



TRAFFICKING IN PERSONS REPORT

JUNE 2017







DEAR READER:

Human trafficking is one of the most tragic human rights issues of our time. It splinters families, distorts global markets, undermines the rule of law, and spurs other transnational criminal activity. It threatens public safety and national security.

But worst of all, the crime robs human beings of their freedom and their dignity. That's why we must pursue an end to the scourge of human trafficking.

Today we take another key step towards that goal. The 2017 *Trafficking in Persons Report* highlights the successes achieved and the remaining challenges before us on this important global issue.

In particular, the introduction of this year's Report focuses on the responsibility of governments to criminalize human trafficking and hold offenders accountable. To that end, this Report is intended to

assist governments in identifying threats so law enforcement agencies around the world can respond effectively and gain insight into where human trafficking remains most severe. The Report will also equip local and sub-national law enforcement agencies to better assist in efforts to target and prosecute those who commit these terrible crimes.

Because human trafficking is global in scope, international partners are essential to success. That's why the State Department will continue to establish positive partnerships with governments, civil society, law enforcement groups, and survivors to provide help for those who need our support.

The United States is a leader in the fight against human trafficking. We seek justice for victims and accountability for offenders. This Report is instrumental to our strategy to end human trafficking. I am proud of the work and dedication of the Department towards that end, and remain committed to the elimination of human trafficking here and abroad.

Sincerely,

A handwritten signature in black ink that reads "Rex W. Tillerson".

Rex W. Tillerson
Secretary of State

Three Nigerian sex trafficking survivors gaze out over the Mediterranean after leaving Italy, where they were exploited. In 2016, more than 11,000 Nigerian women and girls arrived in Italy by sea.





DEAR READER:

This year, the theme of the *Trafficking in Persons Report* is increasing criminal accountability of human traffickers and addressing challenges in prosecution—an essential component of the 3P paradigm of prosecution, protection, and prevention. As a former federal prosecutor in the United States and now as Ambassador-at-Large to Monitor and Combat Trafficking in Persons, this topic is deeply personal to me.

I am particularly and acutely aware of the lives destroyed by human trafficking. I will never forget a young woman in a case I prosecuted, a survivor who I'll call Teresa. She was raised in Central America by her grandmother, and as a young woman, was deceived by a man she thought cared for her with promises of love and a better life. That man brought Teresa to the United States and, instead of building a new life with her, forced her into commercial sex, took all the money she was paid, and intimidated her with threats of deportation and humiliation before her family. His threats not only instilled fear in Teresa and coerced her into exploitation; they also convinced her she was a criminal for violating federal immigration and local anti-prostitution laws.

There are people like Teresa trapped in compelled service all over the world who fear that justice systems will punish them, rather than convict and incarcerate their traffickers—and in reality their fears are often justified. Teresa ultimately stood before a judge in a case against her trafficker and shared her experience in a court of law. What's more, she saw her trafficker convicted and sentenced to jail, and she received an award of restitution for the money he made by exploiting her. When the case was over, I was able to return to Teresa a picture she had carried with her to the United States of her grandmother, who had since passed away—a memory of her prior life. While governments can never fully reverse the trauma of human trafficking, they can help survivors pursue the justice they deserve and return to a life of their choosing, a life with dignity and free will.

When I engage with representatives of foreign governments, I often speak with police, investigators, prosecutors, and judges. I commend those who are fearless in the fight against human trafficking—those who courageously take on the tough cases, those who argue for stringent sentences for criminals and restitution for victims, and those who do so while ensuring that victims are treated with dignity. A victim-centered and trauma-informed approach requires, first and foremost, that the criminal justice system not penalize victims of human trafficking when they are forced to commit crimes as a direct result of their exploitation. When forced criminality takes place as part of the scheme, victims should not be further punished by the very system meant to protect them; and when they are, their convictions should be expunged and they should receive support and the comprehensive services to which they are entitled.

In my time serving as Ambassador-at-Large, I have had the incredible honor of meeting inspiring individuals who fight each day to end modern slavery. I have seen first-hand how those on the ground in countries around the world implement effective strategies to combat human trafficking. Having the benefit and honor of these experiences, I am confident that we are closer than ever to creating strong communities where justice and freedom prevail.



