it legally enforceable in the UAE and eliminating employers' ability to change the promised terms of the original job offer. Ministerial Decree 765 makes it easier for employees, unilaterally or in mutual agreement with an employer, to terminate job contracts. Ministerial Decree 766 ensures that an employee may seek employment with a new employer as long as the old employment relationship was terminated consistent with the prior decree. The three newly issued decrees do not apply to domestic workers, and a draft law protecting their rights, which the cabinet approved in January 2012, remained awaiting final approval and enactment for the fourth consecutive year.

The government continued to respond to and investigate workers' complaints of unpaid wages through a dispute resolution process and the Wages Protection System (WPS), which is intended to ensure the payment of wages to workers and punish employers with administrative and financial penalties for failing to comply. Workers filed labor complaints through hotlines or in person with the Ministry of Labor (MOL). During 2015, MOL received 2,071 inquiries from workers regarding their rights and various contract provisions. In addition, the MOL labor relations office settled 1,514 wage disputes, and another 48,850 cases of wage arrears were identified through automated systems and resolved through regulatory action. The government referred two of these labor violations for potential forced labor crimes for criminal prosecution. Especially with regard to domestic workers, the government did not enforce a prohibition on employers withholding workers' passports, which remained a widespread problem for household employees, although considerably less so for private sector workers. MOL maintains a staff of 63 multi-lingual labor law specialists to

preside over disputes. About three-quarters of disputes are resolved without going to court. For those that proceed to court, the average trial length in 2015 was 27 days.

The government continued to train judicial, law enforcement, and labor officials on human trafficking in 2015. In November, the NCCHT, Dubai Police, and the Dubai Judicial Institute launched a four-month diploma program to train government officials on handling human trafficking issues. The first class consisted of about 25 students including senior members of various government organizations. In addition, the Ministry of Interior (MOI) continued anti-trafficking training during the reporting year; 3,302 individuals were trained, and 12,104 individuals attended various lectures and other events.

PROTECTION

The government made increased efforts to identify and provide protective services to sex trafficking victims, but most notably in the case of domestic workers did not proactively identify forced labor victims. During the reporting year, the government identified and referred to protective services 35 trafficking victims, in comparison to 20 sex trafficking victims the previous year. The government continued to fund shelters for female and child victims of sex trafficking and abuse in Abu Dhabi, Dubai, Ras al Khaimah, and Sharjah; these shelters provided medical, psychological, legal, educational, and vocational assistance. The government also continued to fund a shelter for male victims; however, no male trafficking victims entered the shelter during the reporting period. MOI continued to distribute guidelines for law enforcement officials with standard operating procedures for identifying victims of both sex and labor trafficking. MOI and the government-funded shelters continued to implement their memorandum of understanding, which ensured police were responsible for referring and escorting victims safely to shelters.

Some domestic workers, including victims of abuse by their employers, continued to seek shelter assistance at their embassies and consulates in part due to a lack of government shelters for forced labor victims. The government continued to implement a system to place suspected trafficking victims in a transitional social support center, instead of a detention center, until victim identification was completed.

The government increased its disbursement of funds to trafficking victims, allocating 294,000 dirham (\$80,000) in 2015 to help with repatriation expenses such as housing, children's education, and medical expenses, in comparison to 205,000 dirham (\$56,000) in the prior year. The government exempted trafficking victims who had an ongoing court case against an employer for labor abuses from paying fines accrued for overstaying their visas and offered trafficking victims shelter, counseling, and immigration relief. The government did not provide permanent residency status to victims; however, the government worked with international organizations to resettle victims who could not return to their home countries. Workers whose employer did not pay them for 60 days were entitled to stay in the country and search for a new employer. The government continued to assist foreign workers who faced abuse and exploitation through its human rights office in Dubai International Airport.

PREVENTION

The government made increased efforts to prevent human trafficking during the reporting year and continued to carry out its national action plan to address human trafficking. The

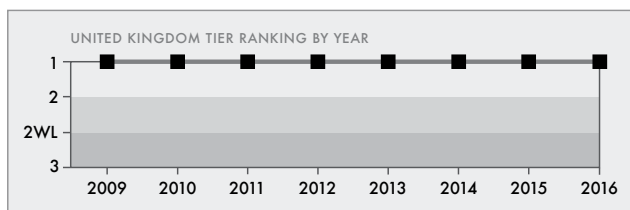
NCCHT website includes information on its anti-trafficking strategy and an annual publication of the government's efforts. The government implemented several awareness campaigns and publicized its anti-trafficking hotline—operated by the inter-ministerial NCCHT. In April 2015, the Permanent Committee for Labour Affairs, in collaboration with a private company, launched a year-long multi-lingual campaign to inform unskilled workers in Dubai about their rights. In October 2015, the government launched a two-year national awareness campaign aimed at recruitment agencies for domestic labor, consisting of police department visits to recruiters, recruiter education on their legal requirements, and recruiter training in recognizing signs of human trafficking, as well as the distribution of information to domestic workers arriving at airports warning them of recruiting scams and providing options available for help. In December 2015, the government launched a separate six-month campaign in multiple languages to educate individuals entering the country to take low-wage jobs on human trafficking laws and their options for help. The campaign also included training police and airport personnel in recognizing signs of trafficking. In 2015, the Dubai Foundation for Women and Children provided women discharged from their shelters with pamphlets to distribute in their home countries and educate their community and peers on the risks of becoming trafficking victims. MOI hosted 22 campaigns aimed at educating workers about their rights. The Dubai Police Human Trafficking Crimes Control Center provided lectures and training to 4,490 students, government employees, and workers. MOL provided education and training to 203,584 workers through various awareness initiatives. MOL reported 78,847 work-site inspections, including 27,242 field visits to ensure compliance with a ban on midday work from 12:30-3:00 p.m. between June 15 and September 15. These inspections found 85 work permit violations, 52 safety violations, and 30 mid-day work ban violations. In addition two suspected cases of human trafficking were referred to prosecution. MOL also conducted regular inspections of labor camps and during the year suspended the issuance of hiring permits at 15 companies for failing to provide adequate housing for their workers. The government sustained its WPS electronic salary-monitoring system intended to ensure workers received their salaries. The government also requires employers to provide bank guarantees, currently totaling 22 billion dirham (\$6 billion), which can be drawn on to meet unpaid wage obligations or in cases of company bankruptcy. Since its implementation in 2009, the government has used this mechanism to recover 41 million dirham (\$11 million) for 16,497 workers from 371 companies that have defaulted on their wage obligations. The government provided anti-trafficking training for its diplomatic personnel. The government made efforts to reduce the demand for forced labor but did not take measures to reduce the demand for commercial sex acts in UAE.

UNITED KINGDOM: Tier 1

The United Kingdom (UK) is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor, including domestic servitude. Most foreign trafficking victims come from Africa, Asia, and Eastern Europe. Albania, Vietnam, Nigeria, Romania, and Poland were the top countries of origin for potential victims identified during the past year. UK children continue to be subjected to sex trafficking within the country. Officials identified two potential transgender sex trafficking victims in 2015. Migrant workers in the UK are subjected to forced labor in agriculture,

cannabis cultivation, construction, food processing, factories, domestic service, nail salons, food services, car washes, and on fishing boats. Children in the care system and unaccompanied migrant children are vulnerable to trafficking. Foreign domestic workers in diplomatic households are particularly vulnerable to trafficking and abuse. In Northern Ireland, migrants from Albania and Romania are vulnerable to forced labor in agricultural work and at car washes.

The Government of the United Kingdom fully meets the minimum standards for the elimination of trafficking. In 2015, the government enacted the Modern Slavery Act, which consolidated and strengthened existing laws for perpetrators, increased protections for victims, and established the UK's first independent anti-slavery commissioner. The act was also the first national law in the world to require large corporations operating in the country to publish the steps they are taking to eradicate trafficking from their supply chains. The independent anti-slavery commissioner released a strategic plan, laying out priorities for the UK to combat human trafficking from 2015 to 2017 and a roadmap for accomplishing them. The government prosecuted 60 percent more traffickers in 2015 than in 2014 and had 50 percent more successful convictions. While authorities continued to identify a large and growing number of potential trafficking victims, a 40 percent increase over the previous reporting period, the victim identification and referral system did not assist all those requiring help. In particular, the government did not provide for victim care following a 45-day reflection period, after which authorities generally deported foreign victims.



RECOMMENDATIONS FOR THE UNITED KINGDOM:

Increase funding for and access to specialized services for trafficking victims, regardless of their immigration status; provide a trafficking-specific long-term alternative to deportation or repatriation for foreign victims; allow potential victims to access services from care providers before having to engage with law enforcement; consider extending the reflection and recovery period; expand independent child trafficking advocate program nationally; address the vulnerability of foreign domestic workers under the current visa system and explore options to allow workers to change employers; increase training for law enforcement, public defenders, prosecutors, judges, and front-line responders, including in UK overseas territories, to improve responses to trafficking victims and ensure victims are not prosecuted for crimes committed as a result of being subjected to trafficking; increase investigations in high-risk labor sectors, including by passing and enacting draft legislation that would expand the jurisdiction of the Gangmasters Licensing Authority; and increase efforts to prosecute, convict, and sentence traffickers with strong sentences.

PROSECUTION

The government maintained prosecution efforts. The Modern Slavery Act 2015 prohibits all forms of trafficking and prescribes

penalties ranging from fines to life imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. This act gave law enforcement new powers to pursue perpetrators at sea, including the power to board, divert, and detain vessels; make arrests; and seize evidence while investigating potential offenses at sea. Northern Ireland enacted the Human Trafficking and Exploitation Act in January 2015 and Scotland enacted the Human Trafficking and Exploitation Bill in November 2015. In Northern Ireland, the law created a new preparatory offense authorizing arrest of individuals preparing to engage in human trafficking. A preparatory offense was already in place in England and Wales. The Northern Ireland law now criminalizes the purchase of commercial sex. Laws across the UK now allow for the seizure of convicted trafficker's assets and for reparations to victims.

The government did not report the total number of trafficking investigations initiated in 2015. The government reported authorities prosecuted 295 suspected traffickers and convicted 192 traffickers in England and Wales between 2015 and 2016, an increase from the previous year's prosecution of 187 individuals and conviction of 130. The government did not report the proportion of offenses that were for sex trafficking versus labor trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Authorities in Northern Ireland reported convicting two traffickers, sentencing one to seven years in prison and the second to three years in prison. Northern Ireland also reported the extradition of a woman from Sweden to Northern Ireland on trafficking charges, following a three-year police investigation.

The government provided varying levels of anti-trafficking training to law enforcement officers, prosecutors, and justice officials. In June 2015, an NGO published a set of trafficking survivor care standards that the government has disseminated widely and included in law enforcement training materials. The Northern Ireland police service conducted training for officers, first responders, and call center staff, and developed specialized training for detectives. As of October 2015, more than 4,000 police service officers had completed online training on trafficking. The police service also participated in joint training on trafficking investigation with the Irish police force. Since April 2015, the Northern Ireland police service had a dedicated human trafficking unit, providing around-the-clock support to front-line officers and other agencies and conducting proactive operations to disrupt human trafficking.

PROTECTION

The government increased protection efforts. Authorities identified 3,266 potential trafficking victims from 102 countries in 2015, compared with 2,340 potential victims in 2014; this 40-percent increase was a result of increased public awareness of modern slavery, following the introduction and enactment of the Modern Slavery Act. Of these, 53 percent were female and 46 percent were male, while 70 percent were adults and 30 percent were children. Of potential adult victims, 15 percent were referred for domestic servitude; 39 percent for other forms of labor trafficking; 38 percent for sex trafficking; and seven percent for unknown exploitation. Of children, seven percent were referred for domestic servitude; 29 percent for other forms of labor trafficking; 22 percent for sex trafficking; and 41 percent for unknown exploitation. Northern Ireland established a new liaison group in November 2015 that worked with individuals in prostitution to alert police to potential trafficking cases.

The UK operates the National Referral Mechanism (NRM), a process for identifying and providing care and support for trafficking victims. The initial referral to the system is generally made by a first responder, such as the police, the border patrol, or local authorities. Following the initial referral, the NRM has two steps for identification: a preliminary finding of “reasonable grounds” that an individual is likely a trafficking victim and a final decision of “conclusive grounds” that triggers victim protection measures. There is no formal appeal process for preliminary or final decisions, but a reconsideration of the decision can be requested. Only UK Visas and Immigration in the Home Office and the UK Human Trafficking Centre can make these decisions. Victims receiving a reasonable grounds decision enter a 45-day program of reflection and recovery with access to services such as accommodation, health care, and counseling. The government maintained a 6 million pound (\$8.8 million) contract with an NGO to coordinate the provision of care for adult victims in England and Wales under the NRM during the 45-day recovery and reflection period for the 2015-2016 fiscal year. In Wales, the Anti-Slavery Leadership Group tailored an individual plan that can extend beyond the 45-day period. In Northern Ireland, authorities contracted NGOs to work in tandem with government agencies to provide care for victims. As part of the Scottish government’s Human Trafficking and Exploitation Bill, victims of trafficking in Scotland also have the right to access support and assistance.

Foreign victims assessed as definite trafficking victims who cooperate with law enforcement may be granted temporary residency for up to a year, but the government did not report how many victims assisted with investigations. However, once a conclusive decision within the NRM system was made, authorities typically deported foreign victims. Long-term legal alternatives to removal to countries where victims might face hardship or retribution were only available through asylum procedures. NGOs in Northern Ireland criticized this practice and noted legal representatives discourage potential victims from entering the referral system because asylum would lead to better chances of remaining in Northern Ireland longer. NGO representatives reported potential victims were typically deported one year and one day from a conclusive decision and were not allowed to apply for asylum, whereas asylum-seekers typically spend many years in Northern Ireland and have a better chance of adjusting status as they develop stronger ties in Northern Ireland.

The government did not provide sufficient care for victims following the 45-day reflection period. Authorities have acknowledged NRM support is not intended to provide rehabilitation, and noted many victims were still profoundly vulnerable after 45 days. NGOs reported cases of victims returning to prostitution or being re-trafficked due to lack of long-term support. The government launched a year-long pilot in August 2015 to ensure the NRM was equipped to cope with the challenge of handling growing numbers of referrals and improving care. The pilot tested methods for streamlining and improving the NRM process recommended by a 2014 independent review.

Local children’s services offices provide support for children, but NGOs have raised concern that with no mandatory training for social workers, children did not receive adequate care. The Modern Slavery Act provides for independent child trafficking advocates (ICTA), who represent and support children within the legal system where there are reasonable grounds to believe they may be trafficking victims. A December 2015 independent report assessed a year-long ICTA pilot program and praised the

introduction of child advocates as a positive step, important in “ensuring clarity, coherence and continuity” for children. The government found the results of the pilot to be mixed and has delayed expansion of the program until a second pilot can be run. NGOs expressed disappointment in this decision. Scotland’s Human Trafficking and Exploitation Act also provides for an independent child trafficking guardian. Northern Ireland’s Human Trafficking and Exploitation Act 2015 provides for an independent legal guardian for children subjected to trafficking and unaccompanied children who arrive in Northern Ireland without a parent or primary caregiver.

Under the Modern Slavery Act, victims now have a statutory defense for crimes committed as a consequence of their trafficking. Similar provisions are included in the Northern Ireland and Scotland trafficking acts, although NGOs in Northern Ireland raised concerns that individuals being prosecuted may have been victims. NGOs reported a case of Chinese immigrants jailed for marijuana possession who are believed to have been unidentified trafficking victims forced to cultivate drugs. The UK and Northern Ireland’s trafficking laws improved access to special measures in courts by allowing trafficking victims to testify by video, behind a screen, or with the public removed from the court. The Modern Slavery Act provides increased powers to the courts to confiscate assets of convicted human traffickers and provide compensation to victims through Reparation Orders. Courts are now able to consider the totality of a defendant’s assets over the past six years as crime proceeds, with a view to confiscation. In September, a woman recruited from India and kept in domestic servitude for four years was awarded nearly 184,000 pounds (\$270,000) in compensation from her employers.

The Modern Slavery Act requires amendments to immigration law to allow foreign domestic workers who are trafficking victims to change employers and remain in the UK for at least six additional months. However, observers argued this system of “tied” visas continued to leave workers vulnerable, as it discouraged victims from reporting abuses. In response to ongoing concern, the government commissioned an independent review of visas for foreign domestic workers to determine if they lead to human trafficking. The review, published in June 2015, found the current system, which ties workers to a single employer and denies them the right to change employers, increases the risk of trafficking to an already vulnerable population and recommended all overseas domestic workers be granted the right to change employers and apply for annual extensions to their visas, provided they continue to perform domestic work in a private home. The report also recommended mandatory informational briefings for all foreign domestic workers who remain in the country for more than six weeks to inform them of their rights and encourage trafficking victims to self-identify. The report determined the limited changes included in the Modern Slavery Act were insufficient protection for potential victims. The government has not yet published a formal response to the report.

PREVENTION

The government increased prevention efforts. Building on the government’s first modern slavery strategy, released in November 2014, the new independent anti-slavery commissioner released a strategic plan in October 2015, pursuant to the requirements of the Modern Slavery Act. The strategic plan outlines the commissioner’s priorities for 2015-2017, including increased victim identification and referral; increased prosecutions and convictions of traffickers; private sector engagement; and

international collaboration. A national Modern Slavery Threat Group was established, comprising law enforcement agencies and others, to try and improve operational responses. The act also introduced Slavery and Trafficking Risk Orders and Slavery and Trafficking Prevention Orders, new preventative measures that place restrictions on individuals who pose a high risk of committing a human trafficking offense, such as a court banning someone from working with children, employing staff, or traveling to specific countries. Similar orders are being made available in Scotland and Ireland through their anti-trafficking laws. In December, the government announced plans for a national helpline, in partnership with an NGO and sponsored by the private sector. The official launch is planned for sometime in 2016. A new immigration bill, in the final stages of passage by Parliament, would significantly expand the scope of the Gangmasters Licensing Authority to enforce labor standards in high-risk sectors by allowing the agency to investigate regulatory and criminal offenses in employment. Northern Ireland published its first human trafficking and exploitation strategy in September 2015, which builds upon action plans released by the government over the past two years. The strategy is a comprehensive plan to raise awareness and reduce the prevalence of human trafficking. The Northern Ireland government has promoted education and training on human trafficking through the development of an educational resource package for teachers; training for agency staff and civil society groups; and public awareness campaigns. NGOs in Northern Ireland noted that general societal awareness of human trafficking is low in the region.