Sincerely,

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

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

CONTENTS

ENHANCING CRIMINAL ACCOUNTABILITY AND ADDRESSING CHALLENGES IN PROSECUTION EFFORTS	1
Scope and Efficacy of National Anti-Trafficking Laws	2
Criminal Accountability and Strong Deterrence	4
Common Challenges in the Pursuit of Justice	6
TOPICS OF SPECIAL INTEREST	
Paying to Work: The High Cost of Recruitment Fees	14
Human Trafficking: A Public Health Perspective	18
Assisting Male Survivors of Human Trafficking	22
Engaging Survivors of Human Trafficking	30
Online Sexual Exploitation of Children: An Alarming Trend	32
Media Reporting on Human Trafficking	33
WHAT IS TRAFFICKING IN PERSONS?	17
The Face of Modern Slavery	17
CHILD SOLDIERS PREVENTION ACT LIST	20
METHODOLOGY	25
Tier Placement	25
Government Accountability Office Report	27
A Guide to the Tiers	28
Funding Restrictions for Tier 3 Countries	29
GLOBAL LAW ENFORCEMENT DATA	34
TVPA MINIMUM STANDARDS	38
2017 TIP REPORT HEROES	40
TIER PLACEMENTS AND REGIONAL MAPS	45
HOW TO READ A COUNTRY NARRATIVE	54
COUNTRY NARRATIVES	55
RELEVANT INTERNATIONAL CONVENTIONS	438
STOPPING HUMAN TRAFFICKING, SEXUAL EXPLOITATION, AND ABUSE BY INTERNATIONAL PEACEKEEPERS & CIVILIAN PERSONNEL	439
INTERNATIONAL, REGIONAL, AND SUB-REGIONAL ORGANIZATIONS COMBATING TRAFFICKING IN PERSONS	440
GLOSSARY OF ABBREVIATIONS	442
PHOTO CREDITS	443
CLOSING NOTE	444



A police officer keeps watch over a brothel in Peru. When law enforcement officers moonlight as security for brothels, they are often complicit in sex trafficking and other illicit activities.

“The scale of human trafficking is atrocious. The silence that conceals this crime is disgraceful. We have to speak out because the victims are living in fear for their lives. We have to raise our voices for them. That means confronting the social and economic conditions that abet this crime. It means arresting the traffickers. And above all, it means protecting the victims.”

– Former United Nations Secretary General Ban Ki-moon

ENHANCING CRIMINAL ACCOUNTABILITY AND ADDRESSING CHALLENGES IN PROSECUTION EFFORTS

The modern anti-trafficking movement commenced in earnest with the adoption of the Palermo Protocol in 2000, and since then has grown substantially. Governments have made progress and continue to work to pass and implement legislation criminalizing all forms of human trafficking, collaborate with civil society and human trafficking survivors to strengthen victim protections at the policy and grassroots levels, and take prevention measures and raise public awareness about the dangers and indicators of modern slavery.

While this progress is encouraging, traffickers around the world continue to exploit millions of victims in forced labor and sex trafficking. This multi-billion dollar industry destroys families and communities, weakens the rule of law, strengthens criminal networks, and offends universal concepts of human decency.

Although support from civil society and international organizations has led to more holistic and effective anti-trafficking solutions, governments bear primary responsibility for addressing human trafficking. That is why the *Trafficking in Persons (TIP) Report* annually measures government efforts across the 3P paradigm of prosecuting traffickers, protecting victims, and preventing the crime.

In the last five years, the Introduction to this Report has examined the protection and prevention elements of this paradigm to enhance understanding of the crime and highlight global trends and achievements in combating it. For instance, the Report has explained the importance of using a victim-centered approach to identify and protect victims, and also to effectively prosecute trafficking cases. It has taken a hard look at the journey from victim to survivor and at the support survivors need to reclaim their lives. And it has profiled a wide range of effective strategies to prevent human trafficking, including by examining vulnerabilities in global supply chains.

This year's Introduction focuses on prosecution efforts—the distinct responsibility governments bear under the Palermo Protocol to criminalize human trafficking in all its forms and to prosecute and hold offenders accountable for their crimes.

Human trafficking is not analogous to migrant smuggling (a crime against a state by which an individual voluntarily enters into an agreement with another party to gain illegal entry into a foreign country) or employment-related wage and hour abuses (administrative violations of labor law). Under the minimum standards for the elimination of human trafficking under the Trafficking Victims Protection Act (TVPA), an effective criminal justice response to human trafficking should treat the prosecution of cases as seriously as other grave crimes, such as kidnapping or rape, and impose consequences that are severe enough to be a deterrent.

VICTIM STORIES

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



INDIA | UNITED KINGDOM

Vihaan, a maritime machinist, accepted a job in the oil industry on a boat off the coast of the United Kingdom, thinking the sacrifice of leaving his family would be worth the money he could send home to support them. Once he arrived, the job was not as promised. Vihaan was not paid and had to work long hours under difficult conditions. When the Indian owner of the vessel abandoned the ship due to unpaid debts, he left the crew stranded with their wages unpaid. Vihaan and his crewmates decided they would not desert the ship until they had been paid, and waited seven months before the Indian bank that owned the ship agreed to settle the unpaid wages.



Effective anti-trafficking law enforcement efforts are challenging. Human trafficking often unfolds in various stages and over extended periods of time, typically involving multiple actors. Human trafficking is a hidden crime, in which perpetrators take advantage of power imbalances and coerce and intimidate their victims into silence. Victims of trafficking may not know they are entitled to legal protection and may fear being prosecuted or punished for crimes or immigration violations committed as a direct result of the trafficking scheme. Even if a victim initially consents to enter into a situation in which exploitation later occurs, or to participate in criminal acts during such exploitation, such consent is legally irrelevant under the Palermo Protocol once that person is subjected to compelled service through force, fraud, or coercion. In all of these scenarios, law enforcement must collect evidence to enable prosecutors to prove suspects intended to exploit someone, often with few, if any, corroborating witnesses. Where the crime takes place across multiple countries, governments may face additional challenges securing international cooperation, as well as jurisdiction, to effectively investigate and prosecute trafficking crimes.

The pages that follow examine the importance of a comprehensive anti-trafficking law, the need for criminal accountability with strong deterrent effects, and some of the challenges governments face in investigating and prosecuting human trafficking crimes.

Scope and Efficacy of National Anti-Trafficking Laws

The primary tool needed for effective prosecution of trafficking cases is a comprehensive anti-trafficking law that clearly defines the crime consistent with international law—specifying the acts, means, and ends. Such laws set the framework for all national anti-trafficking efforts. They give authority to law enforcement initiatives and provide clarity to justice sector officials so they can use the provisions during the investigation and prosecution of suspected trafficking crimes.

As it relates to prosecution and law enforcement, a strong anti-trafficking law includes:

- The criminalization of all forms of trafficking in persons.
- A clear definition of human trafficking that describes the acts, means, and ends, as distinct from related crimes—such as migrant smuggling, prostitution, kidnapping, organ trafficking, or illegal adoption.
- Penalties of imprisonment for the commission of trafficking crimes that are commensurate with those for other serious crimes, such as rape or kidnapping.
- A mandate setting forth clear roles and responsibilities for relevant government agencies or ministries, including with respect to inter-ministerial coordination of anti-trafficking policies.

Strong, comprehensive anti-trafficking laws signal governments' commitment not to tolerate human trafficking and give law enforcement and prosecutors the tools needed to secure convictions and justice for victims.

HUMAN TRAFFICKING DEFINED

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

- sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or
- the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

A victim need not be physically transported from one location to another for the crime to fall within this definition.

A Burmese teenage girl who worked in a shrimp-peeling shed receives support services at a shelter in Thailand. Children are exploited in forced labor around the world.

It’s an issue that cuts across class, race, and even gender. Both boys and girls are exploited in this way.”

– Kansas sex trafficking victim

Criminal Accountability and Strong Deterrence

In addition to protecting victims from retribution or re-victimization, an effective criminal justice response brings traffickers to justice both to punish them for their crimes and to deter others. Yet, in many countries, governments struggle to hold perpetrators of human trafficking criminally accountable and, even when convictions are obtained, they sometimes impose suspended sentences, fines, or administrative penalties in place of prison sentences.

As noted above, a strong anti-trafficking response should recognize the serious nature of trafficking in persons and impose punishments commensurate with those prescribed for other serious crimes in a given country, such as rape and kidnapping. For example, in 2015, courts in **Lithuania** convicted 17 traffickers and sentenced all of them to time in prison, with terms ranging from three to eight years' imprisonment, which are commensurate with penalties for other serious crimes. Lithuania also amended its criminal code in 2014 to ensure child sex traffickers tried on prostitution charges could not benefit from lighter sentences. That amendment increased the prescribed penalties for profiting from prostitution and removed a provision permitting judges to consider whether a child had consented, better reflecting the requirements of international law that children cannot consent to sex trafficking. In addition to offering justice to victims of exploitation, strict penalties can serve as a stronger deterrent for would-be traffickers.

Yet many governments do not impose sentences that include adequate jail time. Judicial officials in many countries frequently impose suspended sentences, fines, or administrative penalties on human traffickers. These less severe punishments can result from broader sentencing guidelines, lack of understanding regarding the crime of human trafficking, systemic inefficiencies in criminal justice systems, or socio-cultural considerations, among other reasons. In other countries, human trafficking laws allow judges to impose a fine in lieu of incarceration, a practice that can limit the potential for a true deterrent effect for the defendant and other traffickers. Traffickers who have exploited others for profit often have the means to pay fines, which become a mere cost of doing business.

While cultural perceptions of criminal justice may create disparities in the way countries assess and penalize suspected criminals, the Palermo Protocol, to which 170 States are party, does not allow for cultural variations. For example, access to justice should be extended to all victims regardless of age or gender, and to vulnerable populations that may typically experience discrimination. Similarly, the prosecution of trafficking cases should move forward regardless of the gender of the trafficker. The judicial system should prioritize both sex trafficking and labor trafficking cases, and adult and male victims as well as women and children.