The Modern Slavery Act introduced broad new requirements for UK businesses on supply chain transparency. As of October 2015, all businesses operating in the UK with annual revenue exceeding 36 million pounds (\$53 million) must publish an annual slavery and human trafficking statement that details what efforts, if any, the company has made during the previous fiscal year to ensure its operations and supply chain are free of human trafficking. The act does not require companies to take any specific action toward eliminating slavery, but instead seeks to create a “race to the top” through transparent reporting and inter-industry collaboration. More than 12,000 companies are estimated to be required to comply. Construction companies expressed support for the principles behind the act, but have cited practical issues in supply chain oversight and challenges in cross-industry collaboration as potential barriers. Companies with fiscal years ending on March 31, 2016, were the first companies required to publish a statement. Media and NGOs report compliance so far has been incomplete, in part due to misunderstandings among businesses about what the law requires. Critics noted the lack of monetary or criminal penalties for companies that did not comply with the reporting requirement.

Existing law allows authorities to prosecute citizens for sexual offenses committed against children overseas, but the government did not report prosecuting or convicting any nationals engaged in child sex tourism abroad. All registered sex offenders are required to notify the government of any foreign travel, enabling the police to share information on offenders with other jurisdictions or apply for a sexual harm prevention order, which prevents foreign travel. The government did not report anti-trafficking training provided to its diplomatic personnel or members of the military prior to deployment abroad as part of international peacekeeping missions in 2015.

OVERSEAS TERRITORIES OF THE UNITED KINGDOM

BERMUDA

Bermuda is a limited destination territory for women and men subjected to forced labor. Some foreign migrant workers from Asia and Latin America are vulnerable to domestic servitude and abuse or to forced labor in the construction and agricultural industries in Bermuda. The territory government did not report on any potential trafficking cases. Some employers reportedly confiscate passports, withhold wages, deny benefits, and threaten migrant workers with repaying the cost of airline tickets. Migrant workers in Bermuda operate under a strict system of government work permits obtained by employers on behalf of foreign workers. The Transnational Organized Crime Act 2013 criminalizes all forms of sex and labor trafficking and prescribes penalties of up to 20 years’ imprisonment. The government did not report investigations, prosecutions, or convictions of trafficking offenses in 2015. Government resources were inadequate to conduct inspections to identify possible exploitation of foreign workers. No government officials were prosecuted or convicted for involvement in trafficking or trafficking-related criminal activities in 2015.

TURKS AND CAICOS

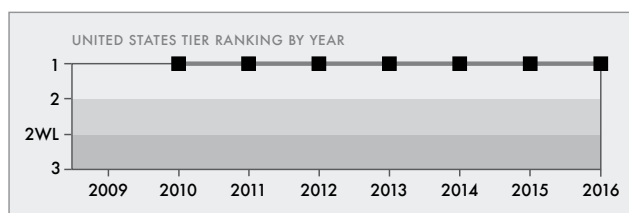
Turks and Caicos Islands are a destination country for men, women, and children subjected to sex trafficking and forced labor. According to local experts, the large population of migrants from Haiti, the Dominican Republic, and Jamaica are vulnerable to sex trafficking and forced labor, with stateless children and adolescents especially at risk. Local stakeholders, including law enforcement officials, have reported specific knowledge of sex trafficking occurring in bars and brothels and noted trafficking-related complicity by some local government officials was a problem. The government did not report any updates on anti-trafficking legislation, introduced in 2012, which was pending in the previous reporting period. The government did not report protection or prevention efforts undertaken during the reporting period. The absence of specific legislation prohibiting trafficking as defined by the 2000 UN TIP Protocol; the absence of victim identification, screening, and protection procedures; and limited awareness of human trafficking on the part of officials and the public continued to hinder anti-trafficking efforts.

UNITED STATES OF AMERICA: Tier 1

The United States is a source, transit, and destination country for men, women, transgender individuals, and children—both U.S. citizens and foreign nationals—subjected to sex trafficking and forced labor. Trafficking occurs in both legal and illicit industries, including in commercial sex, hospitality, sales crews, agriculture, fishing, manufacturing, janitorial services, construction, restaurants, health and elder care, salon services, fairs and carnivals, peddling and begging, and domestic service. Individuals who entered the United States with and without legal status have been identified as trafficking victims. Government officials, companies, and NGOs have expressed concern about the risk of human trafficking in global supply chains, including in federal contracts. Victims originate from

almost every region of the world; the top three countries of origin of federally identified victims in fiscal year (FY) 2015 were the United States, Mexico, and the Philippines. Particularly vulnerable populations in the United States include: children in the child welfare and juvenile justice systems; runaway and homeless youth; American Indians and Alaska Natives; migrant laborers, including participants in visa programs for temporary workers; foreign national domestic workers in diplomatic households; persons with limited English proficiency; persons with disabilities; and LGBTI individuals. NGOs noted an increase in cases of traffickers targeting victims with disabilities and by using drugs or withholding medication to coerce victims into prostitution. Some U.S. citizens engage in child sex tourism in foreign countries.

The U.S. government fully meets the minimum standards for the elimination of trafficking. The federal government continued to investigate and prosecute both sex and labor trafficking, but prosecuted more sex trafficking cases than labor trafficking cases. For the third year in a row, it provided specialized and comprehensive services to a greater number of trafficking victims and increased funding levels for these services. It continued to provide various types of immigration relief for foreign national victims, including a pathway to citizenship. Federal authorities increased the use of Continued Presence, which allows victims to remain in the United States temporarily during the investigation of their traffickers, and granted Certification Letters to more victims. The government enhanced its outreach to and engagement with survivors to improve training, programs, and policies on human trafficking. The government took steps to better protect domestic workers employed by foreign diplomats in the United States and U.S. diplomats abroad. Prevention efforts included outreach to increase awareness about trafficking and continued funding for an NGO-operated national hotline and referral service. Challenges remain: NGOs urged more consistent, victim-centered implementation of anti-trafficking laws and policies, including increased efforts to ensure more trafficking victims have timely access to services and immigration relief. Furthermore, NGOs reported instances of trafficking victims being detained or prosecuted for criminal activity related to their trafficking, notwithstanding “safe harbor” laws in some states or the federal policy that victims should not be penalized for unlawful acts committed as a direct result of being subjected to trafficking.



RECOMMENDATIONS FOR THE UNITED STATES:

Increase prosecution of cases involving nonviolent forms of coercion and labor trafficking cases, including cases in the U.S. insular areas; support comprehensive services, including increased access to appropriate housing for all trafficking victims, including male and LGBTI victims; increase formal partnerships with victim service providers to improve the continuum of care; increase use of trauma-informed screening to improve identification of trafficked persons among vulnerable populations; continue to improve coordination of services across federal agencies; increase efforts to identify child victims of

labor trafficking; integrate anti-trafficking efforts within multiple systems of care, including health, runaway and homeless youth, and domestic violence programs; ensure that criminal restitution is sought for trafficking victims; ensure necessary safeguards for unaccompanied children to prevent their exploitation and trafficking while in care; strengthen prevention efforts, including by addressing the demand for commercial sex and labor trafficking; enforce federal acquisition regulations aimed at preventing trafficking in federal contracts and increase transparency related to any remedial action against federal contractors; strengthen coordination among criminal justice and social service systems, especially as it concerns LGBTI individuals; increase training for tribal, state, and local agencies on victim identification, access to services, and eligibility for benefits, including immigration benefits; ensure federal law enforcement officials apply in a timely manner for, and state and local law enforcement officials are trained on requesting, Continued Presence for eligible victims; and consider federal legislation to allow victims to vacate federal convictions that are a direct result of being subjected to trafficking, and encourage state and local jurisdictions to do the same.

PROSECUTION

The U.S. government continued to demonstrate progress in federal anti-trafficking law enforcement efforts. The Trafficking Victims Protection Act of 2000 (TVPA), as amended, prohibits all forms of human trafficking. U.S. law also prohibits conspiracy and attempts to violate these provisions, as well as obstructing their enforcement and benefitting financially from these acts. Sex trafficking prosecutions involving children do not require proof of the use of force, fraud, or coercion. Additionally, a criminal statute on fraud in foreign labor contracting prohibits the use of fraud to recruit workers for work performed in the United States or elsewhere on a U.S. government contract, U.S. property, or military installation. Penalties prescribed under these statutes are sufficiently stringent and commensurate with penalties prescribed for other serious offenses: penalties can include up to life imprisonment. The U.S. Congress passed several bills during the reporting period that address trafficking. In May 2015, the Justice for Victims of Trafficking Act (JVTA) became law, allowing survivors formal input in federal anti-trafficking policy; providing incentives for states to enact laws to prevent the prosecution of child victims for crimes committed as a direct result of being subjected to trafficking; and amending the federal definition of child abuse and neglect to include trafficking. The JVTA provided additional bases of criminal liability for those who patronize or solicit trafficking victims for commercial sex, and created a new offense prohibiting the advertising of sex trafficking activity. It also clarifies that traffickers in child sex trafficking cases who had a reasonable opportunity to observe the victim can no longer claim ignorance about a victim's age as a defense.

In February 2016, President Obama signed into law the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders, which authorized the Department of Homeland Security (DHS) and the Department of Justice (DOJ) to inform foreign governments when registered sex offenders are visiting their countries, and to receive information when they come to the United States from abroad. The Trade Facilitation and Trade Enforcement Act of 2015, also enacted in February 2016, eliminated an exception that had allowed imports into the United States of goods produced with forced labor in circumstances when U.S. consumer demand was not met by U.S. domestic production.

DOJ, DHS, and the Department of State (DOS) are the primary investigating agencies for federal trafficking offenses, with federal human trafficking cases prosecuted by DOJ. In December 2015, DOJ, DHS, and the Department of Labor (DOL) named six new Anti-Trafficking Coordination Team (ACTeam) cities, a second-phase expansion of an initiative that helped the first-phase pilot cities significantly increase prosecutions and convictions of traffickers as compared to non-ACTeam districts. The second phase of the ACTeams also expanded victim witness support. DOJ funded 16 Enhanced Collaborative Model (ECM) anti-trafficking taskforces, comprising federal, state, and local law enforcement; victim service providers; and other partners. NGOs praised the ECM taskforce model for its formal inclusion of victim service providers and recommended all federally-funded taskforces do the same.

The federal government reports its law enforcement data by fiscal year (FY)(October 1 through September 30). In FY 2015, DHS reported opening 1,034 investigations possibly involving human trafficking, an increase from 987 in FY 2014. DOJ formally opened 802 human trafficking investigations, a decrease from 835 in FY 2014, and DOJ's ECM taskforces separately initiated 1,011 investigations. DOS reported opening 175 human trafficking-related cases worldwide during FY 2015, an increase from 154 in FY 2014. The Department of Defense (DoD) reported investigating at least 10 human trafficking-related cases involving U.S. military personnel, compared to 14 in FY 2014.

DOJ initiated a total of 257 federal human trafficking prosecutions in FY 2015, charging 377 defendants. Of these prosecutions, 248 involved predominantly sex trafficking and nine involved predominantly labor trafficking, although some involved both. These figures represent an increase from FY 2014, during which DOJ brought 208 prosecutions charging 335 defendants.

During FY 2015, DOJ secured convictions against 297 traffickers, compared with 184 convictions obtained in FY 2014. Of these, 291 involved predominantly sex trafficking and six involved predominantly labor trafficking, although several involved both.

These prosecutions and convictions include cases brought under trafficking-specific criminal statutes and related non-trafficking criminal statutes, but do not include child sex trafficking cases brought under non-trafficking statutes. Penalties imposed on convicted traffickers ranged from five years to life imprisonment. NGOs continued to call on federal prosecutors to vigorously seek mandatory restitution for victims of trafficking.

During the reporting period, one NGO reported an increase in labor trafficking cases in some jurisdictions and increased federal coordination on labor trafficking cases. NGOs continued to report, however, that federal, tribal, state, and local authorities did not vigorously investigate labor trafficking cases and called for more systematic efforts to prioritize forced labor prosecutions. Further, advocates reported state and local law enforcement demonstrate uncertainty regarding their authority over forced labor cases and called for formal structures to increase the identification of such cases.

In addition to federal laws, state laws form the basis of most criminal actions, which makes adoption of state anti-trafficking laws key to institutionalizing concepts of compelled service for local police officers. Even though at least 34 states have "safe harbor" laws, NGOs reported most of these states did not provide victims immunity for prostitution offenses and reported trafficking victims faced criminalization for crimes

committed as a direct result of being subjected to trafficking. While some states already had *vacatur* or expungement laws, several others introduced or began considering these laws to reduce the harm to victims. Other states created specialized courts for cases involving minors; however, advocates were divided on the effectiveness of these courts.

NGOs continued to ask for more specific, easily accessible data on federal, state, and local trafficking prosecutions. NGOs reported that prosecutors use non-trafficking laws with more lenient penalties in many jurisdictions to secure convictions against traffickers. Although NGOs noted an increase in law enforcement efforts to investigate traffickers who manipulate drug addiction as a form of coercion, advocates called for increased prosecution of trafficking cases involving nonviolent forms of coercion. NGOs reported continued instances of misunderstandings among state and local officials about the definition of trafficking, citing cases where law enforcement erroneously rule out trafficking because victims have some freedom of movement.

The federal government demonstrated some progress in addressing official complicity, reporting the sentencing of a former juvenile probation officer to 18 years in prison for sex trafficking, and reporting that other officials are under investigation. An Army service member arrested during the previous reporting period on charges of sex trafficking involving a 17-year-old pled guilty, was sentenced to five years' probation, and was administratively discharged under other than honorable conditions due to serious misconduct. A former Navy service member arrested in the previous reporting period in Hawaii on charges of sex trafficking of a 16-year-old remained incarcerated in FY 2015, pending prosecution.

The federal government continued to collect state and local data on human trafficking investigations during the reporting period through the Uniform Crime Reporting Program; however, not all state and local jurisdictions participated. Data from 2014 collected from participating jurisdictions are publicly available. In 2014, jurisdictions reported a total of 120 human trafficking offenses resulting in arrest or solved for crime reporting purposes. There is no formal mechanism to track prosecutions at the state and local levels.

The U.S. government continued efforts to train officials and share information. Federal agencies incorporated survivor feedback in anti-trafficking law enforcement and taskforce training on topics including victim identification, survivor-centered best practices in investigations and prosecutions, and trauma-informed victim interview techniques.

Multiple federal agencies continued to engage in extensive capacity building for law enforcement, judges, military personnel, health care and social service providers, labor inspectors, pro bono attorneys, and others, and increased their outreach to officials in Indian Country. DHS continued its extensive law enforcement trainings by incorporating human trafficking awareness training into basic federal law enforcement training academies and producing a new web-based training course for law enforcement and judges. In FY 2015, DOS launched an outreach program for domestic field offices and passport centers in the United States to train personnel on human trafficking, including on investigations and prosecutions.

PROTECTION

The U.S. government continued to increase its efforts to protect trafficking victims. It granted Continued Presence to more

trafficking victims for the first time in three years and increased funding for victim services. It also increased collaboration with NGOs, other victim service providers, and survivors for an enhanced multidisciplinary response to victim identification and service referrals. For a fourth consecutive year, it certified and provided services to a significantly higher number of trafficking victims. NGOs reported state and local authorities continued to detain or prosecute trafficking victims, including those younger than 18 years of age, for conduct committed as a direct result of being subjected to trafficking.

Federally-funded victim assistance includes case management and referrals for medical and dental care, mental health and substance abuse treatment, sustenance and shelter, translation and interpretation services, immigration and legal assistance, employment and training, transportation assistance, and other services such as criminal justice advocacy. The Department of Health and Human Services (HHS) issued Certification and Eligibility Letters for foreign victims to access services and benefits to the same extent as refugees, provided grant funding for comprehensive case management for foreign and domestic trafficking victims, and funded capacity-building grants for child welfare systems to respond to trafficking. DOJ provided comprehensive and specialized services for both domestic and foreign trafficking victims. Federal funding for victim assistance increased in FY 2015. Record-keeping systems used by DOJ and HHS did not allow for cross-referencing to determine which victims were served by both agencies.

A Certification Letter enables foreign adult victims to receive federal and state services to the same extent as refugees when Continued Presence is granted or when a victim has a bona fide or approved application for “T nonimmigrant status,” as described further below. An Eligibility or Interim Assistance Letter allows immediate access to federally-funded benefits and services to the same extent as refugees when credible information indicates a child is or may be a victim of trafficking. HHS issued 623 Certification Letters to foreign adults and 240 Eligibility Letters to foreign children in FY 2015, an increase from the two previous years, when HHS issued a respective 530 and 219 Letters in FY 2014, and 406 and 114 Letters in FY 2013. Seventy-six percent of all victims certified in FY 2015 were victims of labor trafficking, more than half of which were female; and more than 78 percent of child trafficking victims who received Eligibility Letters were labor trafficking victims, up from 66 percent in FY 2014. HHS awarded \$7.5 million in FY 2015 to three NGOs for the provision of case management services to foreign national victims through a nationwide network of NGO sub-recipients, a slight increase from \$7.4 million in FY 2014. Through these grants, HHS supported 149 agencies with the capacity to serve at 286 sites across the country that provided assistance to a total of 1,726 individuals and their family members, a significant increase from 1,137 in FY 2014 and 915 the prior year. NGOs continued to report that lack of training for employees of public benefits offices on the HHS certification process resulted in the erroneous denial of benefits for some victims and their families and in survivors waiting long periods of time to access benefits.

In FY 2015, HHS significantly increased funding to serve domestic victims of human trafficking and provided \$3.2 million for coordinated victim-centered services, an increase from \$1.44 million in FY 2014. It provided an additional \$2.25 million to address trafficking within child welfare systems for a second year.

DOJ continued to increase the number of trafficking victims

to whom it provided assistance. From July 1, 2014 to June 30, 2015, DOJ grantees providing victim services reported 3,889 open client cases, including 2,180 new clients, compared with 2,782 open client cases and 1,366 new clients from July 1, 2013 to June 30, 2014 and a respective 1,911 and 1,009 from July 1, 2012 to June 30, 2013. DOJ’s grantees reported that 51 percent of victims served during the reporting period were U.S. citizens or lawful permanent residents and 49 percent were foreign nationals. During FY 2015, DOJ funded 21 victim service providers offering comprehensive and specialized services across the United States, totaling approximately \$13.8 million, compared with \$10.9 million in FY 2014 and \$11.2 million in FY 2013.

The United States government has formal procedures to guide officials in victim identification and referral to service providers. During the year, HHS child protection specialists provided training and technical assistance to overcome barriers in identifying child trafficking victims. NGOs praised increased coordination among service providers and law enforcement due to changes in DOJ’s enhanced collaborative taskforces, but reported the need for improved coordination across federal agencies to ensure more consistent service provision and referral. NGOs continued to report some law enforcement officials did not recognize indicators of labor trafficking and called for additional support to assist law enforcement efforts to identify such trafficking. NGOs continued to report federal funding for victim services remained insufficient to address the myriad needs of individual victims and that requiring adult victims to report to law enforcement to be eligible for federally-funded services is unnecessary and potentially harmful. In March 2016, DOJ announced changes to this policy so that cooperation with law enforcement was no longer an eligibility requirement for accessing DOJ-funded victim services. An NGO reported that shelter, comprehensive services, and long-term housing options for all trafficking victims, especially male, LGBTI, and labor trafficking victims, continued to be insufficient.