For example, in recent years, the Government of **Bahrain** began to criminally prosecute potential labor law violations that rose to the level of human trafficking. In 2014, Bahrain's Ministry of Labor referred 63 such cases for prosecution out of 427 pending labor violations. Previously, none of these types of cases were investigated under the criminal law but were treated administratively. This improvement in sanctioning labor traffickers is significant and provides a greater deterrent effect.

Ideally, and consistent with the Palermo Protocol, a victim-centered legal framework should also authorize court-ordered restitution or compensation to victims in conjunction with the successful conviction of traffickers. Several governments have gone further to make restitution mandatory to provide victims with monetary support for damages suffered. In 2015, a judge in **Guyana** sentenced a convicted trafficker to a three-year prison sentence and required her to pay the victim restitution—the first time a court ordered restitution by a trafficker in that country. In **Switzerland**, 28 victims received restitution payments from their traffickers following



SYRIA | LEBANON

Maya was 22 when she fled her home country of Syria due to conflict in the region. She was promised a job working in a factory in Lebanon, but when she arrived she was forced into commercial sex along with more than 70 other Syrian women. They endured severe physical and psychological violence. Eventually, police raided the apartment units the women lived in and arrested 10 men and eight women who had been part of the sex trafficking scheme.

An aluminum sorter in Bangladesh works with only a scarf to protect himself from dangerous fumes and aluminum dust. Many workers in dangerous sectors do not receive proper safety equipment, which puts them at risk for workplace injuries and long-term health problems.





An internally displaced person picks cotton in Syria with her child on her back. Traffickers often prey on those without security or opportunities, coerce and deceive them, and then profit from their compelled service.

INDIA | NEW ZEALAND

Rajiv arrived in New Zealand on a student visa to enroll in a business management program. Before courses started, he travelled to the Bay of Plenty, where he knew there was agricultural work, to earn extra money for school expenses. He soon found himself in a situation he could not leave. His employers forced him to use fake identification documents so he could work 80-hour weeks illegally in kiwi fruit orchards. Rajiv and other migrant workers lived in fear of being deported or kidnapped if they complained about the grueling work. Rajiv's employer refused to give him his promised wages. After several months, Rajiv escaped the orchards and sought assistance from the New Zealand authorities.

their 2015 convictions. In March 2015, a court in **Australia** ordered a convicted trafficker to pay the equivalent of \$134,000 in back wages and interest to the Indian national he had subjected to forced labor. In many other instances, however, even in countries with well-developed justice systems, courts do not award restitution during criminal sentencing and, in some cases, prosecutors fail to request restitution on behalf of victims.

Common Challenges in the Pursuit of Justice

Effective anti-trafficking law enforcement efforts are inherently challenging and even the most effective governments struggle to address the crime comprehensively. Worldwide convictions of human traffickers listed in this year's Report were fewer than 10,000, while estimates of the number of victims of human trafficking remain in the tens of millions. Even with the low numbers of convictions, however, many criminal justice systems around the world are faced with cases that exceed their processing capacity. Limited funding and poor training for personnel impede the investigation of many types of crimes, including human trafficking. Often, the time and resources that do exist are stretched across competing priorities. These challenges must be addressed head on.

Barriers to Building a Strong Case

Building a strong human trafficking case can be complex and unwieldy. In many instances, police officials begin an investigation with a single victim who often may be the only witness who can describe the force, fraud, or coercion experienced in the course of his or her victimization. Officials must then gather evidence to corroborate that testimony, which is often a challenging and time-consuming process. It is vital that law enforcement is sufficiently trained on how to corroborate the victim's testimony and how to gather evidence to prove a suspect's intent to exploit a person in forced labor or sex trafficking. In addition, investigators and prosecutors should work together during the investigation stage to ensure the necessary evidence is collected and any weaknesses in the case are addressed as early as possible. Inadequate or incomplete evidence is often to blame for the lack of successful trafficking cases around the world.

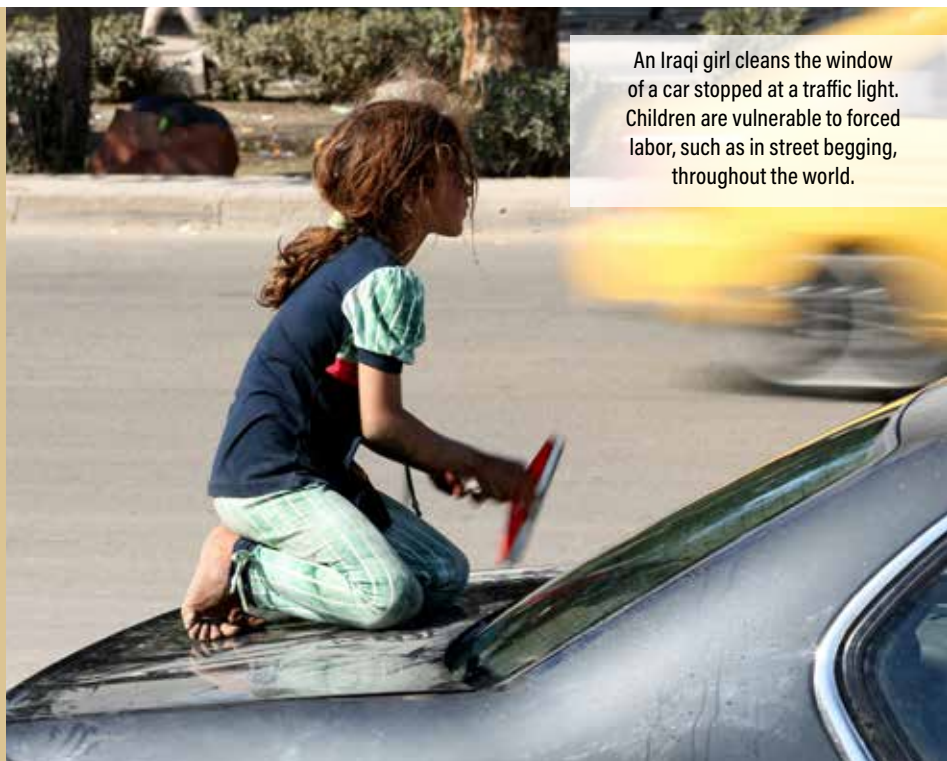
In response to certain issues in evidence collection, governments in some countries have increased coordination between police and prosecutors. In **South Africa**, the National Prosecuting Authority leads national anti-trafficking efforts, with prosecutors overseeing provincial anti-trafficking taskforces—allowing them to lead provincial law enforcement efforts and trainings for respective police and community personnel country-wide, further building the expertise and network of trained professionals.

Law enforcement and judicial officials need advanced training to develop appropriate investigation and evidence-processing techniques. In **Ukraine**, the Prosecutor General issued a directive in 2017 to give human trafficking investigations priority access to surveillance resources. In **Cambodia**, local organizations and even some officials acknowledge an urgent need for the law to authorize sophisticated evidence-collection techniques, including undercover investigations, wiretaps, and the ability to seek search warrants. These techniques can help law enforcement decrease reliance on witness testimony and adapt to the increasingly clandestine nature of human trafficking in Cambodia. Without such authority, law enforcement is limited in its ability to investigate these cases and is



I never thought there was human trafficking [in Ohio]. The problem was in front of my eyes. I just did not pay attention."

– Imam Talal Eid, Islamic Center of Greater Toledo



forced to close them when evidence cannot be obtained. In many other countries, the challenge lies in collecting and processing forensic evidence that can be lawfully admitted in court proceedings.

Delays in Prosecution

In many countries, backlogs in the courts or with over-burdened law enforcement personnel delay prosecutions and slow the delivery of justice. Many governments lack adequate personnel to handle time-intensive trafficking cases or face high personnel turnover of those officials with experience to prosecute them. Significant delays in prosecution can discourage victims from testifying or pursuing a case, or may have the practical result that the individual is no longer in the country or available to assist law enforcement or testify at trial. Worse, these delays can allow traffickers to continue exploiting, threatening, or intimidating victims, including survivors whose testimony is necessary to achieve a conviction.

With limited resources and staff, some governments have made efforts to designate specialized prosecutors to manage anti-trafficking caseloads, a step that facilitates the development of expertise on the investigation and prosecution of complex trafficking cases and allows for continued attention to combating this crime. For example, a specialized prosecutor would understand why a trafficking victim may initially lie to law enforcement about the facts of the crime or even describe a willing involvement in the trafficking scheme. An inexperienced prosecutor may see a reluctant or untruthful witness as an impediment to prosecution, instead of seeing evidence of the trafficker's success in controlling the victim such that he or she does not feel safe confiding in law enforcement. Specialized prosecutors better understand how to navigate these challenges.


In **Botswana**, after the passage of the 2014 Anti-Human Trafficking Act, the Directorate of Public Prosecutions designated a prosecutor to specialize in building trafficking prosecutions. Such specialized staff understand the intricacies and issues that routinely arise in a trafficking case and can share this information with other judicial sector officials through routine trainings and case work. Specialized prosecutors also gain an understanding of the needs and demands on victim-witnesses and can develop specialized mechanisms to assist them.

Supreme Court of the **Philippines** instituted the continuous trial system pilot project in 2014 to significantly expedite human trafficking prosecutions. During its first year, the court completed seven trafficking cases in less than one year and it continued to expedite trafficking prosecutions in subsequent years, even though some cases remain pending prosecution. By comparison, in 2013, trafficking cases prosecuted in the Philippines took an average of three-and-a-half to five years to complete.