In FY 2015, the federal government hired more social workers to screen and identify unaccompanied children who came to the attention of federal authorities. NGOs, however, reported concerns about screening procedures at the border, the welfare and safety of these children while in federal custody and post-release, and the need for expanded coordination among responsible federal agencies. When children are placed in the care and custody of HHS, they are screened for trafficking victimization in the United States or abroad. When appropriate, HHS makes a determination of eligibility for benefits and services, which may include long-term assistance. HHS assisted 124 child victims of trafficking through its Unaccompanied Refugee Minors Program in FY 2015, an increase from 113 served in FY 2014. This program requires states to provide such child victims with the same assistance, care, and services available to foster children. NGOs called for better monitoring and increased funding for the care of unaccompanied children, citing one trafficking case prosecuted by federal authorities and other anecdotal reports that after being placed in sponsors’ homes, children were subsequently forced to work or were subjected to sex trafficking.

DHS provides trafficking-specific immigration relief in two ways: short-term Continued Presence and longer-term “T nonimmigrant status” (commonly referred to as the T visa). Both statuses confer the right to work legally in the United States. T visa applicants must be victims of a severe form of trafficking in persons, be in the United States or at a port of

entry on account of trafficking, and show cooperation with reasonable requests from law enforcement unless they are younger than 18 years of age or are unable to cooperate due to trauma suffered. They must also demonstrate that they would suffer extreme hardship involving unusual and severe harm upon removal from the United States. T visa applicants may petition for certain family members, including certain extended family members who face a present danger of retaliation; T visa beneficiaries and their derivative family members are authorized to work and are eligible for certain federal public benefits and services. After three years, or upon the completion of the investigation or prosecution, those with T visas may be eligible to apply for lawful permanent resident status and eventually may be eligible for citizenship. During the reporting period, DHS created and disseminated a resource guide for law enforcement and judges with information on T and U visas.

In FY 2015, DHS increased its issuance of Continued Presence to 173 trafficking victims who were potential witnesses, from 130 in FY 2014. It granted an additional 223 extensions of Continued Presence. NGOs continued to call for additional efforts to ensure more consistent application of Continued Presence across the United States.

DHS granted T nonimmigrant status to 610 victims and 694 eligible family members of victims in FY 2015, compared to a respective 613 and 788 in FY 2014. These figures continued to represent an overall general decline when compared with previous years. NGOs reported that, in some cases, law enforcement failed to provide support for T visa applications, effectively delaying the application process and survivors' access to federal benefits and employment; they called for additional training and technical assistance for federal, tribal, state, and local law enforcement agencies related to the T visa application process.

Another form of immigration relief available to trafficking victims is "U nonimmigrant status" (commonly referred to as the U visa) for victims of certain qualifying crimes who are helpful in the investigation or prosecution of the qualifying criminal activity and meet other specific eligibility requirements. In FY 2015, there were 29 approved principal applicants where trafficking was the qualifying crime, an increase from 17 in FY 2014.

In FY 2015, a DOS program reunified 244 family members with identified victims of trafficking in the United States. This program provided two survivors with assistance returning to their home country.

Multiple agencies across the federal government continued to provide training to federal, state, local, and tribal law enforcement, as well as to NGO service providers and health and human service providers to encourage more consistent application of a victim-centered approach in all phases of victim identification, assistance, recovery, and participation in the criminal justice process. NGOs expressed concern, however, that despite federal funding programs mandating comprehensive services for all victims of trafficking, services were not provided equally; advocates noted labor trafficking victims, adult sex trafficking victims, boys, and LGBTI youth faced difficulties obtaining needed services. A survivor network also reported some victims felt pressure to testify against their traffickers to obtain access to services. HHS continued to train service providers for runaway and homeless youth and developed a support mechanism for states and service providers on addressing child trafficking, particularly as it intersects with

the child welfare system and runaway and homeless youth programs. NGOs urged the federal government to encourage state welfare agencies to develop policies and procedures for children at risk for all types of trafficking, not just youth at risk for sex trafficking.

NGOs continued to report that law enforcement at the state and local levels failed to treat sex-trafficked children as victims of trafficking, and instead arrested and incarcerated them for crimes committed as a direct result of being subjected to trafficking. Victim advocates who documented this phenomenon found that trafficking victims may be arrested frequently and called on states to reform their laws to ensure trafficking victims are not criminalized for offenses their traffickers force them to commit. NGOs continued to report that authorities sometimes placed children in restrictive or lockdown residential placements to protect them from their traffickers or to secure testimony, which often resulted in decreased trust in law enforcement and re-traumatization. Advocates report that despite the sometimes good intentions of law enforcement, the arrest and detention response created barriers to employment, housing, and other needs essential to avoid re-trafficking and facilitate victims' recovery.

PREVENTION

The U.S. government made progress on efforts to prevent trafficking. The government provided opportunities for stakeholder input and transparency. Federal agencies conducted numerous awareness and training activities for their own personnel, including law enforcement and acquisition professionals, and field office staff. The President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF) reported on agency accomplishments in combating human trafficking again this year, with the U.S. Office of the Trade Representative joining the PITF and the presidentially-appointed survivor advisory council members attending the PITF annual meeting. The government continued to implement the *Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013-2017*, and publicly released its first status report during the year.

The government continued public outreach measures on the causes and consequences of human trafficking and continued efforts to increase victim identification among vulnerable populations and sectors. HHS continued to fund an NGO to operate the National Human Trafficking Resource Center (NHTRC), a hotline that received almost 34,000 calls in FY 2015 from across the United States and U.S. territories. U.S. embassies and consulates worldwide provided a "Know Your Rights" pamphlet that included the national hotline number and confirmed that applicants for temporary work and exchange visitor visas received, read, and understood the pamphlet. This effort subsequently generated 286 calls to the national hotline, a significant decline from the 791 calls generated by the pamphlet the previous calendar year. In a January 2016 report, a DHS internal audit found traffickers continued to use legal means, including work and fiance visas, to bring potential trafficking victims to the United States, and recommended relevant federal agencies improve the quality and quantity of data exchanged. The Department of Transportation and DHS worked with industry partners to implement human trafficking trainings for airline personnel and the motor coach industry. In 2015, DHS continued its nationwide human trafficking awareness Blue Campaign and developed new products for medical front-line responders at state, local, and tribal levels; DOJ conducted outreach events to promote resources and

services available to victims; HHS continued outreach to increase victim identification and awareness, including among tribal leaders and targeted training in the health care sector. The Department of Education continued outreach efforts to integrate trafficking information into school curricula and resources, and collaborated with HHS to launch a peer-to-peer social media competition to raise awareness among high school students. The U.S. Agency for International Development funded anti-trafficking activities in more than 20 countries and launched a new initiative to improve identification of the risk of human trafficking at the lower levels of global supply chains. In FY 2015, the Equal Employment Opportunity Commission (EEOC) conducted 232 human trafficking outreach events, reaching more than 11,600 individuals. DOL also launched an initiative with ILO to support efforts to combat forced labor under the 2014 ILO Protocol and Recommendation on forced labor. The Department of Agriculture and HHS launched an initiative to raise awareness alongside food and agricultural industry partners to target rural communities. DoD provided annual training for all DoD personnel, including troops prior to their deployment abroad as part of international peacekeeping missions. A DoD-wide taskforce met throughout the year to increase regional command coordination and engagement on trafficking. An NGO called on the federal government to use prevention and awareness campaigns to reach both community members and potential victims, effectively describe human trafficking, and include specific language on how to help someone in need.

Reports of abuses continued, including allegations of human trafficking, of workers in the United States on work-based or other nonimmigrant visas. One NGO report found that of 805 potential labor trafficking cases reported to the national hotline and textline from August 1, 2014 to July 31, 2015, 148 cases involved victims issued A-3, B-1, G-5, H-2A, H-2B, or J-1 visas. One NGO reported the United States had insufficient laws regulating foreign labor recruiters and fraud was rampant among this category of recruiters, and called for passage of a federal law to prohibit recruiters from charging fees to workers and provide more legal safeguards to protect workers from unscrupulous recruiters.

Both the H-2A and H-2B programs prohibit directly or indirectly charging foreign workers job placement, recruitment, or other fees related to employment, and both require disclosure of the terms of employment. In FY 2015, DOL and DHS issued two new H-2B rules that enhanced worker protections, including against fraudulent recruitment and other practices that could result in labor trafficking. Such provisions included requiring disclosure of foreign labor recruiters as well as those working for the recruiters operating domestically and overseas, and prohibiting retaliation against workers. NGOs, however, cited concern that provisions in the FY 2016 appropriations act increased some H-2B workers' vulnerability to trafficking by expanding the program and reducing wage guarantees, employer accountability for recruiting abuses, transparency, and oversight.

In the J-1 Summer Work Travel (SWT) Program, DOS has prohibited jobs deemed dangerous to exchange visitor health, safety, and welfare, and continued to implement a program to monitor participant health, safety, and welfare. In 2015, DOS visited 985 Summer Work Travel exchange visitor sites in 42 states and the District of Columbia. DOS also broadened outreach efforts with 20 community support structures in 19 states with significant SWT populations to educate participants on safety and housing among other things.

The government took additional steps to protect foreign domestic workers employed by foreign mission personnel during the reporting period. In June 2015, DOS briefed senior foreign embassy officials to reiterate U.S. domestic worker program requirements and foreign missions' responsibility for the welfare of these workers, and announced the launch of a new In-Person Registration Program effective October 2015. The registration program requires foreign domestic workers employed by personnel working at foreign missions and international organizations to appear (without their employer present) for an annual appointment at DOS for registration and to review the domestic worker's rights and responsibilities related to her or his employment contract. In January 2016, the government notified the United Nations Permanent Mission community that diplomatic privileges and immunities will not be conferred on individuals who are subject, at the time accreditation is sought, to pending criminal charges in the United States punishable by incarceration for more than one year. Despite these efforts, NGOs continued to raise concerns that some foreign mission personnel evade current protection measures for foreign domestic workers and again recommended the government take additional steps to protect domestic workers employed by foreign diplomats in the United States, including expanding the registration program outside of Washington D.C. and seeking input from NGOs.

The government enhanced protections for personal domestic workers employed by U.S. personnel abroad. In February 2016, the government issued new regulations holding U.S. personnel at embassies abroad to standards substantially similar to those that apply to foreign mission personnel posted in the United States with regard to the employment of domestic workers, including a new requirement that enhances protections for domestic workers brought into the host country by U.S. diplomats. The new regulations also prohibit U.S. diplomats from making deductions for food and lodging from worker wages and require them to provide non-cash wage payments directly to workers. In May 2015, an Australian court enforced a 2012 U.S. court default judgment for \$3.3 million in damages against a former American diplomat living in Australia, related to trafficking offenses committed against a domestic worker. After the judgment was enforced, the parties agreed to an out-of-court settlement. The government continued to provide anti-trafficking training for its diplomatic personnel; DOS provided both classroom and web-based training for Diplomatic Security personnel, consular officers, and other employees.

Civil enforcement of federal laws was a significant component of the government's anti-trafficking efforts. DOL investigated complaints and conducted targeted civil labor investigations involving workers in industries and sectors known to be vulnerable to labor trafficking. During the reporting period, EEOC, which enforces federal employment discrimination statutes, continued to pursue cases on behalf of workers subjected to trafficking and ensure compensation for victims of trafficking. In December 2015, EEOC settled a case on behalf of 476 workers from India for claims of race and national origin discrimination. Federal law also allows a person subjected to trafficking to independently file a civil cause of action.

U.S. laws provide extraterritorial jurisdiction over child sex tourism offenses perpetrated overseas by U.S. citizens. DOJ and DHS continued to investigate allegations of child sex tourism and partner with foreign law enforcement counterparts to share information regarding international travel of registered child sex offenders. Three defendants were convicted of federal

child sex tourism charges under the federal statute, 18 U.S.C. § 2423(c), in FY 2015. Offenders who abuse children abroad could be prosecuted under other statutes, and prosecutions based upon other statutes are not reflected in this statistic.

The U.S. government continued its efforts to reduce the demand for commercial sex and forced labor in the reporting period. DoD investigated at least 38 cases of service members allegedly violating DoD's prohibition relating to the procurement of commercial sex, compared to 39 investigations the previous year.

Federal agencies sought preliminary public comment on a proposed new rule to define recruitment fees in the context of Executive Order 13627 on "Strengthening Protections Against Trafficking in Persons in Federal Contracts," and its implementing regulations. These include a provision prohibiting contractors and those in their supply chains from charging employees recruitment fees. NGOs called for enforcement of these regulations and increased federal transparency on investigations, including into DoD contracts, as well as notice of any disciplinary action taken against federal contractors.

DOJ and other federal law enforcement agencies continued to investigate allegations of debt bondage and excessive recruitment fees required of third-country nationals working on certain U.S. government contracts abroad. There were no reports of civil actions or criminal prosecutions, debarment, or other sanctions against noncompliant employers or labor contractors from U.S. programs.

In FY 2015, the Department of the Interior (DOI) developed and launched the first Native American Human Trafficking TaskForce to conduct training and public awareness among tribal leaders and gaming institutions; this taskforce also initiated development of victim identification protocols. DHS worked with DOI to produce and deliver human trafficking training to tribal communities and develop a training program for tribal law enforcement. DOJ funded a human trafficking curriculum in Indian Country, which was presented to 20 tribes and 249 individuals during FY 2015, and visited three reservations in North Dakota to meet with law enforcement officers to improve understanding of human trafficking. HHS continued to host community listening sessions with tribal leaders and integrate human trafficking as part of its tribal consultation activities. HHS also collaborated with an NGO to launch a webinar to more than 1,000 participants on trauma-informed care for American Indian and Alaska Native victims as well as prevention and intervention strategies, and worked with tribal youth and other stakeholders to adapt a toolkit for use by college, high school, and middle school students. Challenges include a lack of a criminal justice infrastructure adequate to the needs of Indian country and a scarcity of social services for victims.

U.S. INSULAR AREAS

All forms of trafficking are believed to occur in the U.S. insular areas, including Guam, the Commonwealth of the Northern Mariana Islands (CNMI), Puerto Rico, and the U.S. Virgin Islands (USVI).

In Guam and in CNMI, members of DOJ-led human trafficking taskforces engaged in meetings with international and regional partners in Hawaii to share strategies for improving victim-centered approaches in human trafficking cases and conducted trainings and outreach with schools and with the travel and visitor industries. In collaboration with the two taskforces, DOJ also established an initiative to enhance coordination with stakeholders in the Pacific Region on victim services, law

enforcement responses, training, community outreach, and prevention programs.

In CNMI, defendants convicted of human trafficking and related crimes received lengthy sentences. For example, in February 2016, a male defendant was sentenced to the statutory maximum of 360 months in prison to be followed by three years of supervised release for sexual exploitation of a child. The defendant was also ordered to pay restitution to two minor victims.

Three defendants were convicted of human trafficking in Puerto Rico during the reporting period, and one case of sex trafficking was charged in both Puerto Rico and the USVI.

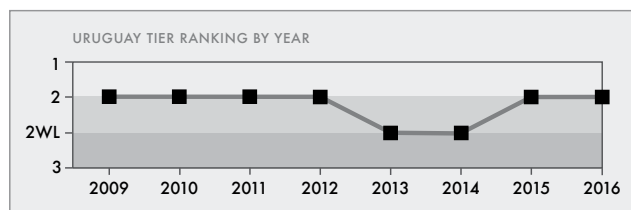
HHS provides services to foreign victims of trafficking in American Samoa, CNMI, Federated States of Micronesia, Guam, Marshall Islands, and the Republic of Palau. In 2015, the HHS-funded NHTRC hotline received 47 calls from U.S. territories, with most calls coming from Puerto Rico.

HHS provided grant-funded targeted training to federal, territorial, and local agencies in Puerto Rico and the USVI in 2015 to increase awareness of human trafficking cases, integrate standards and trauma-informed care, and apply multi-sector responses.

URUGUAY: Tier 2

Uruguay is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Uruguayan women and girls—and to a more limited extent transgender adults and male adolescents—are subjected to sex trafficking within the country. Uruguayan women are forced into prostitution in Spain, Italy, Argentina, and Brazil; however, the number of identified Uruguayan victims exploited abroad has decreased in recent years. Women from the Dominican Republic, and to a lesser extent from South American countries, are subjected to sex trafficking in Uruguay. Foreign workers, particularly from Bolivia, Paraguay, Brazil, the Dominican Republic, and Argentina, are subjected to forced labor in construction, domestic service, wholesale stores, textile industries, agriculture, and lumber processing. In 2014, some foreign fishermen aboard foreign-flagged commercial boats docked in Uruguay reported indicators of forced labor, such as non-payment of wages and physical and verbal abuse. Uruguayan officials have identified citizens of other countries, including China and the Dominican Republic, transiting Uruguay en route to other destinations, particularly Argentina, as potential victims of sex and labor trafficking.

The Government of Uruguay does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities prosecuted an increased number of suspected traffickers and identified and assisted an increased number of potential foreign sex and labor trafficking victims. Nonetheless, government funding for victim services, particularly for lodging, continued to be inadequate. The extent of efforts to assist internal trafficking victims and investigate internal trafficking cases was unclear, in part because Uruguayan law prohibits only transnational forms of trafficking.



RECOMMENDATIONS FOR URUGUAY:

Enact legislation to prohibit all forms of trafficking consistent with the 2000 UN TIP Protocol, including by criminalizing the prostitution of children as child sex trafficking; intensify efforts to investigate and prosecute all forms of trafficking and hold traffickers accountable through convictions and sufficiently stringent sentences; develop and implement standard procedures for officials to identify and refer trafficking victims; increase funding for and availability of specialized services for trafficking victims, especially outside the capital and including for male victims; increase anti-trafficking training for law enforcement officials, labor inspectors, prosecutors, judges, and social workers, particularly to identify and assist victims of sex and labor trafficking; develop and operationalize a data collection system to maintain official statistics on anti-trafficking law enforcement and victim identification efforts; finalize and implement a national action plan; and make efforts to reduce the demand for forced labor.

PROSECUTION

The government modestly increased its anti-trafficking law enforcement efforts; however, Uruguay does not prohibit all forms of trafficking. Article 78 of the immigration law, enacted in 2008, prohibits only transnational forms of trafficking, prescribing penalties of four to 16 years' imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes. This article establishes the use of violence, intimidation, deceit, or abuse of the vulnerability of the victim as aggravating factors rather than essential elements of the crime. Articles 280 and 281 of the penal code prohibit forced labor occurring within Uruguay's borders, prescribing sentences ranging from two to 12 years' imprisonment. Authorities use sexual exploitation or pimping statutes to prosecute domestic sex trafficking cases; some of these statutes prescribe lesser sentences that can be commuted to community service or fines. Two judges in the specialized court on organized crime in Montevideo had jurisdiction over all trafficking cases carried out by organized criminal groups of three or more individuals. The court lacked sufficient staffing and funding, and local officials did not always refer to the court trafficking cases meeting these guidelines. All other trafficking cases were heard by local courts with less expertise in human trafficking. In 2015, the government began drafting a comprehensive anti-trafficking law.

The government did not collect comprehensive data on anti-trafficking law enforcement efforts and had no system for tracking court cases. In 2015, the attorney general's office began piloting a new national data management system to compile all criminal and civil case data; however, Uruguay's transition from an "inquisitorial" to an "accusatorial" justice system, planned for February 2017, must take place before the new system takes effect. In the interim, individual courts and police departments will remain the central repository for data collection. The government did not provide comprehensive data on investigations initiated during the reporting period;

it reported investigating one transnational labor trafficking case in 2015. The government also initiated investigations of six cases, leading to prosecution of 16 suspected sex traffickers in 2015, compared with two investigations leading to five prosecutions in 2014; the cases involved Uruguayan and foreign victims, including one child. The government did not report any trafficking convictions in 2015, compared with two labor trafficking convictions in 2014. On appeal in 2015, sentences in the 2014 cases were reduced to 24 months' and 10 months' imprisonment, below the mandatory minimum under article 78. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government trained law enforcement, immigration, and judicial officials on human trafficking, including in partnership with an international organization. The Ministry of Interior drafted two protocols for police officers: one on detecting and investigating human trafficking and smuggling during highway procedures, and the other on detecting and investigating commercial sexual exploitation of children and adolescents. The government published and distributed to police departments, investigative offices, and specialized gender-based violence units a resource guide, with indicators to identify victims, that defines and guides responses to human trafficking, smuggling, and commercial sexual exploitation of children and adolescents. The government reported continued international cooperation through INTERPOL on an unspecified number of trafficking cases in 2015.

PROTECTION

Uruguayan authorities assisted an increased number of transnational trafficking victims in 2015, although specialized victim services remained inadequate. While labor inspectors screened for possible trafficking cases and Uruguayan officials had access to a regional guide on how to identify female victims of international sex trafficking, some officials lacked guidelines for identifying trafficking victims among vulnerable populations. The Ministry of Social Development (MIDES) reported assisting 222 (212 female and 10 male) victims of trafficking in 2015, including 14 potential labor trafficking victims, compared with 113 potential victims in 2014. Of the total, 189 victims were from the Dominican Republic and 19 were Uruguayan. The government reported identifying one child trafficking victim in 2015. The National Institute for Children and Adolescent Affairs (INAU) did not report how many children it identified in commercial sexual exploitation during the year.

The government provided 3,638,280 Uruguayan pesos (\$121,722) in 2015, an increase from 2,730,000 Uruguayan pesos (\$91,334) in 2014, for MIDES to assist adult female sex trafficking victims and women in prostitution with psychological, medical, and other services. MIDES provided some of this funding to an NGO providing specialized services. There were no specialized shelters for trafficking victims in the country, and NGOs and the government reported a need for more adequate lodging options for sex trafficking victims, as accommodation at other shelters accessible to victims was often not available. INAU did not report how many child trafficking victims it assisted at shelters for at-risk youth. Victim care services were weaker outside the capital. There were no specialized services for male trafficking victims. NGOs reported a need for long-term services such as reintegration, housing, and mental health care. MIDES provided an unspecified number of trafficking victims with employment assistance services. There were no reports trafficking victims were jailed, deported, or otherwise penalized for acts committed as a direct result of being subjected to human trafficking. While the government

did not offer trafficking-specific legal alternatives to victims' removal to countries where they faced retribution or hardship, general asylum and residential work permits were available to foreign trafficking victims in 2015.

PREVENTION

The government increased prevention efforts during the year. MIDES chaired an interagency committee that coordinated government anti-trafficking efforts. The committee met multiple times during the year and was developing a draft national plan for 2016-2020, in concert with the anti-trafficking law under development. Authorities conducted two awareness campaigns, largely focused on sex trafficking, on the borders with Brazil and Argentina. The government took actions to prevent child sex tourism and reduce the demand for commercial sex by implementing an awareness campaign aimed at companies in the hotel and travel agency industries to encourage proprietors to report suspicious or illegal behavior. The government did not make efforts to reduce the demand for forced labor. Authorities provided anti-trafficking training to Uruguayan troops prior to their deployment on international peacekeeping missions during the year. The government provided anti-trafficking training for its diplomatic personnel.

UZBEKISTAN: Tier 3

Uzbekistan is a source and destination country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Uzbek women and children are subjected to sex trafficking in the Middle East, Eurasia, and Asia, and also internally in brothels, clubs, and private residences. Uzbek men, and to a lesser extent women, are subjected to forced labor in Kazakhstan, Russia, and Ukraine in the construction, oil, agricultural, retail, and food sectors. Internal trafficking is prevalent in the country. Government-compelled forced labor of adults remains endemic during the annual cotton harvest. Some adults who refuse to pick cotton, do not pay for a replacement worker, or do not fulfill their daily quota might have been threatened with, or faced the loss of, social benefits, termination of employment, or harassment. Private companies in some regions mobilized employees for the harvest under threat of increased government inspections of and taxes on their operations. An independent observer alleged several workers were injured and at least one died, due at least in part to harvest-related activities in 2015. There were isolated reports of some local officials mobilizing classes of students aged 14 to 16 years in the final weeks of the harvest in contravention of the central government's prohibition on child labor. Mobilizations of university and third-year college and lyceum (equivalent to a U.S. high school) students, who tend to be 18 years old but include some 17 year olds, continued to be endemic. There are reports some officials required state employees and adult students to sign labor agreements or statements that they would pick cotton voluntarily. Independent observers asserted that forced mobilization of adult workers increased in 2015 to compensate for the loss of underage workers. Local officials used forced adult labor, including employees of schools and medical facilities, for weeding cotton fields. There were also isolated reports stating local officials forced teachers, students (including children), private business employees, and others to work in construction, non-cotton agriculture, and the silk industry, as well as to clean parks, streets, and buildings. Authorities harassed, detained, and, in some cases, abused independent activists attempting to observe

the spring weeding season and the fall harvest, and at least two activists faced criminal charges, potentially as retaliation for attempting to document labor violations in the cotton fields.

The Government of Uzbekistan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Government-compelled forced labor of adults remained endemic in the 2015 cotton harvest. The central government continued to demand farmers and local officials fulfill state-assigned cotton production quotas and set insufficiently low prices for cotton and labor to attract voluntary workers, which led to the wide-scale mobilizations of adult laborers and a smaller number of child laborers. The government also increased its attempts to conceal possible labor violations in cotton fields by aggressively confronting, harassing, and detaining independent monitors attempting to observe and document the harvest. However, the government took a number of steps this year regarding the cotton harvest. The government continued to collaborate with ILO and fulfilled its agreement with the World Bank and ILO to allow ILO officials to conduct a labor recruitment survey under the Decent Work Country Program and, separately, monitor the 2015 harvest for risks of child and forced labor in 11 of Uzbekistan's 14 regions, comprising 60 percent of Uzbekistan's cotton producing territory. For the fifth consecutive year, Uzbekistan reduced its use of child labor, largely, effectively enforcing its decree prohibiting the participation of children younger than age 18 in the harvest. The 2015 cotton harvest marked the second year the government conducted a nationwide campaign to raise awareness of the prohibition of child labor in the cotton harvest, and the first time the government included anti-forced labor messaging in the campaign. Further, the government enacted a national action plan aimed at ending forced labor that it developed in consultation with the World Bank and ILO. It has already identified sources of funding for the various steps in this plan. Separately, the government committed to keep college and lyceum students (equivalent to a U.S. high school) out of the 2016 cotton harvest, including those aged 18. On transnational trafficking, authorities continued to prosecute suspected traffickers and continued to fund a rehabilitation center for trafficking victims. The government also provided trafficking-specific training to police, judges, and other authorities. Uzbek authorities collaborated with foreign governments on several transnational investigations in 2015.



RECOMMENDATIONS FOR UZBEKISTAN:

Take substantive action to end the use of forced adult labor during the annual cotton harvest; continue substantive actions to eliminate forced child labor from the annual cotton harvest; grant independent observers full access to monitor cotton cultivation and cease harassment, detention, and abuse of activists for documenting labor conditions; begin implementing the national action plan for improving labor conditions in the agricultural sector to reduce pressure for farmers and officials to compulsorily mobilize labor for the cotton harvest; implement commitments to not mobilize teachers, medical workers, and college and lyceum students; increase investigations and, when sufficient evidence exists, prosecute officials complicit in human trafficking, respecting due process; provide adequate

mechanisms to enable students and state employees to refuse to participate in the cotton harvest without the threat of coercion; enhance and continue promoting awareness of labor rights, including in regard to the cotton harvest; improve processes for registering and investigating violations of labor rights; provide additional support to anti-trafficking NGOs assisting and sheltering victims who were not admitted to the state-run shelter; take additional steps to ensure victims are not penalized for acts committed as a result of being subjected to trafficking, including for illegal border crossing; continue to improve procedures for identifying trafficking victims to ensure they are systematic and proactive, and efficiently refer victims to protection services; and continue efforts to investigate and prosecute suspected trafficking offenders, respecting due process.

PROSECUTION

The government maintained strong law enforcement efforts against sex and transnational labor trafficking. Article 135 of the criminal code prohibits both sex trafficking and forced labor, prescribing penalties of three to 12 years' imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. Uzbekistan provided law enforcement data regarding investigations, prosecutions, convictions, and sentences of trafficking and crimes related to trafficking. Authorities reported conducting 696 investigations and prosecuting 372 cases for crimes related to trafficking in 2015. Authorities reported convicting 460 people for crimes related to trafficking in 2015, a decrease from 583 in 2014. The government reported 442 convictions carried a prison sentence, and 15 carried a sentence of correctional labor; it was unknown how many of these sentences were suspended. The Ministry of Interior (MOI) maintained an investigatory unit dedicated to trafficking crimes. The government provided trafficking-specific training to police, judges, and other authorities. Uzbek authorities collaborated with foreign governments on several transnational investigations in 2015. Despite evidence of official complicity in the cotton harvest and other sectors with forced labor, the government did not report any criminal investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses this year, but did fine seven officials for forced labor violations, which were administrative.

PROTECTION

The government made efforts to identify, assist, and protect victims of sex and transnational labor trafficking, but demonstrated limited efforts to assist victims of forced labor in the cotton harvest. The government identified 924 victims of trafficking-related crimes in 2015, a decrease from 1,208 in 2014. Of these 924 victims, 140 were exploited within the country, while the remaining victims were Uzbek citizens exploited in other countries. NGOs and an international organization identified and assisted 774 trafficking victims in 2015, compared with 847 in 2014. Uzbekistan's diplomatic missions abroad helped repatriate 146 victims by issuing travel documents. The government lacked a systematic process for proactive identification of victims from vulnerable populations, including those subjected to internal trafficking, and to refer those victims to protective services. Police, consular officials, and border guards who were able to identify potential trafficking victims could refer them to a state-run shelter or NGOs for services. To be eligible to receive government-provided rehabilitation and protection services, victims must file a criminal complaint with the authorities in their community of origin, after which the MOI can decide to initiate an

investigation and grant official "victim" status to the individual. NGOs reported good cooperation in referring cases to the MOI that led to investigations and victim certification.

The government allocated approximately 459 million soum (\$160,700) to operate its Tashkent-based trafficking rehabilitation center for men, women, and children with official victim status, which assisted 503 victims in 2015, an increase from 369 in 2014. This center provided shelter, medical, psychological, legal, and job placement assistance. Victims could discharge themselves from the shelter, though, at times, authorities required victims to stay to assist a criminal case. The center could accommodate foreign victims, but has not done so since the shelter opened. The center has not accommodated a victim of sex trafficking since 2011. Officials reported some faraway regions did not refer victims to the shelter due to transportation costs, which were the responsibility of local neighborhood councils. In addition to the shelter, authorities provided security to victims cooperating with law enforcement, including escort to and from trials. The government provided funding to local NGOs to conduct vocational trainings and provide health services for victims, in addition to tax benefits and the use of government-owned land. These NGO services were critical because officials referred sex trafficking victims to them, as well as victims who did not wish to pursue a criminal case and were thereby ineligible to access the state-run shelter. Transnational sex and labor trafficking victims could face a criminal penalty for illegally crossing the border, but NGOs reported authorities dropped these charges when NGOs proved victimhood to the authorities. Victims were not permitted to provide testimony via video or written statements, nor were their identities kept confidential during proceedings. Victims lacked an effective mechanism to receive restitution from their traffickers; victims could bring civil suits against traffickers, but most could not afford legal representation.

PREVENTION

The government did not take sufficient steps to modify the agricultural policies that create pressure for the use of mobilized labor, including production quotas and low wages for pickers. In December 2015, the government committed to reduce the total acreage for cotton production by about 13 percent by 2020, and in January 2016 the government introduced a national action plan that included agricultural reforms towards eliminating forced labor. The 2015 harvest also marked the second consecutive year the government conducted a nationwide campaign to raise public awareness of its prohibition of child labor in the cotton harvest, and, for the first time, the government included anti-forced labor messaging in the campaign. Labor inspectors fined seven officials for using child labor to pick cotton; the government did not specifically report filing criminal charges against officials to deter such conduct. Further, the central government continued to demand farmers and local officials fulfill state-assigned cotton production quotas, which likely led to the wide-scale mobilized adult labor and isolated incidents of child labor.

In 2015, the government pledged not to mobilize teachers and medical workers for the cotton harvest; however, this was not fulfilled. The government stated its intention to increase the availability of mechanized harvesters, but such plans continued to be stymied by financial hurdles and farmers' preference for manual labor. In March 2016, the government pledged not to mobilize third-year college and lyceum students who are generally 18 years of age, but can be 17. With government approval, in 2015, ILO conducted a qualitative survey on

recruitment practices in agriculture, which detailed the risks of forced labor, particularly in the quota system and large-scale recruitment for the cotton harvest. In addition, the government fulfilled its agreement with the World Bank and ILO to allow ILO to monitor the 2015-2017 cotton harvests for child and forced labor in regions in which World Bank-funded projects were underway—this area comprised approximately 60 percent of Uzbekistan’s cotton-producing territory. In collaboration with the World Bank and ILO, the government established two feedback mechanisms for citizens to report labor violations. The government reported it provided redress in seven cases of unpaid wages affecting 250 people. Independent observers reported the associated call centers were not always accessible and national security services threatened several individuals who provided information to the hotlines with intimidation and pay-cuts if they reported additional violations. In January 2016, the government approved an action plan on labor conditions in the agricultural sector for 2016-2018, which aimed to strengthen labor inspections and the feedback mechanisms for citizens reporting labor violations, develop a methodology for identifying the minimum quantity of workers and wages needed for farms, and prepare a feasibility study for liberalizing cotton production, among other items.

The government continued to implement its 2015-2016 national action plan to combat transnational trafficking through its national network of anti-trafficking coordination commissions. The national government conducted monitoring visits and provided training to local-level commissions. Authorities promoted wide-scale public awareness efforts on transnational sex and labor trafficking, including through events, print media, television, and radio, often through partnering with and providing in-kind support to NGOs. The government did not conduct efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

VENEZUELA: Tier 3

Venezuela is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Venezuelan women and girls are subjected to sex trafficking and child sex tourism within the country, including some lured from poor interior regions to urban and tourist centers. NGOs continue to report Venezuelan women are subjected to forced prostitution in Caribbean island countries, particularly Aruba, Curaçao, and Trinidad and Tobago. Venezuelan children are exploited within the country, frequently by their families, in domestic servitude. Venezuelan officials and international organizations have reported identifying sex and labor trafficking victims from South American, Caribbean, Asian, and African countries in Venezuela. Ecuadorians, Filipinos, and other foreign nationals are subjected to domestic servitude by other foreign nationals living in Venezuela. Venezuelan officials reported an increase of sex trafficking in the informal mining sector. Media reports indicate some of the estimated 30,000 Cuban citizens, particularly doctors, working on behalf of their government in Venezuela on social programs may experience treatment indicative of forced labor. Some of these Cubans attribute such treatment to their own government, including labor trafficking indicators such as chronic underpayment of wages, mandatory long hours, and threats of retaliatory actions against the citizens and their families if they leave the program.

The Government of Venezuela does not fully meet the minimum

standards for the elimination of trafficking and is not making significant efforts to do so. The government released minimal information on its efforts. Authorities investigated at least one sex trafficking case and indicted at least one trafficker, but reported no prosecutions or convictions. The lack of reliable data on government anti-trafficking efforts made these efforts difficult to assess. The government did not report identifying or assisting trafficking victims. The extent of efforts to investigate internal forced labor, protect child sex trafficking victims, or improve interagency coordination to address trafficking was unclear.



RECOMMENDATIONS FOR VENEZUELA:

Draft and enact comprehensive anti-trafficking legislation prohibiting all forms of trafficking; provide specialized services for all trafficking victims, working in partnership with civil society organizations and other service providers; strengthen and document efforts to investigate and prosecute cases of sex trafficking and forced labor, and convict and punish traffickers; develop and publish an updated anti-trafficking action plan and allocate resources to implement it; enhance interagency cooperation by forming a permanent anti-trafficking working group; implement formal procedures and training for identifying trafficking victims among vulnerable populations, such as persons in prostitution, and for referring victims for care; and improve data collection on government anti-trafficking efforts and make this data publicly available.

PROSECUTION

The government decreased efforts to hold traffickers criminally accountable, although the lack of comprehensive public data on investigations, prosecutions, and convictions made overall law enforcement efforts against human trafficking difficult to assess. Venezuelan law prohibits some forms of human trafficking, specifically trafficking of women and girls, through a 2007 law on women’s rights that prescribes punishments of 15 to 30 years’ imprisonment. Contrary to the international definition, the law requires force, fraud, or coercion in its definition of sex trafficking of girls. It also prohibits human trafficking by organized criminal groups through its law on organized crime, which prescribes 20 to 30 years’ imprisonment for human trafficking carried out by a member of an organized criminal group of three or more individuals. However, the organized crime law fails to prohibit trafficking by any individual not affiliated with an organized criminal group and fails to prohibit trafficking men. The penalties for these trafficking crimes are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the year, the legislature did not pass a draft anti-trafficking law, first introduced in 2010.