In some countries with a civil law system, trafficking is treated as a high crime, requiring trials at the high court level, which may not convene regularly or address trafficking matters given other critical caseloads and limited resources. To address this, governments should encourage high courts to hold routine sessions, fund special sessions to prevent or reduce case backlogs, or prioritize human trafficking cases when setting court dates.

In our day...wars and conflicts have become the prime driver of trafficking in persons. They provide an enabling environment for traffickers to operate, as persons fleeing persecutions and conflicts are particularly vulnerable to being trafficked. Conflicts have created conditions for terrorists, armed groups and transnational organized crime networks to thrive in exploiting individuals and populations reduced to extreme vulnerability by persecution and multiple forms of violence.”

– Archbishop Bernardito Auza, Permanent Observer of the Holy See to the United Nations



A refugee family arrives in France. Refugees are particularly vulnerable to exploitation by traffickers.



Non-Criminal Resolutions

A criminal investigation and trial may be time- and resource-intensive, with no guarantee of a conviction or financial restitution. Lengthy judicial processes in turn can cause victims to become frustrated and discouraged with the legal system; victims who are traumatized and seek to move on with their lives may simply stop participating if the investigation or prosecution drags on too long. It is also often expensive for victims to travel to and stay in cities where trials are located. Defendants may seek to postpone or draw out a trial as a tactic, knowing that victims may be unable economically or emotionally to continue to participate and press their claims. Often the same realities that make individuals vulnerable to human trafficking, including economic pressures, discrimination, and a lack of agency, persist when the trafficking scheme ends. Support services and access to work authorization often allow victims to continue participating in long trials.

Given all of these challenges, human trafficking victims sometimes choose to mediate or settle their cases out-of-court, rather than participate in criminal proceedings. These alternative venues are seen as speedier and more likely to secure a positive result—in the form of financial compensation, including monetary payments for back wages or labor law violations. NGOs may even advise victims in some countries to seek mediation over criminal investigations to avoid the financial and emotional drain that may result where criminal proceedings are not likely to result in a conviction. In other instances, victims may prefer agreements on back wages or damages through an out-of-court settlement rather than risk the exposure and uncertainty of a criminal trial that, even if successful, will fail to compensate the victim financially.

For example, in **Laos**, the government has encouraged victims to cooperate with prosecutors, and the Lao Women's Union has made efforts to familiarize individual victims with the criminal court process; however, in previous years, an overall lack of incentives, resources, and lawyers made it difficult for victims to fully participate in formal legal proceedings, which could be lengthy and unlikely to include restitution awards. Rather than support prosecution efforts in the courts, this situation led some victims to choose traditional out-of-court mediation for faster closure and financial redress.

Mediation procedures, however, fall short of the Palermo Protocol's standards, which defines trafficking in persons as a crime to be prosecuted, not a civil wrong to be remedied by damages. In addition, terms of imprisonment commensurate with the heinous nature of the crime are expected to serve as a more effective deterrent than monetary damages or penalties alone. Even in countries in which legal systems allow for both civil and criminal cases to be brought against alleged traffickers, the civil claim ideally occurs in addition to a criminal case, not as an alternative. Governments must work to instill confidence in criminal justice systems and hold perpetrators of human trafficking accountable. Without prison sentences, human traffickers will likely not be deterred effectively.

Complicity and Corruption

Those who enforce the law are not above the law. Official complicity is a problem that plagues many criminal justice systems. In some countries, law enforcement personnel ignore clear signs of exploitation or actively participate in or facilitate human trafficking. Some police officials work when they are off-duty as security guards at brothels or other establishments where sex trafficking victims are exploited, making them potentially complicit with traffickers and reducing the likelihood victims would trust police enough to report such crimes. At borders, some officials take bribes to allow illegal crossings of trafficking victims or smuggled migrants who are vulnerable to trafficking and may later face exploitation; others may produce fraudulent documents for traffickers or their associates. Still other government officials are culpable for using their positions to facilitate or commit trafficking crimes for their own financial gain or even exploit victims themselves, such as by subjecting their household workers to domestic servitude or knowingly purchasing commercial sex from trafficking victims.

Because of law enforcement officials' unique position in government, they are also able to obstruct investigations. At times prompted by bribes or pressure from suspected traffickers or complicit officials, some law enforcement officials intentionally delay investigative efforts by slowing down evidence processing and requesting adjournments, among other practices. This can lengthen or delay the process and the commencement of a trial. As noted earlier, delays increase the burden on victims, including the financial burden, and may discourage their continued participation in criminal trials. These delays also allow traffickers and complicit officials more time to intimidate witnesses and their families.