Venezuelan authorities did not report the total number of trafficking cases investigated or individuals prosecuted or convicted for human trafficking in 2015. According to government websites and media reports, officials pursued at least two sex trafficking investigations under trafficking laws during the year. According to press reports, the government indicted at least one sex trafficker; there were no reported prosecutions

or convictions. In comparison, the government reported three trafficking convictions in 2014 with sentences ranging from eight to 18 years' imprisonment. The government reported the Ministry of Interior, Justice, and Peace's organized crime office (ONDOFT) trained 1,800 security personnel in 12 states during 2015 to identify and assist trafficking victims. Authorities did not report cooperating with foreign governments on trafficking investigations during the year. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

Authorities provided limited information about trafficking victim identification and assistance in 2015, but decreased victim protection efforts. ONDOFT operated a 24-hour hotline to receive reports of suspected trafficking cases. As in previous years, the government did not specify the kinds of assistance provided to victims in 2015. The government did not report on the existence of formal procedures for identifying trafficking victims among vulnerable populations or referring victims to services. Victim referrals to different government entities, including ONDOFT and the women's ministry, occurred on an *ad hoc* basis.

The availability of victim services remained limited. There were no specialized shelters for trafficking victims in the country. Victims could reportedly access government centers for victims of domestic violence or at-risk youth, although services for male victims were minimal. NGOs provided some specialized services to victims of sex trafficking and forced child labor. The government reportedly made psychological and medical examinations available to trafficking victims, but additional victim services—such as follow-up medical aid, legal assistance with filing a complaint, job training, and reintegration assistance—remained lacking. There was no publicly available information on whether the government provided assistance to repatriated Venezuelan trafficking victims during the reporting period or encouraged victims to assist in the investigation and prosecution of traffickers. There were no publicly available reports of victims being jailed or penalized for unlawful acts committed as a direct result of being subjected to trafficking, and NGOs and international organizations reported this did not generally occur. An international organization continued to work with the government to file requests for asylum and relief from deportation for victims from Colombia who feared reprisals from traffickers or criminal organizations if they returned to Colombia, though it is unclear if any victims did so in 2015.

PREVENTION

The government made minimal efforts to prevent human trafficking in 2015. No permanent anti-trafficking interagency body existed, and the government did not have a current anti-trafficking plan or strategy. Authorities continued some awareness efforts aimed at sexual violence broadly, including a public service announcement about sexual exploitation and the distribution of anti-trafficking posters and pamphlets, most of which focused on sex trafficking of women and girls. There were no publicly available reports of new investigations, prosecutions, or convictions for child sex tourism offenses in 2015. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not report any specific activities to reduce the demand for commercial sex acts during the year.

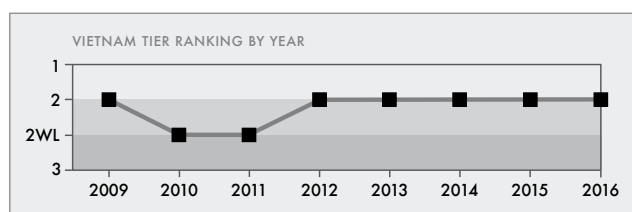
VIETNAM: Tier 2

Vietnam is a source country and, to a lesser extent, a destination, for men, women, and children subjected to sex trafficking and forced labor. Vietnamese men and women migrate abroad for work independently or through state-owned, private, or joint-stock labor recruitment companies. Some recruitment companies are unresponsive to workers' requests for assistance in situations of exploitation, and some charge workers excessive fees, leaving workers with exorbitant debts and vulnerable to debt bondage. Some victims are subjected to forced labor in the construction, fishing, agricultural, mining, logging, and manufacturing sectors, primarily in Taiwan, Malaysia, Republic of Korea, Laos, Angola, United Arab Emirates, and Japan. Workers may find themselves compelled to work in substandard conditions for little or no pay, with large debts and no legal recourse to address labor law violations. Vietnamese women and children are subjected to sex trafficking abroad; many are misled by fraudulent labor opportunities and sold to brothel operators on the borders of China, Cambodia, and Laos, and in other Asian countries, including Thailand, Malaysia, Republic of Korea, Taiwan, and Singapore. Some Vietnamese women who travel abroad for internationally brokered marriages or jobs in restaurants, massage parlors, and karaoke bars—mostly to China and increasingly to Malaysia and Singapore—are subjected to domestic servitude or forced prostitution. False advertising, debt bondage, passport confiscation, and threats of deportation are tactics commonly used to compel Vietnamese victims into servitude. Traffickers increasingly use the internet, gaming sites, and social media to lure potential victims into vulnerable situations; for example, men entice young women and girls with online dating relationships and persuade them to move abroad then subject them to forced labor or sex trafficking. Victims are recruited by relatives, acquaintances, or neighbors, often with the knowledge, consent, or persuasion of close family members. Vietnamese organized crime networks recruit, under pretenses of lucrative job opportunities, and transport Vietnamese, including children, to Europe—particularly the United Kingdom—and subject them to forced labor on cannabis farms.

Within the country, Vietnamese men, women, and children—particularly street children and children with disabilities—are subjected to forced labor, although little information is available on these cases. Children are subjected to forced street hawking and begging in major urban centers of Vietnam. Some children are subjected to forced and bonded labor in informal garment and brick factories or urban family homes and privately run rural gold mines. Many children from impoverished rural areas, and a rising number from middle class and urban dwellings, are subjected to sex trafficking. Child sex tourists, reportedly from Asia, the United Kingdom, Australia, Europe, Canada, and the United States, exploit children in Vietnam. Although a 2014 legal provision requires a judicial proceeding before detention of drug users in compulsory drug rehabilitation centers and restricts to three hours detainees' maximum work day, some drug users detained administratively under the previous legal provision were subjected to forced labor in rehabilitation centers. NGOs report some complicit Vietnamese officials, primarily at commune and village levels, facilitate trafficking or exploit victims by accepting bribes from traffickers, overlooking trafficking indicators, and extorting profit in exchange for reuniting victims with their families.

The Government of Vietnam does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Vietnam amended its penal code to

bring its anti-trafficking law closer to international standards, but the changes were not in effect at the close of the reporting period. The government convicted fewer traffickers in 2015 and, although it initiated investigations, it did not pursue criminal prosecutions for forced labor. The government continued to provide anti-trafficking training for officials and develop interagency cooperation; however, many officials lacked the skills to identify victims or to investigate labor trafficking cases. The government continued to subject to forced labor some individuals administratively detained in drug rehabilitation centers. Vietnamese officials abroad assisted with the return of an unknown number of trafficking victims in 2015 and worked with NGOs to help repatriate victims from China. Vietnam entered into memoranda of understanding with 11 primary destination countries and updated its agreement with Malaysia to ban the practice of employers retaining employees' passports. NGOs report border officials in high-risk trafficking areas increased their engagement to investigate trafficking cases.



RECOMMENDATIONS FOR VIETNAM:

Fully enact and implement articles 150 and 151 of the new penal code, which amend articles 119-120 of the current penal code, to vigorously prosecute all forms of trafficking and convict and punish traffickers, especially in cases involving forced labor or complicit officials; continue to strengthen and actively monitor labor recruitment companies and enforce regulations prohibiting the imposition of recruitment fees; fully implement plans to train officials on implementation of the amendments to the penal code, with a focus on identifying and investigating forced labor and internal trafficking cases; cease the practice of subjecting Vietnamese drug users to forced labor in government-run rehabilitation centers; implement policies to identify and assist victims among vulnerable groups, such as migrant workers, individuals in prostitution, and child laborers, and train relevant officials on these procedures; expand training for consular officials on worker rights and international labor standards; support efforts of international organizations or other stakeholders to research and report on trafficking trends in Vietnam, including the public release of findings; finalize the database on trafficking statistics and disseminate information at the national level; improve interagency cooperation on anti-trafficking efforts in order to effectively implement the national plan of action and ensure sufficient resources are dedicated to the plan; develop programs that reduce stigma and promote reintegration of trafficking returnees; implement anti-trafficking campaigns directed at reducing child sex tourism; and ratify and fully implement the Association of Southeast Asian Nations (ASEAN) Convention Against Trafficking in Persons, Especially Women and Children (ACTIP).

PROSECUTION

The government demonstrated uneven law enforcement efforts; it made progress in reforming its anti-trafficking legal framework, but obtained fewer convictions. Vietnam's 2012 anti-trafficking law expanded articles 119 and 120 of the country's penal code to define and criminalize sex and labor

trafficking; however, these articles do not prohibit all forms of trafficking, and labor trafficking provisions in the 2012 anti-trafficking law have not been applied in prosecutions due to a lack of awareness. In November 2015, the National Assembly passed a new penal code that included articles 150-151 on human trafficking, which amended articles 119 and 120 of the anti-trafficking law by describing most of the acts, means, and purposes of trafficking included in the international definition and more clearly defining the prescribed penalties and aggravating factors. The amended articles do not require the means of force, fraud, or coercion for trafficking anyone younger than 16 years of age, but the no means requirement should apply to anyone 18 years of age or younger, to be consistent with the international definition. However, penal code articles 150-151 were not yet legally in effect at the end of the reporting period. Based on the severity of the crime, anti-trafficking law articles 119-120 prescribe punishments ranging from two to 20 years' and three years' to life imprisonment, respectively, and impose fines on traffickers ranging between five and 50 million Vietnamese dong (\$450-\$4,450); these punishments are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. In 2015, the government made modest progress on the development of a nationwide computer database—launched in 2014—to track trafficking cases. Although in its nascent stage, the database improved the accuracy of trafficking statistics; however, discrepancies persisted in interagency data on anti-trafficking law enforcement and victim identification.

The government arrested 544 suspected traffickers. It prosecuted 442 and convicted 217 trafficking offenders (under anti-trafficking law articles 119 or 120), compared with 472 prosecutions and 413 convictions in 2014. Sentences ranged from probation to life in prison. Authorities did not report how many cases involved sex or labor trafficking or how many were for internal or transnational trafficking. Because the penal code does not specifically criminalize labor trafficking, officials lacked confidence in a legal basis to prosecute labor trafficking and treated such cases as administrative violations under the country's labor laws, which do not prescribe criminal penalties. Labor officials suspended the licenses of a few companies, mandated companies implement required pre-departure training for laborers, and conducted inspections based on labor complaints but largely left labor recruitment companies to resolve individual contract disputes with workers over fraudulent recruitment and conditions indicative of forced labor. The government sent interagency delegations to participate in joint investigations on an ad hoc basis in Cambodia, China, Kazakhstan, Laos, Poland, Russia, Singapore, Thailand, and the United Kingdom, and more routinely in China, Cambodia, and Laos for rescue operations.

A lack of coordination across provincial agencies impeded overall law enforcement in Vietnam, and budget constraints precluded some local authorities from pursuing trafficking cases, especially when they occurred in isolated parts of the country. In addition, some officials' poor understanding of the anti-trafficking legal framework resulted in uneven law enforcement efforts. Police included a module on anti-trafficking in its overall training for new recruits. The government organized 20 anti-trafficking training sessions for more than 500 interagency officials. The Ministry of Public Security partnered with Australian authorities to conduct an anti-trafficking training for 26 Vietnamese police from jurisdictions across Vietnam. Some complicit officials, primarily at commune and village levels, accepted bribes from traffickers, overlooked trafficking indicators, and extorted profit in exchange for reuniting victims with their families. The

government did not report any investigations, prosecutions, or convictions of officials complicit in human trafficking offenses.

PROTECTION

The government maintained modest efforts to protect victims. In 2015, authorities identified 1,000 potential trafficking victims—a slight decline from 1,031 the previous year—but did not report how many were subjected to sex or labor trafficking, how many were adults or children, or how many were exploited in Vietnam or abroad. Victim identification and referral mechanisms remained inadequate throughout the country. The government had a formal procedure for victim identification that it did not proactively or widely employ to identify victims among vulnerable groups, such as women arrested for prostitution, migrant workers returning from abroad, and child laborers. It also did not systematically refer victims to protective services due to inadequacies in its formal referral process, including some border guards' unfamiliarity with trafficking crimes and a lack of interjurisdictional cooperation, in addition to the large number of victims who self-identified, were returned via unofficial border crossings, or lacked identification documentation. Officials continued to conflate trafficking with smuggling, which precluded the identification of victims who voluntarily migrated abroad.

In 2015, the Ministry of Labor, Invalids, and Social Affairs (MOLISA) provided protection, repatriation, and reintegration support to 650 trafficking victims, compared with 668 the previous year. Although protection services remained variable by location, the majority of victims received vocational training, healthcare, legal aid, shelter, counseling, and financial allowances. Authorities did not report how many victims used the one-time government cash subsidy—up to 1.5 million dong (\$65). MOLISA continued operating 400 social protection centers through local authorities, which provided services to a wide range of vulnerable groups, including trafficking victims; these centers were unevenly staffed and resourced and lacked appropriately trained personnel to assist victims. The Vietnam Women's Union, in partnership with NGOs and with foreign donor funding, continued to operate three shelters in urban cities, one of which was trafficking-specific. There are no shelters designated exclusively for male or child victims, though existing shelters provided assistance to all victims as needed.

Vietnam maintained labor attaches at its embassies in nine countries with large numbers of documented Vietnamese migrant workers; however, some Vietnamese diplomatic personnel reportedly lacked sufficient training to adequately assist victims. In an unknown number of repatriation cases, Vietnamese diplomatic missions provided basic provisions, transportation, and healthcare to Vietnamese nationals subjected to trafficking abroad. The government encouraged trafficking victims to assist in judicial proceedings against traffickers and offered them some protection and compensation; however, the extent to which these measures were applied remained unknown. Vietnamese law protects victims from being prosecuted for actions taken as a consequence of being subjected to trafficking; however, because officials are not properly trained in identification techniques, some may have treated some victims as criminals. NGOs reported victims expressed trepidation in returning to Vietnam—particularly without proper documentation—given the endemic social stigma attached to being a victim, dread of retribution in their local communities, and fear of punishment for illegal acts committed as a result of being subjected to trafficking. The government did not offer foreign victims legal alternatives

to their removal to countries where they faced retribution or hardship.

PREVENTION

The government increased efforts to prevent trafficking. During the reporting period, the government approved a four-year (2016-2020) national anti-trafficking action plan to address forced labor, improve victim services, and implement the revised anti-trafficking penal code; however, it did not endorse a specific budgetary allotment to implement the plan. The government continued to develop its national database on trafficking statistics, which commenced operation during the previous year. In 2015, officials supported anti-trafficking awareness campaigns by partnering with national and local media outlets to conduct radio and television stories, publish news articles, and disseminate fliers on trafficking. The government conducted workshops and hosted community dialogues on vulnerabilities to labor trafficking, targeting areas prevalent with foreign contract labor. It also organized theatrical performances and social events in high-risk provinces to warn vulnerable populations of the risks of trafficking for women entering brokered marriages abroad. The government fully suspended two labor recruitment companies for labor export law contraventions and suspended three companies from recruiting workers to Saudi Arabia; it initiated 23 criminal investigations against 27 unlicensed organizations after observing indicators of labor trafficking. During the year, Vietnam entered into memoranda of understanding with 11 primary destination countries and updated its agreement with Malaysia to ban the practice of employers retaining employees' passports. The pre-departure fee and deposit system for Vietnamese migrant workers—ranging from 6.5-65 million dong (\$585-\$5,850)—could have decreased the debt burden experienced by some workers if scrupulously enforced; however, this scheme may have increased overseas workers' vulnerability to debt bondage if recruiters charged in excess. The government made tangible efforts to reduce the demand for commercial sex acts during the reporting year by conducting raids at unscrupulous establishments notorious for prostitution and prostitution brokering. It provided anti-trafficking training for its diplomatic personnel.

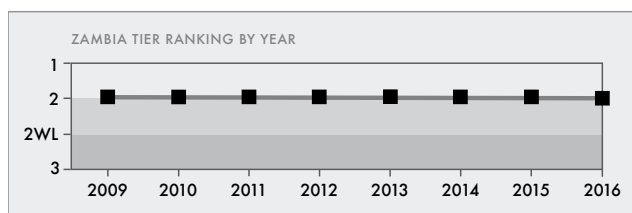
ZAMBIA: Tier 2

Zambia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most trafficking occurs within the country's borders and involves women and children from rural areas exploited in cities in domestic servitude or forced labor in agriculture, textile production, mining, construction, small businesses such as bakeries, and forced begging. Zambian children may be forced by *jerabo* gangs engaged in illegal mining to load stolen copper ore onto trucks in Copperbelt Province. While orphans and street children are most vulnerable, children of affluent village families are also at risk of trafficking because sending children to the city for work is perceived to confer status. Zambian boys and girls are exploited in sex trafficking by truck drivers in towns along the Zimbabwean and Tanzanian borders and by miners in Solwezi. Zambian boys are subjected to sex trafficking in Zimbabwe and women and girls are subjected to sex trafficking in South Africa. Domestically, extended families and trusted family acquaintances facilitate trafficking.

Women and children from neighboring countries are exploited in forced labor or sex trafficking in Zambia. Nationals from

South and East Asia are exploited in forced labor in textile factories, bakeries, and Chinese-owned mines. Chinese traffickers bring in Chinese women and girls for sexual exploitation in brothels and massage parlors in Lusaka; traffickers use front companies posing as travel agencies to lure Chinese victims and coordinate with Zambian facilitators and middlemen. Southeast Asians who transit Zambia are subjected to forced labor in construction in South Africa by South African criminal groups. Potential trafficking victims from Ethiopia, Democratic Republic of the Congo, and Syria were identified in Zambia.

The Government of Zambia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated 13 cases, nine of which were prosecuted, and five of these cases resulted in convictions. The government identified 192 potential trafficking victims during the reporting period, but it was unclear how many of these victims received protective services. The government did not improve the condition of its shelters and lacked means to shelter male victims of trafficking. The government's minimal budget for anti-trafficking efforts severely limited its capacity to provide services to victims. The anti-trafficking inter-ministerial committee did not meet during the reporting period. In addition, limited training provided for investigators, police, prosecutors, magistrates, and judges on human trafficking continued to hamper the government's anti-trafficking law enforcement efforts. Although the government investigated cases involving victims from neighboring countries, it did not investigate more organized trafficking operations involving foreign companies or address internal trafficking, including forced child labor and domestic servitude.



RECOMMENDATIONS FOR ZAMBIA:

Amend the 2008 anti-trafficking act to use a broad definition of trafficking that does not rely on evidence of movement, but rather focuses on exploitation; amend the trafficking law to enable prosecution of child sex trafficking without an element of force, fraud, or coercion; increase resources for victim services, including to expand the availability of shelters and ensure alternative services are available for male victims; investigate and prosecute internal sex and labor trafficking cases involving both children and adults; train police, immigration officials, prosecutors, and judges on investigating and prosecuting trafficking crimes; increase the number of labor inspectors and ensure they are trained on trafficking indicators; formalize and implement victim identification and referral procedures, and train law enforcement and social welfare officials on their use, including in vulnerable populations; improve coordination among service providers to prevent detention of male victims; compile and share information on trafficking cases and trends; strengthen coordination and collaboration efforts between relevant ministries; and develop and adopt an updated multi-year national anti-trafficking strategy and action plan and continue to conduct public awareness campaigns.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts, initiating nine prosecutions in 2015, compared with four prosecutions in 2014. The anti-trafficking act of 2008 criminalizes some forms of trafficking; contrary to international law, it requires the use of threat, force, intimidation, or other forms of coercion for a child to be considered a sex trafficking victim. The act prescribes penalties ranging from 20 years' to life imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated 13 potential trafficking cases, in comparison with five cases the previous year. It initiated prosecution of nine traffickers, compared with four the previous year, and convicted five traffickers. A majority of the trafficking cases investigated involved cross-border crimes; the government did not investigate internal cases involving Zambian children exploited in prostitution and domestic servitude or in forced labor in the Zambian mining and agricultural sectors. In one case, the government convicted and sentenced a Congolese man to 18 months' imprisonment for the exploitation of five children in forced labor in Australia; the government recommended review by High Court for a sentence longer than 10 years. Officials rarely investigated forced child labor offenses or cases in which victims were not moved across borders; the Ministry of Labor and Social Security (MLSS) Child Labor Unit used mediation with parents as the usual process for handling child labor cases. The government had limited capacity to monitor the mining and agricultural sectors and did not investigate or prosecute companies for labor trafficking in these sectors; allegedly, large or foreign companies and foreign governments exerted influence over officials, preventing investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

The national police academy trained an unknown number of officials on the 2008 anti-trafficking act, case investigation techniques, and procedures to identify and protect victims. The government maintained a database to track trafficking case data. The government continued its partnerships in the region through routine coordination of anti-trafficking efforts with Zimbabwe and South Africa during the reporting period.

PROTECTION

The government made minimal efforts to assist victims. It was unclear whether the victims identified were victims of trafficking, as officials often conflated cases of smuggling and trafficking, and it did not increase its capacity to adequately protect victims. The government identified 192 potential trafficking victims during the reporting period. It provided modest in-kind support and otherwise relied on international organizations and local NGOs to provide the majority of victim care. The government allocated 50,000 kwacha (\$4,500) for its anti-trafficking budget, as in the previous reporting period.

Officials and service providers used standard procedures to identify trafficking victims among vulnerable populations, such as migrants and unaccompanied minors. The government expanded its national referral mechanism to provide for vulnerable migrants, including asylum-seekers, refugees, unaccompanied and separated children, stranded migrants, and stateless persons. The Ministry of Community Development, Mother and Child Health (MCDMCH) oversaw the placement

of victims in NGO shelters and continued to provide in-kind assistance. Government officials, in partnership with international organizations, offered routine assistance to victims, including medical care, counseling, court preparation, and repatriation or regularization of immigration status; however, it was unclear how many victims benefited from these services during the year. The Department of Immigration, in partnership with an international organization, trained officers at ports of entry to identify and interview potential victims of trafficking. The government offered legal alternatives to the removal of victims to countries where they may face hardship or retribution; however, it is unclear how many victims received such assistance in 2015.

The government did not increase the availability of shelter options and government agencies and NGOs reported a lack of resources to establish or upgrade additional shelters in 2015. Government and NGO shelters lacked sufficient capacity to serve victims, especially men. The MCDMCH operated a 40-person shelter in Luapula province, and oversaw two NGO shelters. MCDMCH's planned construction of a new shelter in Kapiri Mposhi, a central transit point, which was planned to start in 2013, remained incomplete for the third consecutive year. NGO shelters did not provide accommodation for male victims older than age 12. As a result of the lack of shelter availability and resources, it was not uncommon for the government to house victims, including children, in jail for short periods.

PREVENTION

The government maintained minimal efforts to prevent trafficking. It did not host a fifth National Symposium on Human Trafficking during the reporting period, which in the prior four years focused on protecting migrants from trafficking and exploitation. The government did not review or update the 2012-2015 national action plan to combat trafficking. The national secretariat and an inter-ministerial committee were ineffective in their oversight of national anti-trafficking efforts, as overall prevention efforts decreased and prior annual engagements were not upheld during the reporting period. The anti-trafficking inter-ministerial committee did not meet during the reporting period. In collaboration with an international organization, the Ministry of Community Development and Social Services (MCDSS) launched an awareness-raising campaign called "Safe Migration: My Right, My Responsibility," aimed at capacity building for district stakeholders in Chipata, Livingstone, Chilalabombwe, Nakonde, and Sesheke in order to assist in the identification of trafficking victims. Additionally, MCDSS provided anti-trafficking training to 80 officials through the production of radio messages to highlight and raise awareness of the indicators of human trafficking at community radio stations in Eastern, Copperbelt, Central, Southern, and Lusaka Provinces.

During the year, MLSS did not employ any labor inspectors due to funding constraints, a significant decrease compared to 58 labor officers employed the previous year and 108 in 2013, leaving the number of inspectors inadequate and inefficient in identifying potential labor trafficking cases. MLSS officials regulated fees paid by workers to recruitment agencies to screen for exploitative labor recruitment practices. In 2013, the government began a review of the employment act to determine how best to address potential abuses in the informal sector, including domestic service, that are not adequately covered under the current law; the review remained incomplete. The government did not make efforts to reduce the demand for commercial sex or forced labor. Zambian peacekeepers

received anti-trafficking training on how to identify and protect potential trafficking victims. The government did not provide anti-trafficking training for its diplomatic personnel.

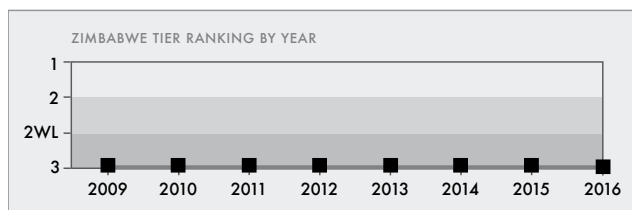
ZIMBABWE: Tier 3

Zimbabwe is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and girls from Zimbabwean towns bordering South Africa, Mozambique, and Zambia are subjected to forced labor, including domestic servitude, and sex trafficking in brothels catering to long-distance truck drivers on both sides of the borders. There are continuous reports of Zimbabwean women lured to China and the Middle East for work where they are vulnerable to trafficking. Zimbabwean men, women, and children are subjected to forced labor in agriculture and domestic service in the country's rural areas, as well as domestic servitude and sex trafficking in cities and surrounding towns. Family members recruit children and other relatives from rural areas for work in cities where they are often subjected to domestic servitude or other forms of forced labor; some children, particularly orphans, are lured with promises of education or adoption. Reports indicate that adults have recruited girls for child sex trafficking in Victoria Falls. Children are subjected to forced labor in the agricultural and mining sectors and are forced to carry out illegal activities, including drug smuggling. There were increased reports of children from Mozambique being subjected to forced labor in street vending in Zimbabwe, including in Mbare. Additionally, the practice of *ngozi*, giving a family member to another family to avenge the spirits of a murdered relative, creates a vulnerability to trafficking.

Zimbabwean women and men are lured into exploitative labor situations in agriculture, construction, information technology, and hospitality largely in neighboring countries; some subsequently become victims of forced labor, and some women become victims of forced prostitution. Many Zimbabwean adult and child migrants in South Africa often enter with the assistance of taxi drivers who transport them to the border at Beitbridge or nearby unofficial crossing locations and are subject to labor and sex trafficking. Some of the migrants are transferred to criminal gangs that subject them to abuse, including forced prostitution in Musina, Pretoria, Johannesburg, or Durban. Some Zimbabwean men, women, and children in South Africa are subjected to months of forced labor without pay, on farms, at construction sites, in factories, mines, and other business. Men, women, and children, predominantly from East Africa, are transported through Zimbabwe en route to South Africa; some of these migrants are trafficking victims. Refugees from Somalia and Democratic Republic of the Congo reportedly travel from Zimbabwe's Tongogara Refugee Camp to Harare, where they are exploited and, in some cases, forced into prostitution. Chinese nationals are reportedly forced to labor in restaurants in Zimbabwe. Chinese construction and mining companies reportedly employ practices indicative of forced labor, including verbal, physical, and sexual abuse, and various means of coercion to induce work in unsafe or otherwise undesirable conditions.

The Government of Zimbabwe does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Official complicity in trafficking crimes remained a concern. The government made minimal efforts to protect trafficking victims, instead relying on NGOs to identify and assist victims. The government made limited

efforts to collaborate with NGOs on the issue of trafficking. The government began investigation into the trafficking of 200 women to Kuwait during the reporting period; however it did not prosecute or convict any trafficking offenders during the reporting period. The government appointed the permanent secretary of home affairs to chair the Anti-Trafficking Inter-Ministerial Committee (ATIMC) in December 2015. It developed its first national action plan in September 2015, which remained pending cabinet approval at the end of the reporting period.



RECOMMENDATIONS FOR ZIMBABWE:

Amend the 2014 anti-trafficking legislation to incorporate a definition of trafficking consistent with the 2000 UN TIP Protocol; investigate, prosecute, and convict trafficking offenders, including complicit government officials; formalize procedures for identifying victims and referring them to the care of appropriate government or non-government service providers; train officials on victim identification and referral procedures; establish and actively promote collaboration with Zimbabwe-based international officials on issues of trafficking; train the judiciary, including prosecutors and judges, on trafficking and trafficking related legislation; provide financial or in-kind support to NGOs and international organizations that provide victim services; implement, and allocate sufficient resources to, the national action plan to combat trafficking; fully implement and use the Southern African Development Community database to track trafficking cases; increase collaboration with NGOs and international organizations; and raise awareness of human trafficking and the availability of assistance for victims.

PROSECUTION

The government made little anti-trafficking law enforcement effort. Inconsistent with international law, the 2014 Trafficking in Persons Act defines trafficking in persons as a movement-based crime and does not adequately define “exploitation”—a key element of effective trafficking laws generally defined under international law as forced prostitution or other forms of forced labor. The 2014 act criminalizes the involuntary transport of a person, and the voluntary transport for an unlawful purpose, into, outside or within Zimbabwe. The focus on transport and the inadequate definition of “exploitation” leave Zimbabwe without comprehensive prohibitions of trafficking crimes. Zimbabwe’s Labor Relations Amendment Act prohibits forced labor and prescribes punishments of up to two years’ imprisonment; this penalty is not sufficiently stringent. The Criminal Law (Codification and Reform) Act prohibits and prescribes penalties of up to two years’ imprisonment for procuring a person for unlawful sexual conduct, inside or outside of Zimbabwe; this penalty is not sufficiently stringent when applied to cases of sex trafficking. The act also prohibits coercing or inducing anyone to engage in unlawful sexual conduct with another person by threat or intimidation, prescribing sufficiently stringent penalties of one to five years’ imprisonment. Pledging a female for forced marriage to compensate for the death of a relative or to settle any debt or obligation is punishable under the act, with penalties of up to two years’ imprisonment. These

penalties are not commensurate with penalties prescribed for other serious crimes, such as rape.

The government reported investigating a case of over 200 trafficking victims identified in Kuwait; however, the government did not vigorously prosecute, or convict any trafficking offenders during the reporting period. The Zimbabwe Republic Police’s Victim Friendly Unit (VFU) has responsibility for investigating cases involving women and children and referring victims to support services; however, the VFU did not report investigating trafficking cases during the year.

Corruption in law enforcement and the judiciary impaired the effectiveness of anti-trafficking efforts. Victims reportedly refused to report or pursue cases of trafficking due to fear their traffickers could bribe police or judges. Anecdotal evidence indicated limited government involvement in, and tolerance of, trafficking on a local level and at border crossings. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. In October 2015, in partnership with an international organization, the government participated in a training of trainers for over 50 provincial criminal justice officials on the 2014 Trafficking in Persons Act, how to identify and investigate trafficking cases, and measures for assisting trafficking victims.

PROTECTION

The government made inadequate efforts to protect trafficking victims, and did not report the total number of trafficking victims it identified or assisted during the reporting period. The government has not developed formal guidelines to proactively identify or refer victims to protective services, and it relied almost exclusively on NGOs and an international organization to identify and assist victims. One NGO reported assisting 280 child victims of forced labor subjected to domestic servitude. Reports indicated that 39 victims of sex trafficking, including children, sought assistance. An NGO reported assisting 11 children exploited in street begging. Additionally, an estimated 200 trafficking victims were identified through the use of social media in Kuwait during the period. While the Trafficking in Persons Act required the government to establish centers in each of Zimbabwe’s 10 provinces to provide counseling, rehabilitation, and reintegration services for trafficking victims, these centers had not been established at the end of the reporting period. Five existing government shelters offered long-term accommodation to vulnerable and orphaned children, including an unknown number of potential child trafficking victims. Children had access to health services, counseling, and some educational services at these shelters. The government may have detained and deported potential trafficking victims due to a lack of proactive victim identification procedures. The government did not provide foreign trafficking victims with legal alternatives to their removal to countries where they might face retribution or hardship.

PREVENTION

The government made minimal efforts to prevent trafficking. The government appointed the permanent secretary of home affairs to chair the ATIMC in December 2015. ATIMC met twice and led the development of the country’s first national action plan in September 2015, which was pending cabinet approval by the end of the reporting period. The national action plan provides for a review of the current anti-trafficking legal framework. The government did not conduct public awareness

campaigns during the reporting period. The government provided anti-trafficking training to its diplomatic personnel. It did not make efforts to reduce the demand for commercial sex acts or forced labor.

SPECIAL CASE: LIBYA

Libya is a Special Case. The Presidency Council of the Libyan Government of National Accord (GNA)—created through the Libyan Political Agreement signed in December 2015 and endorsed by the legislature in January 2016—did not arrive in the capital Tripoli until late March 2016. Before the GNA Presidency Council entered Tripoli, the Libyan government that had been in place since April 2015 and was appointed by the House of Representatives had been based in the eastern city of Bayda and operated without access to or control over Tripoli. During that period, competing factions, none of which had been elected or appointed by a legislature, operated in Tripoli under the self-convened “National Salvation Government.” Extralegal armed groups continued to fill a security vacuum across the country; such groups varied widely in their makeup and the extent to which they were under the direction of state authorities, and they committed human rights abuses, including unlawful killings. Before the formation of the GNA Presidency Council, the Bayda-based government that had been in place had failed to control such groups, including those groups nominally under state control. At the close of the reporting period, the GNA Presidency Council was only beginning to establish effective control over armed groups.

SCOPE AND MAGNITUDE

Libya is a destination and transit country for men and women from sub-Saharan Africa and Asia subjected to forced labor and sex trafficking, and there are reports of children being subjected to recruitment and use by armed groups within the country. Due to widespread insecurity driven by militias, civil unrest, and increased lawlessness in Libya that continued to worsen in 2015, accurate information on human trafficking became increasingly difficult to obtain—in part due to the withdrawal of most diplomatic missions, international organizations, and NGOs in 2014. Since 2013, numerous reports indicate militias, some of which are used as combat forces or security enforcement by the government, recruit and use Libyan children younger than the age of 18. Trafficking victims or those vulnerable to trafficking, such as foreign migrants, are also vulnerable to increased violence in Libya, including torture, abduction for ransom, physical and sexual assaults, arbitrary killings, and inhumane detention. For example, there were multiple reports of migrants—some of whom may be trafficking victims—being held in detention centers, including those controlled by government-aligned authorities as well as non-state armed groups, where they were subject to overcrowding, torture, and denial of medical care.

Migrants seeking employment in Libya as laborers or domestic workers or who transit Libya en route to Europe are highly vulnerable to trafficking. Trafficking networks reaching into Libya from Niger, Nigeria, Chad, Eritrea, Ethiopia, Somalia, Sudan, and other sub-Saharan states subject migrants to forced labor and forced prostitution through fraudulent recruitment, confiscation of identity and travel documents, withholding or non-payment of wages, and debt bondage. One 2014 account indicated criminal groups recruited Sudanese migrants to Libya through false job offers and forced them to work in

agriculture with little or no pay. In previous years, migrants paid smuggling fees to reach Tripoli, often under false promises of employment or eventual transit to Europe. Once these victims crossed the Libyan border, they were sometimes abandoned in southern cities or the desert, where they were susceptible to severe forms of abuse and human trafficking. In 2014, an international organization reported Syrian nationals temporarily residing in Sudan preferred to travel through Libya en route to Italy with the use of smugglers; these Syrians are at risk of trafficking. Prostitution rings reportedly subject sub-Saharan women to sex trafficking in brothels, particularly in southern Libya. Nigerian women are at heightened risk of being forced into prostitution, while Eritreans, Sudanese, and Somalis are at risk of being subjected to forced labor in Libya. In February 2015, the media reported a Russian trafficking network brought hundreds of Bangladeshi nationals via Libya to Italy, where they subsequently endured forced labor. Private employers in Libya mobilize detained migrants—from prisons and detention centers, including those ostensibly under the control of the Bayda-based government—for forced labor on farms or construction sites; when the work is completed or the employers no longer require the migrants’ labor, employers return them to detention.

GOVERNMENT EFFORTS

The Bayda-based government, which was formed in September 2014 and recognized by much of the international community until its mandate expired in October 2015, demonstrated limited political will and limited capacity to address basic security challenges, including human trafficking, as it struggled to control a significant amount of Libya’s territory. The lack of rule of law hindered police and judicial officials’ efforts to addressing trafficking crimes; the Bayda-based government also did not exercise control over many migrant prisons and detention facilities where human trafficking crimes continued to take place. Libyan law does not prohibit all forms of human trafficking. Articles in the penal code prohibit trafficking of women for the purposes of prostitution, sexual exploitation, slavery, and child sex trafficking; however, the articles do not directly address forced labor. Sex trafficking offenses carry penalties of one to 10 years’ imprisonment, which are sufficiently stringent but not commensurate with other serious crimes, such as rape; penalties for rape range from five to 15 years’ imprisonment. Penalties for slavery offenses are five to 15 years’ imprisonment, which are sufficiently stringent and commensurate with other serious crimes. As the criminal judicial system was not functioning throughout the reporting period, the government did not investigate, prosecute, or convict any trafficking offenders in 2015. It also did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking crimes, despite allegations of complicity. For example, the government did not investigate or punish officials in state prisons and migrant detention centers where trafficking crimes allegedly occurred; however, it was unclear if these facilities were under the control of a legitimate central authority. Furthermore, the government did not make efforts to investigate or punish government-aligned militias or other armed groups that recruited and used child soldiers. The government did not provide anti-trafficking training for officials.

The Bayda-based government did not have any policy structures, capacity, or resources to proactively identify and protect trafficking victims among vulnerable groups, such as foreign migrants and women and girls in prostitution. It also did not have measures in place to protect children recruited and used by militia groups, including those aligned with the government,

and other armed groups. The government did not protect victims from punishment for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration and prostitution violations; victims were treated as illegal migrants and therefore subjected to detention and fines. Furthermore, authorities made no effort to protect detained foreign migrants, who continued to be sold into forced labor. As Libya's criminal courts largely ceased to function during the reporting period, the government did not encourage victims to participate in the investigation and prosecution of traffickers. It did not provide foreign trafficking victims with legal alternatives to their removal to countries where they faced hardship or retribution.