It is vital that governments investigate vigorously any signs of official complicity and prosecute government and law enforcement officials both for any involvement in the crime and for related corrupt acts. Complicit government officials should face criminal accountability and stringent sentences, not merely reassignment or other administrative measures. Accountability creates a strong deterrent for any other potentially complicit officials. Publicly prosecuting corruption also builds trust in government in general and law enforcement in particular, and it can encourage victims and witnesses to report human trafficking cases.

Many governments are taking locally appropriate measures to respond to corruption and complicity. For example, in 2015, **Antigua and Barbuda's** Royal Police Force passed a new standing order prohibiting police officers from engaging in secondary employment at night clubs and strip clubs. This type of secondary employment is common practice in the region,

but the government passed this order to avoid the appearance of police protection for these establishments. In 2013, **Nepal's** anti-corruption commission indicted 46 officials from the Departments of Foreign Employment and Immigration for issuing fraudulent documents, a deterrent to others who might be tempted to facilitate human trafficking.

Governments can also encourage transparency as a means to uncover or deter official complicity and corruption, and empower independent officials to investigate or report cases of official complicity in trafficking, as with anti-discrimination ombudsmen in **Finland** and **France**. Dedicated anti-trafficking police units not only encourage the development of specialized skills among law enforcement but can also serve to inoculate against broader corruption and complicity. Such units have been established in **Chile, Cyprus, Ukraine, Thailand, and South Africa**, to name a few. Vetting members of such units through background checks and security clearances provides additional safeguards against corruption and complicity.

Prosecution of All Criminally Culpable Parties


Given the far-reaching nature of many human trafficking schemes, cases often involve multiple actors—intermediaries and recruitment agencies who entice people to leave their homes with promises of employment; truck or taxi drivers who transport potential victims; smugglers who help people cross borders; enforcers who monitor and control victims; those who financially benefit from the exploitation; and those who oversee the exploitation itself—the club, brothel or hotel owner, factory or farm manager, mine operator or ship captain, among others.

All such persons, if knowingly involved, are criminally culpable. Human traffickers are not only the individuals overseeing the exploitation of victims or the chief conspirators orchestrating the scheme. Any intermediary involved in the recruitment or transportation process, if aware of the intended exploitation of victims of sex or labor trafficking, is responsible and should be held criminally liable. Similarly, those who knowingly purchase or procure a commercial sex act from a victim of sex trafficking are also human traffickers.

For example, intermediaries in some areas recruit women with offers of ostensibly legitimate work abroad, only to later force them into labor or sex trafficking. These recruiters, however, often act in concert with traffickers in destination cities or countries and know what conditions await the women. When the exploitation is uncovered—usually in the destination country—victims can only identify the recruiter who originally deceived them and not the main trafficker and organizer. Worse yet, victims who are repatriated from exploitation abroad often return to the same places where they were recruited and may experience intimidation by intermediaries who were directly involved in their trafficking but were not held accountable. The lack of investigation and prosecution leaves the victim susceptible to retaliation, and also inhibits some victims from reporting their exploitation to authorities and participating in trials against their traffickers.

Governments should improve efforts to detect and prosecute all who are knowingly involved in perpetrating trafficking crimes and exploiting victims, including through robust investigations that reveal the tactics of the scheme, track the individuals in the criminal organization, and follow the monetary payments.

In many instances, officials may assume that intermediaries are not conspirators or are unaware of what will happen to the workers they recruit or transport, and thus that the intermediaries are not liable for prosecution. Careful investigation of all those in the trafficking network is essential to ensure perpetrators at all levels are held accountable for their involvement in trafficking crimes and as a deterrent measure to discourage others from assuming these roles.



These are people living in some of the most horrifying conditions imaginable. We see children forced to make bricks in Peru, disentangle fishing nets in Ghana, or sold into prostitution in Southeast Asia. We see men held captive on fishing boats off the coast of Thailand, or women trapped as domestic workers in the Persian Gulf. No country is immune from this crisis."

– Nikki Haley, U.S. Permanent Representative to the United Nations

Regardless of whether law enforcement officials can establish an intermediary had knowledge of the intended exploitation, they should question such intermediaries as part of an investigation to understand the larger scheme, and to ensure justice and security for victims. In a case in the **United States**, New York state authorities charged several defendants with sex trafficking and money laundering in 2012; they also charged six cab drivers for their role in transporting the victims and finding new customers, pursuing every intermediary responsible for supporting the sex trafficking operation, as well as the purchasers.

Authorities can also raise awareness in communities where recruiters frequently operate, by alerting those likely to be targets of the false promises that can lead to their victimization. Being active in vulnerable communities may also help law enforcement identify victims who can help establish a pattern of behavior by recruiters and prove the requisite intent to support a criminal conviction. The **Philippine** Overseas Employment Administration undertakes robust awareness-raising efforts so Filipino overseas workers can identify warning signs of illegal or unscrupulous recruitment practices. Well-informed overseas workers, in turn, provide information to the Agency that enables it to identify and investigate proactively suspicious recruitment activities. In 2015, the Agency investigated 98 cases of illegal recruitment involving 231 complainants. This resulted in the closure of 12 non-licensed establishments and the referral of 84 cases for criminal investigation.