The Bayda-based government lacked the institutional capacity, resources, and political will to prevent human trafficking. The government did not have a national coordinating body responsible for combating human trafficking. The government did not conduct any public anti-trafficking awareness campaigns, nor did it take actions to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. While regulations prohibited the recruitment and use of child soldiers, the government took no steps to prevent the recruitment and use of children by militia groups, groups affiliated to or aligned with the government, and other armed groups operating throughout the country.

SPECIAL CASE: SOMALIA

Somalia remains a Special Case for the fourteenth consecutive year. During the reporting period, the Federal Government of Somalia (FGS) controlled its capital city, Mogadishu, and regional governments retained control over most local capitals across the country. The self-declared independent Republic of Somaliland and semi-autonomous Federal State of Puntland retained control of security and law enforcement in their respective regions. The federal government had limited influence outside Mogadishu; the al-Shabaab terrorist group continued to occupy rural areas in south-central Somalia. The FGS focused on capacity-building and securing Mogadishu and government facilities from attacks by al-Shabaab. The African Union Mission in Somalia (AMISOM) conducted military operations in 2015 to recover al-Shabaab-controlled territory; however, its efforts were countered by increased attacks on security forces by the terrorist organization. Military courts adjudicated serious cases, including those related to terrorism, and tried many civilian cases. The government had minimal capacity to address most crime, including human trafficking, and thereby yielded negligible efforts in all regions on prosecution, protection, and prevention. Somali officials also lacked an understanding of trafficking crimes, which they often conflated with migrant smuggling.

SCOPE AND MAGNITUDE

Somalia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Information regarding trafficking in Somalia remains extremely difficult to obtain or verify. Victims may move from Somalia's southern and central regions to Puntland and Somaliland in the north. In Somaliland, women act as recruiters and intermediaries transporting victims further, to Puntland, Djibouti, and Ethiopia for domestic servitude or sex trafficking. Criminal groups formerly engaged in piracy

reportedly continue to exploit Somali women and girls in domestic and sexual servitude. Somali ethnic Bantus and Midgaan remain marginalized and are sometimes kept in servitude by more powerful Somali clan members as domestic workers, farm laborers, and herders. Due to poverty and an inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share familial ties and clan linkages; some of these children may become victims of forced labor or sex trafficking. While many children work within their own households or family businesses, some children may be forced into labor in agriculture, domestic work, herding livestock, selling or portering *khat*, crushing stones, or in the construction industry. In 2014, an international NGO released a report documenting cases of sexual abuse and exploitation of Somali women and girls, including trafficking, by Ugandan and Burundian AMISOM personnel. An African Union investigation into the allegations concluded there was evidence of sexual exploitation and abuse by AMISOM personnel.

Internally displaced persons (IDPs) remain vulnerable to sex and labor trafficking. "Gatekeepers" in control of some IDP camps, at times allegedly in collusion with Somali officials, reportedly force girls and women to provide sex acts in exchange for food and services available within the camps. They continue to charge rent or fees for otherwise-free basic services and sell the area they control within a camp to other "gatekeepers," establishing a cycle of debt for IDPs that makes them vulnerable to inherited bondage. Traffickers and smugglers reportedly take advantage of the vulnerability of IDP women and children, mostly from southern and central Somalia, at times using false promises of lucrative jobs in Europe and North America.

According to international organizations, during the reporting period Somaliland and Puntland experienced an influx of approximately 30,000 migrants and refugees, and Somali national returnees fleeing conflict in war-torn Yemen. Although no reliable statistics are available, Ethiopian economic migrants, mostly from the Oromia region of Ethiopia continued transiting Somalia en route to Libya, Sudan, and Europe during the reporting period. Women and girl migrants working in the informal economy were particularly vulnerable to trafficking.

Traffickers transport Somali women, sometimes via Djibouti, to the Middle East, where they frequently endure domestic servitude or forced prostitution. Somali men experience conditions of forced labor as herdsmen and workers in the Gulf States. Traffickers transport children to Saudi Arabia and force them to beg on the streets. Dubious employment agencies facilitate human trafficking by targeting individuals desiring to migrate to the Gulf States or Europe for employment. Federal government officials allegedly sell falsified travel documents to travel brokers and traffickers. NGOs and international organizations report Somalis increasingly seek to move to other African destinations, including Kenya and South Africa. Authorities in Somaliland report an increase in the transporting or kidnapping of children and unemployed university graduates, who later transit Ethiopia and Sudan and are sometimes held hostage by networks in Libya en route to Europe and the Middle East. Members of the Somali diaspora use false offers of marriage to lure unsuspecting victims, many of whom include relatives, to Europe or the United States, where they force them into prostitution or domestic servitude.

Traffickers reportedly subject Somali children fleeing al-Shabaab and seeking refuge in Kenya to forced labor or sexual exploitation. Trucks transporting goods from Kenya to Somalia

sometimes return to Kenya with young girls and women; traffickers procure these young girls and women and exploit them in brothels in Nairobi or Mombasa or send them to destinations outside Kenya. Undocumented Ethiopians in northern Somalia also remain vulnerable to trafficking as they seek employment in Puntland and Somaliland to fund subsequent travel to the Middle East. Traffickers smuggle Ethiopian women through Somalia to destinations in the Middle East, where they subsequently force them into domestic servitude and prostitution. Ethiopian children travel to Somaliland seeking employment but may instead be forced to beg on the streets. Particularly in coastal regions, some traffickers reportedly compel community elders to convince community members to travel to Europe for employment opportunities; some individuals are subjected to forced labor in Europe.

CHILD SOLDIERS

During the year, there were continued reports of the Somali National Army (SNA), Ahlu Sunna Wal Jama'a (ASWJ), pro-Galmudug militia, and al-Shabaab using child soldiers. In 2015, the FGS reiterated its commitment to eliminating the use of child soldiers among the ranks of the SNA, and Somalia ratified the Convention on the Rights of the Child. The SNA's implementation of its action plan to curb the recruitment and use of child soldiers—signed in 2012—was limited during the reporting period, although the federal government identified regional focal points and conducted subnational trainings. Amid routine screening missions, in close coordination with UN personnel, the Child Protection Unit identified one child in the SNA's Dhagabadan Military Training Centre and 36 children were identified and separated from an integration and recruitment process in Kismayo, preventing them from joining the SNA. Authorities handed over children separated from armed groups to the UN Children's Fund or for care. The UN continued to express concerns about the arrest and detention of children including by the SNA, IJA forces, pro-Galmudug militia, and AMISOM; some of the detained children were allegedly associated with al-Shabaab. Most Somalis lacked birth certificates, and without an established birth registration system or standardized method for recruitment, verifying claims of child soldiering remained difficult. In addition, unverified reports indicated militias opposed to al-Shabaab may recruit former al-Shabaab child soldiers.

Throughout areas beyond state control, al-Shabaab frequently recruited children for use by its militias, typically through abduction or deception. The terrorist group forced recruitment at mosques, Koranic schools, and facilities for neglected children. Al-Shabaab used children for combat and other support functions in southern and central Somalia, including for planting roadside bombs and other explosive devices, serving as human shields during incursions, carrying out assassinations and suicide attacks, providing intelligence, serving as guards, and working in domestic service. Al-Shabaab also forcibly recruited young girls and exploited them in sexual servitude. The UN reported al-Shabaab recruited 258 children from April to September 2015.

GOVERNMENT EFFORTS

Somaliland and Puntland authorities sustained minimal efforts to combat trafficking during the reporting period. Due to civil unrest and the protracted campaign to degrade al-Shabaab and establish law and order in Somalia, the FGS lacked sufficient training, resources, and capacity to effectively prosecute traffickers, protect victims, or prevent the crime. The

pre-1991 penal code (applicable at the federal and regional levels) outlaws forced labor and other forms of trafficking in persons. Article 455 prohibits and penalizes slavery, prescribing penalties of five to 20 years' imprisonment. Article 464 prohibits forced labor, prescribing penalties of six months' to five years' imprisonment. Article 457 prohibits the transferring, disposing, taking possession or holding of a person, and prescribes penalties of three to 12 years' imprisonment. All of these penalties are sufficiently stringent. Article 408(1) prohibits compelled prostitution of a person through violence or threats, prescribing penalties of two to six years' imprisonment, which is sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. The constitution, which remains provisional, prohibits slavery, servitude, trafficking, and forced labor under article 14. Article 29(6) prohibits the use of children in armed conflict. The Somali National Police remained understaffed, undertrained, and lacked capacity and the appropriate legal framework to effectively enforce the law. In 2015, the FGS did not report any information on the investigation or prosecution of trafficking crimes, at either the federal or regional level, including those involving officials alleged to be complicit in the facilitation of sex and labor trafficking.

The Puntland State administration and Somaliland possessed functioning legal systems but limited law enforcement capacity; they reported no reliable data on trafficking investigations or prosecutions during the reporting year. In Puntland, the Ministry of Women's Development and Family Affairs oversaw anti-trafficking efforts, and the police force in Garowe operated an anti-trafficking unit, though it lacked proper training. Provisions under Islamic law in Puntland criminalize the murder of smuggled or trafficked persons, prescribing penalties of between one and five years' imprisonment. Laws in Somaliland prohibit forced labor, involuntary servitude, and slavery. The Ministry of Labor and Social Affairs in Somaliland continued to oversee anti-trafficking efforts, but it was inactive during the reporting period.

No governmental entity had formal procedures to identify or refer trafficking victims. Information on FGS efforts to protect trafficking victims remained limited. Somaliland officials were overwhelmed with humanitarian cases involving ethnic Somalis, economic migrants, and illegal immigration from Ethiopia, which often hindered identification and protection of potential trafficking victims. In Puntland, international organization staff continued to train officials on victim identification and referral procedures. The FGS, Puntland, and Somaliland authorities did not provide protective services to trafficking victims and relied fully on international organizations to provide victim reintegration services. Neither the federal nor regional governments provided financial aid or in-kind support to organizations assisting victims. There were no legal alternatives to the removal of foreign trafficking victims from Somalia to countries where they may face hardship or retribution; however, government officials identified no foreign victims during the year. Somaliland authorities continued to work with an international organization and the Migration Response Center in Hargeisa to establish a mobile health clinic for the IDPs surrounding the Mahamed Mooge settlement and a rehabilitation center for street children. Government officials did not report data on whether any children who were exploited in prostitution or the commission of crimes on Somali territory were protected from criminal penalties under Somali law. During the reporting year, federal and regional authorities, with external assistance, oversaw the transfer of former child soldiers associated with al-Shabaab to the custody

of an international organization.

Authorities across Somalia demonstrated minimal efforts to prevent trafficking during the year. Somaliland and Puntland officials facilitated anti-trafficking public awareness efforts; however, these regional campaigns continued to conflate trafficking and smuggling and focused predominantly on economic migration. The FGS did not conduct any awareness campaigns during the reporting period. The government in Puntland established a committee to address trafficking, but it was inoperative during the reporting year. No government entity provided funding to agencies for labor inspections, and no inspectors were employed to enforce labor laws. Authorities across Somalia did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel. Somalia is not a party to the 2000 UN TIP Protocol.

SPECIAL CASE: YEMEN

Yemen is classified as a Special Case for the first time in the 2016 Report. Information on human trafficking in Yemen has become increasingly difficult to obtain since March 2015 when the Republic of Yemen Government (ROYG) had to leave the country and relinquished control of substantial portions of territory. NGOs report that vulnerable populations in Yemen were at increased risk to human trafficking in 2015 due to large-scale violence driven by ongoing armed conflict, civil unrest, and lawlessness. Migrant workers from the Horn of Africa who remained in Yemen during this period suffered from increased violence, and women and children became most vulnerable to human trafficking. The limited international organizations and NGOs remaining in Yemen have been focused on providing emergency humanitarian assistance to the local population and have not had the resources to collect reliable data on human trafficking. For the purposes of this report, Yemen has special case status, as the government currently lacks control over its territory while it remains outside of Yemen in Saudi Arabia.

SCOPE AND MAGNITUDE

Yemen is a country of origin and, to a lesser extent, transit and destination, for men, women, and children subjected to forced labor, and women and children subjected to sex trafficking. The ongoing conflict, lack of rule of law, and deteriorating economy in 2015 disrupted some trafficking patterns and exacerbated others. Some Yemeni children, mostly boys, were subjected to forced labor in domestic service, small shops, or in begging after migrating to the cities of Aden and Sana'a or to Saudi Arabia and, to a lesser extent, Oman. Traffickers, security officials, and employers also forced some of these children into prostitution in Saudi Arabia, while others are forced to smuggle drugs into Saudi Arabia.

Prior to the conflict, Yemen was a transit point and destination for the sex-trafficking and forced labor of women and children, primarily from the Horn of Africa, and likely remains as such presently. Ethiopians and Somalis traveled voluntarily to Yemen with the hope of employment in other Gulf countries, but some women and children among this population faced potential sex trafficking or domestic servitude in Yemen. Others migrated based on fraudulent offers of employment as domestic workers in Yemen, where they were subsequently subjected to sex trafficking or forced labor. Some female refugees were previously

forced into prostitution in Aden and Lahj governorates. Prior to the escalation of the conflict and the government's departure in March 2015, Yemeni migrant workers were reportedly deported from Saudi Arabia and returned to Yemen through the al-Tuwail and al-Buq border crossings. Most deportees were reportedly returned to the impoverished Tihamah region located on the west coast of Yemen, many of whom remained displaced and highly vulnerable to exploitation, including human trafficking. An estimated 12,000 Syrian refugees were in Yemen at the end of 2015. Syrian refugee women and children begging in the streets in Yemen became highly vulnerable to forced labor and sex trafficking.

Yemeni children were subjected to sex trafficking within the country and in Saudi Arabia. Girls as young as 15 years old were exploited for commercial sex in hotels and clubs in the Governorates of Sana'a, Aden, and Taiz. Prior to the conflict, most child sex tourists in Yemen were from Saudi Arabia, with a smaller number originating from other Gulf nations, including the United Arab Emirates. Some Saudi men used legally contracted "temporary marriages" for the purpose of sexually exploiting Yemeni girls—some reportedly as young as 10 years old, and some of whom were later abandoned on the streets of Saudi Arabia. Civil society organizations reported that, as a result of the dire economic situation in Yemen, particularly in the north, sex trafficking of Yemeni children increased over the past several years. In addition, some sources reported the practice of chattel slavery in which human beings are traded as property continues in Yemen. While no official statistics exist detailing this practice, a 2014 study by a human rights organization documented 190 cases of slavery in three directorates of Hajjah governorate. Sources report there could be several hundred other men, women, and children sold or inherited as slaves in al-Hodeida and al-Mahwit governorates.

CHILD SOLDIERS

Despite a 1991 law requiring members of the armed forces to be at least 18 years of age and a May 2014 UN action plan to prevent recruitment of children into its armed forces, credible reports indicated the acceleration of recruitment of children throughout the country, due to expansion of military activity by government forces as well as Houthi, tribal, and other militias. Armed boys reportedly between the ages of 13 and 17, and as young as 10 years old, often work at checkpoints around Sana'a operated by Houthi militias and government forces. Some families supportive of Houthi rebels, including those residing in locations outside Houthi control, sent their children to the Houthi stronghold of Sa'ada in northwestern Yemen for arms training by the Houthis to serve in their militias. According to an international organization, between March 26 and April 24, 2015, armed groups recruited at least 140 children. Al-Qa'ida in the Arabian Peninsula recruited boys for combat operations against military and security forces. Yemen's security, political, and economic crises, cultural acceptance of child soldiering, weak law enforcement mechanisms, and limited political will severely limit the country's capacity to end the use of child soldiers.

Prior to its departure, the Yemeni government and international NGOs estimated there were approximately 1.7 million child laborers under the age of 14 in Yemen, some of whom are subjected to forced labor. Since the escalation of armed conflict in March 2015, human rights organizations reported all parties to the conflict have increased their use of child soldiers. Yemeni and Saudi gangs transported African children to Saudi Arabia for the purpose of exploitation. Traffickers abused and abandoned

in Yemen some refugees and migrants from the Horn of Africa who voluntarily transited Yemen en route to Saudi Arabia and other Gulf countries. In past years, multiple NGOs reported criminal smuggling groups had built a large number of “camps” near the Yemeni-Saudi border city of Haradh, where migrants hoping to reach Saudi Arabia were held for extortion and ransom.

GOVERNMENT EFFORTS


The government continued to face serious challenges, which severely impeded its efforts to combat trafficking, including substantial internal security threats, weak institutions, systemic corruption, a shrinking economy, limited control of much of the country, and poor law enforcement capabilities. The government made no discernible law enforcement efforts against human trafficking and exercised no control over law enforcement. The absence of a law criminalizing all forms of trafficking, as well as the government’s continued conflation of trafficking and smuggling, impeded efforts to investigate and prosecute trafficking offenders. Article 248 of the penal code prescribes up to 10 years’ imprisonment for any person who “buys, sells, or gives [a human being] as a present, or deals in human beings; and anyone who brings into the country or exports from it a human being with the intent of taking advantage of him.” This statute’s prescribed penalty is commensurate with those prescribed for other serious crimes, such as rape; however, its narrow focus on transactions and movement does not prohibit many forms of sex trafficking and forced labor under international law. Article 161 of the Child Rights Law criminalizes the prostitution of children. While the government’s inter-ministerial National Technical Committee to Combat Human Trafficking drafted anti-trafficking legislation with the assistance of an international organization prior to its departure, Houthi rebels illegally disbanded Parliament in February 2015, and the legislation was not enacted during the reporting period.

The government did not have access to or oversight of the courts and did not report efforts to prosecute, convict, or punish trafficking offenses during the year. It made no known efforts to investigate or punish the practice of chattel slavery. In addition, the government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses, despite numerous reports in both urban and rural areas of officials engaged in trafficking, including the domestic servitude of children and women, forced prostitution of women, and forced labor of migrant workers. Allegations persisted that local government and security officials willfully ignored trafficking crimes taking place in their areas of responsibility. Prior to the conflict, the government did not effectively enforce anti-trafficking provisions due to a lack of resources and the financial interests of the elite, many of whom allegedly supported such forms of labor.

The government did not have the access to identify and provide adequate protection services to trafficking victims among vulnerable groups, such as women in prostitution and foreign migrants. As a result, the government could not ensure trafficking victims were not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking, such as prostitution or immigration violations. Despite the Ministry of Interior (MOI) Women and Children Unit’s formal standard operating procedures for proactive identification of trafficking victims, efforts to implement or train law enforcement on these procedures were suspended due to the ongoing conflict.

Further, the government did not encourage victims to assist in investigations or prosecutions of their traffickers or provide assistance to its nationals repatriated after enduring trafficking abroad. In May 2014, the government acknowledged the use of child soldiers and signed a UN action plan to end the practice; however, it did not make efforts to release child soldiers from the military or provide them with protective or rehabilitation services. Further, the government took no action in criticizing or condemning the rebel recruitment of child soldiers.

Due to its lack of access, the government made no efforts to prevent trafficking during the reporting period. A draft national strategy to combat trafficking initiated by the Ministry of Human Rights, in coordination with an international organization, remains pending. The draft included plans for raising awareness, increasing cooperation between Yemen and neighboring countries, training officials in victim identification, and instituting procedures to protect and provide assistance to victims. During the previous reporting period, the government enacted a regulation requiring MOI approval for Yemenis to marry foreigners, in an effort to reduce sex tourism among foreigners, particularly Saudis and Emiratis who “temporarily” married young Yemeni women; however, they often did this in exchange for bribes, and officials continued to provide such approval. Further, the government did not provide anti-trafficking training to its diplomatic personnel and did not make efforts to reduce the demand for commercial sex acts, forced labor, or address the problem of sex tourism more broadly. In addition, it did not provide anti-trafficking training to troops prior to their deployment abroad as part of international peacekeeping missions. Yemen is not a party to the 2000 UN TIP Protocol. Due to limited capacity and the ongoing conflict, the Yemeni government did not make efforts to implement a 2014 UN action plan to end the recruitment and use of child soldiers.



This young child, captured in Sudan and forced into slavery, displays the scars on his arms and legs that he received when his owner crucified him—nailed him to a tree—because he lost a camel.



RELEVANT INTERNATIONAL CONVENTIONS

The chart below shows the Ratification, Accession (a), or Acceptance (A) of relevant international conventions for those countries that have ratified, acceded to, or accepted any such conventions between April 2015 and March 2016. A complete list that includes all of the countries covered by the 2016 *Trafficking in Persons Report* is available at: <http://www.state.gov/tipreport>

| Country | UN Protocol to Prevent, Suppress and Punish Trafficking in Persons | Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography | Optional Protocol to the Convention on the Rights of the Child in Armed Conflict | ILO Convention 29, Forced Labour | ILO Protocol of 2014 to the Forced Labour Convention* | ILO Convention 105, Abolition of Forced Labour | ILO Convention 182, Elimination of Worst Forms of Child Labor | ILO Convention 189, Domestic Workers |
|----------------------|--|--|--|----------------------------------|---|--|---|--------------------------------------|
| | Ratification, Accession (a), or Acceptance (A) | Ratification, Accession (a), or Acceptance (A) | Ratification, Accession (a) | Ratification | Ratification | Ratification | Ratification | Ratification |
| Bahamas | 2008 | 2015 (a) | 2015 (a) | 1976 | | 1976 | 2001 | |
| Belgium | 2004 | 2006 | 2002 | 1944 | | 1961 | 2002 | 2015 |
| Burma | 2004 (a) | 2012 (a) | | 1955 | | | 2013 | |
| Chile | 2004 | 2003 | 2003 | 1933 | | 1999 | 2000 | 2015 |
| Cuba | 2013 (a) | 2001 | 2007 | 1953 | | 1958 | 2000 | 2015 |
| Dominican Republic | 2008 | 2006 (a) | 2014 | 1956 | | 1958 | 2000 | 2015 |
| Kiribati | 2005 (a) | 2015 (a) | 2015 (a) | 2000 | | 2000 | 2009 | |
| Korea | 2015 | 2004 | 2004 | | | | 2001 | |
| Mauritania | 2005 (a) | 2007 (a) | | 1961 | 2016 | 1997 | 2001 | |
| Micronesia | 2011 (a) | 2012 | 2015 | | | | | |
| Niger | 2004 | 2004 | 2012 (a) | 1961 | 2015 | 1962 | 2000 | |
| Norway | 2003 | 2001 | 2003 | 1932 | 2015 | 1958 | 2000 | |
| Panama | 2004 | 2001 | 2001 | 1966 | | 1966 | 2000 | 2015 |
| Portugal | 2004 | 2003 | 2003 | 1956 | | 1959 | 2000 | 2015 |
| Singapore | 2015 (a) | | 2008 | 1965 | | ** | 2001 | |
| Sri Lanka | 2015 | 2006 | 2000 | 1950 | | 2003 | 2001 | |
| United Arab Emirates | 2009 (a) | 2016 (a) | | 1982 | | 1997 | 2001 | |
| United Kingdom | 2006 | 2009 | 2003 | 1931 | 2016 | 1957 | 2000 | |

* P029 Protocol to the Forced Labour Convention will enter into force November 9, 2016.

** Singapore: ILO C105 ratified in 1965, denounced on 19 April, 1979.

STOPPING HUMAN TRAFFICKING, SEXUAL EXPLOITATION, AND ABUSE BY INTERNATIONAL PEACEKEEPERS AND CIVILIAN PERSONNEL

As required by law, this section summarizes actions taken by the United Nations (UN), the North Atlantic Treaty Organization (NATO), and the Organization for Security and Co-Operation in Europe (OSCE) to prevent trafficking in persons or exploitation of victims of trafficking.

| | UNITED NATIONS | OSCE | NATO |
|--|---|---|---|
| TOTAL NUMBER OF PEACEKEEPING AND SUPPORT PERSONNEL | 105,314 | 2,330 | 17,209 |
| TOTAL NUMBER OF MISSIONS | 17 | 16 | 2 |
| PREVENTION POLICY | "Special Measures for Protection from Sexual Exploitation and Sexual Abuse" (SEA) (2003) | "Code of Conduct for Staff and Mission Members" | "NATO Policy on Combating Trafficking in Human Beings" (2004 and 2007) |
| LEAD OFFICE RESPONSIBLE FOR IMPLEMENTATION | Office of Field Support | Office of Human Resources | NATO Political Affairs and Security Policy Division (PASP) |
| PREVENTION TRAINING | Pre-deployment and at mission | Pre-deployment | Pre-deployment and at mission "NATO Guidance for the development of training and educational programmes to support the policy on combating the trafficking in human beings" (2004) |
| NUMBER OF ALLEGATIONS IN 2015 | 99 [civilian (45), military (38), police (16)] 69 allegations were reported against personnel of UN peacekeeping and special political missions in the Central African Republic (22), Democratic Republic of Congo (16), Haiti (9), Liberia (6), Ivory Coast (6), Mali (5), Darfur (2), Sudan's Abyei Region (1), Cyprus (1) and Timor-Leste (1). The remaining 30 allegations were reported against UN staff members and related personnel not associated with peacekeeping operations and special political missions. An estimated 28% of the allegations against personnel of peacekeeping and other special political missions involved children under 18 years of age. | No reported allegations | No reported allegations – NATO relies on contributing countries to report allegations. |

| | UNITED NATIONS | OSCE | NATO |
|----------------------------------|---|--|---|
| NEW INITIATIVES | <p>The UN Secretary-General's (SYG) 2016 annual report (A/70/729) includes, for the first time, the list of nationalities of UN personnel affected by allegations. In January 2016, the UN began requiring troop contributing countries certify operational readiness, including conduct of pre-deployment training according to UN standards, and that personnel nominated have not engaged in previous misconduct while on a peacekeeping mission. The UN Office of Field Support's Misconduct Tracking System was enhanced to support the expanded certification and vetting efforts. The SYG instituted a six-month timeline for UN investigating offices to complete investigations of sexual exploitation and abuse and is urging impacted Member States to do the same. The SYG appointed a Special Coordinator on Improving the UN's Response to Sexual Exploitation and Abuse.</p> | <p>The OSCE TIP Special Representative traveled to Eastern Ukraine on three occasions, in the context of the crisis situation, to raise awareness and build capacities of the Special Monitoring Mission (SMM) personnel in identifying victims of human trafficking, providing support, and strengthening cooperation with local officials. During the last visit, the Special Representative conducted "training-of-trainers" for SMM personnel on domestic violence in conflict situations and human trafficking.</p> | <p>NATO's Operations Division created the Section for Protection of Civilians to serve as a focal point for human rights issues, including human trafficking. This new section is expected to take over NATO's Counter Trafficking in Human Beings Coordinator role, which resided in another division of NATO.</p> |
| LINKS FOR ADDITIONAL INFORMATION | http://cdu.unlb.org/unstrategy/remedialaction.aspx | http://www.osce.org/what/trafficking | http://www.nato.int/cps/en/natolive/topics_50315.htm |

MULTILATERAL ORGANIZATIONS COMBATING TRAFFICKING IN PERSONS

| ORGANIZATION | FRAMEWORK DOCUMENT RELEVANT TO TIP | TIP FOCAL POINT |
|--|--|--|
| <p>United Nations www.un.org www.unodc.org www2.ohchr.org/english/bodies/chr/special/themes.htm</p> <p>www.ilo.org http://www.ilo.org/sapfl/Informationresources/ILOPublications/Byregion/Global/lang--en/index.htm</p> | <p>Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime (A/RES/55/25) (2000)</p> <p>United Nations Global Plan of Action to Combat Trafficking in Persons (A/RES/64/293) (2010)</p> <p>ILO Conventions: -C29 Forced Labour Convention, 1930 -P029 Protocol of 2014 and Recommendation R203, supplementing the Forced Labour Convention, 1930 -C105 Abolition of Forced Labour Convention, 1957 -C182 Worst Forms of Child Labour Convention, 1999 -C189 Domestic Workers Convention, and its Recommendation R201, 2011</p> | <p>Special Rapporteur on Trafficking in Persons, Especially Women and Children</p> <p>Special Rapporteur on Contemporary Forms of Slavery</p> <p>Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography</p> |
| <p>African Union (AU) www.africa-union.org/</p> | <p>Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children (2006)</p> <p>AU Commission Initiative against Trafficking Campaign (AU.COMMIT)</p> | N/A |
| <p>Association of Southeast Nations (ASEAN) www.aseansec.org www.aseansec.org/4966.htm</p> | <p>ASEAN Declaration Against Trafficking in Persons, Particularly Women and Children, 2004</p> | N/A |
| <p>Bali Regional Ministerial Conference On People Smuggling, Trafficking In Persons And Related Transnational Crime (Bali Process) www.baliprocess.net</p> | <p>Co Chairs' Statements of the first (2002), second (2003), third (2009), fourth (2011), and fifth (2013) Bali Regional Ministerial Conference On People Smuggling, Trafficking In Persons And Related Transnational Crime</p> | N/A |
| <p>Commonwealth of Independent States (CIS) www.cis.minsk.by/ (in Russian only)</p> | <p>Agreement on the Cooperation of the CIS Member States in Combating Trafficking in Persons, Human Organs and Tissues (2005)</p> <p>Program of Cooperation between the CIS Member States against Trafficking in Persons for 2014–2018</p> | N/A |
| <p>Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) www.no-trafficking.org/index.html</p> | <p>COMMIT Memorandum of Understanding on Cooperation Against Trafficking in Greater Mekong Sub-Region (2004)</p> <p>COMMIT 3rd Sub-Regional Plan of Action (COMMIT SPAIII, 2011–2013)</p> | <p>UN Inter-Agency Project on Human Trafficking (UNIAP)</p> |
| <p>Council of the Baltic Sea States (CBSS) http://www.cbss.org/civil-security-the-human-dimension/tfthb/ www.childcentre.info/egcc/</p> | <p>A Vision for the Baltic Sea region by 2020, CBSS Summit 2010.</p> <p>Expert Group for Cooperation on Children at Risk: Priority paper 2011 – 2013</p> <p>Human Trafficking 2013 – Baltic Sea Region Round-up</p> | <p>Task Force against Trafficking in Human Beings with Focus on Adults (TF-THB)</p> <p>Expert Group on Children at Risk</p> |

| ORGANIZATION | FRAMEWORK DOCUMENT RELEVANT TO TIP | TIP FOCAL POINT |
|---|--|--|
| Council of Europe (COE) www.coe.int www.coe.int/t/dghl/monitoring/trafficking/default_en.asp | COE Convention on Action Against Trafficking in Human Beings (2005) | Group of Experts on Action Against Trafficking in Human Beings (GRETA) |
| Economic Community of West African States (ECOWAS) www.ecowas.int Economic Community of Central African States (ECCAS) www.ceeac-eccas.org/ | Declaration on the Fight against Trafficking in Persons, 2001 ECOWAS Initial Plan of Action against Trafficking in Persons (2002-2003), extended until 2011 Joint ECOWAS/ECCAS Regional Plan of Action to Combat Trafficking in Persons, especially Women and Children (2006-2008) | Anti-Trafficking Unit |
| European Union (EU) http://ec.europa.eu/anti-trafficking/index.action | Brussels Declaration on Preventing and Combating Trafficking in Human Beings, 2002 Directive on Preventing and Combating Trafficking in Human Beings and Protecting Victims | European Union Anti-Trafficking Coordinator |
| League of Arab States (LAS) www.arableagueonline.org/las/index.jsp (in Arabic only) | Arab Framework Act on Combating Trafficking in Persons (2008) Arab Initiative to Combat Trafficking in Persons, 2010 | N/A |
| Organization of American States (OAS) www.oas.org/en/default.asp www.oas.org/dsp/english/cpo_trata.asp | Work Plan to Combat Trafficking in Persons in the Western Hemisphere 2010-2012 (AG/RES. 2551 (XL-O/10)) | Coordinator Against Trafficking in Persons |
| Organization of Islamic Conference (OIC) http://www.comcec.org/TR/Yeni_Site_Dokumanlar/ana_dokumanlar/IKT_Sarti.pdf | Charter of the Organisation of the Islamic Conference, 2008 | N/A |
| Organization for Security and Cooperation in Europe (OSCE) www.osce.org/ www.osce.org/cthb | OSCE Action Plan to Combat Trafficking in Human Beings (2003) Platform for Action Against Human Trafficking (2007) Decision No. 1107 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings, Decision No. 1107, 6 December 2013 | Special Representative and Co-ordinator on Trafficking in Human Beings |
| Regional Conference on Migration (RCM) (Puebla Group) www.rcmvs.org/ | Regional Conference on Migration Plan of Action | N/A |
| Southern African Development Community (SADC) www.sadc.int/ www.sadc.int/index/browse/page/531 | SADC Regional Plan of Action on Trafficking in Persons, 2009-2019 | N/A |
| South Asian Association for Regional Cooperation (SAARC) www.saarc-sec.org/ http://www.saarc-sec.org/userfiles/conv-trafficking.pdf | SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, 2002 | Regional Task Force |

GLOSSARY OF ACRONYMS

| | |
|--|---|
| ECOWAS | Economic Community of West African States |
| EU | European Union |
| EUROPOL | European Police Office |
| GRETA | Council of Europe's Group of Experts on Action against Trafficking in Human Beings |
| ILO | International Labour Organization |
| ILO-IPEC | International Labour Organization's International Programme on the Elimination of Child Labour |
| INTERPOL | International Criminal Police Organization |
| IOM | International Organization for Migration |
| LGBTI | Lesbian, Gay, Bisexual, Transgender, and/or Intersex |
| NGO | Non-Governmental Organization |
| OSCE | Organization for Security and Co-operation in Europe |
| UN | United Nations |
| UNDP | United Nations Development Programme |
| UNHCR | United Nations High Commissioner for Refugees |
| UNICEF | United Nations Children's Fund |
| UNODC | United Nations Office on Drugs and Crime |
| 2000 UN TIP PROTOCOL (PALERMO PROTOCOL) | Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime |

NOTES:

- Local currencies were converted to U.S. dollars (\$) using the currency exchange rates reported by the U.S. Department of the Treasury on December 31, 2015. The rates can be found here: <https://www.fiscal.treasury.gov/fsreports/rpt/treasRptRateExch/itin-12-31-2015.pdf>

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Page 41: Top: United States Department of State
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Page 42: Free the Slaves/Peggy Callahan

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Inside back cover: Jonathan Clifford - www.jonathanclifford.com

A CLOSING NOTE

No matter how frequently we confront the indignity of human trafficking, we have not become desensitized to its cruelties. Like the readers of this Report, we find many of the photos and stories horrifying and hard to comprehend. But they also compel us to continue to shed light on this awful crime and work to ensure victims of human trafficking are treated with compassion and fairness.

While we understand the many ways human trafficking victims suffer at the hands of their traffickers, we need to acknowledge that they may also suffer from their treatment by governments, including by the criminal justice systems that should protect them. It is a fact that traffickers force victims to engage in prostitution, theft, and drug trafficking, and to commit immigration violations. As documented throughout this Report, governments in every region of the world have prosecuted such trafficking victims, often unwittingly, due to the lack of proper screening and identification of victims of sex or labor trafficking. Some government treatment of victims—such as restricting their freedom of movement, summarily returning victims to countries they fled, and prosecuting them for crimes committed as a direct result of being trafficked—compounds their plight and results in further victimization.



Traffickers increase their leverage over victims by warning that if they notify police of their exploitation, they will be deported or punished as criminals. When justice systems treat victims as criminals or do not allow them to leave government shelters or the country until they testify against their trafficker, they have reinforced traffickers' threats and discouraged victims from seeking help. Fear of the system hampers identifying and assisting trafficking victims, prosecuting perpetrators, and, ultimately, stopping traffickers from harming others. Wrongful convictions also impede survivors' ability to rebuild their lives, in particular by limiting their options to find housing or qualify for credit and employment.

For trafficking victims to receive justice and needed services, governments must adopt a victim-centered approach to combating human trafficking, one that understands the dynamics of exploitation and goes beyond traditional law enforcement efforts. With the Palermo Protocol as their guide, all countries should incorporate the principle of non-criminalization of victims into their anti-trafficking strategies and offer victims a clean slate for crimes committed under duress. Law enforcement and immigration officials need proper training to actively screen for victims so they are not driven back into the grip of their former captors, but rather properly identified and given a chance to recover from their trauma and move forward.

Although the terror of modern slavery is indelible, no survivor deserves to be locked up, deported, or haunted by the past when applying for a job, apartment, or loan. We hope this Report serves as a call to action for governments, legislatures, and criminal justice systems worldwide to provide meaningful support to the vulnerable, support that starts by not penalizing victims for crimes they did not choose to commit.

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THE HEROES WITHIN



THE HEROES WITHIN project empowers children rescued from trafficking by allowing them to create their own superheroes and depict themselves as masters of their own destinies, rather than as victims. Their unique superhero characters provide the boys with the anonymity they require as survivors (some of the boys currently have cases pending against their abusers) and allow them to control how they are represented in the photographs. Developed over several weeks, each character explores the individual's interests, passions, and dreams, and in the end is a true reflection of their personality. Dressing up as superheroes is something children do all around the world. **The Heroes Within** project aims to present the difficult topic of human trafficking in a familiar and relatable format so that people will be more comfortable confronting and discussing the dark reality that children are sold, exploited, and abused around the world every day.

For more information on this project, please visit www.theheroeswithin.com.