Undertaking robust efforts to investigate and prosecute all intermediaries and actors knowingly involved in the perpetration of trafficking crimes is essential to deterring trafficking crimes from taking place and holding all perpetrators accountable. Many countries' trafficking laws have provisions penalizing collaborators and accomplices, specifically outlining different punishments for those involved to varying degrees in the separate portions of the crime. Thus, governments should look to use anti-trafficking laws to prosecute all those knowingly engaged in the full range of offenses covered by these laws.

Need for Bilateral and Multilateral Cooperation

Human trafficking occurs in virtually every country in the world and often crosses borders. While the crime of human trafficking does not require movement either within or across borders, cases often involve movement between source, transit, and destination countries. This is especially true in an increasingly interconnected global economy, with migration on the rise. People seeking opportunity or fleeing conflict frequently transit several countries and face vulnerabilities to human trafficking along the way. Others, recruited from their homes, are moved by intermediaries and exploiters, sometimes including migrant smugglers, en route to third countries where they face exploitation. Traffickers often capitalize on the lack of cooperation between governments to hide the full scope of their criminal enterprise. The transnational nature of many trafficking crimes requires increased efforts by governments to cooperate with each other. Governments must adhere to their obligations under Articles 2 and 10 of the Palermo Protocol, which require cooperation and information-sharing among governments' law enforcement, immigration, and other relevant authorities to investigate and prosecute trafficking.

Source-country governments report challenges in investigating and prosecuting trafficking crimes in which victims encounter exploitation on the other side of the border. Destination- and transit-country governments report an inability to collect evidence proving fraud or coercion in the initial recruitment scheme. In addition, jurisdictional questions often pose significant challenges to law enforcement efforts. However, there are promising efforts to cooperate internationally. In 2016, with support from **Sri Lanka**, **Nepal** sent a team of police and other officials from the ministries of labor, foreign affairs, and social welfare to Sri Lanka's capital city Colombo to investigate allegations that human traffickers and migrant smugglers were increasingly using Sri Lanka as a transit point for Nepali women to be exploited in other countries. In collaboration with the Sri Lankan police, the Nepali team found and helped send home 19 stranded migrant workers.



KUWAIT

Nicole left her impoverished family to work as a maid in Kuwait with the intention of sending her earnings back home. For nine months she worked constantly, suffered physical and verbal abuse, and received no pay. When her work visa expired, her employer took Nicole to the police and falsely accused her of a petty crime. Nicole tried to explain her innocence and reported that she had not been paid and had been abused over the past nine months. The police did not listen and instead jailed Nicole for six months. After her time in jail, Nicole was deported and returned home without any compensation.



*I had no holidays or rest days ...
We had to prepare gear, fix
cables, stitch the nets. It was
constant, constant."*

- Omol, Irish fishing industry trafficking victim

The government of **Kazakhstan** jointly investigated 17 cases related to trafficking in cooperation with several foreign governments, including the **Kyrgyz Republic**, **Uzbekistan**, **Russia**, and **Tajikistan** during the 2016 reporting period. In **St. Lucia**, police investigators cooperated with the **United States**, **Bangladesh**, and the **United Kingdom** in the course of investigating three men from India and one from Bangladesh who were charged with subjecting nine individuals to forced labor in the hospitality industry. The government recently initiated prosecution of all four defendants. In a sex tourism case involving the **United Kingdom** and **India**, a state-level law enforcement agency in India cooperated with law enforcement in the United Kingdom to prosecute a British defendant. Similarly, law enforcement authorities from the **United States** and **Mexico** conduct coordinated, bilateral law enforcement actions under the U.S.-Mexico Bilateral Human Trafficking Enforcement Initiative to dismantle human trafficking networks operating across their shared border. In 2015, the two governments simultaneously apprehended eight defendants in both countries and charged them with operating a sex trafficking enterprise. The governments then collaborated to secure the extradition to the United States in 2016 of the five defendants apprehended in Mexico.

Many trafficking laws also include provisions allowing for extra-territorial jurisdiction, allowing governments to investigate their citizens responsible for trafficking crimes abroad. For instance, in the **United States**, **Portugal**, **Qatar**, and **Sweden**, laws prohibiting sexual crimes against children have extra-territorial reach allowing for the prosecution of suspected child sex tourists who are those countries' nationals for offenses committed while abroad.

In addition to leveraging member state expertise and resources, multilateral organizations generate momentum to develop global, regional, and domestic strategies to help dismantle trafficking networks and empower vulnerable populations. INTERPOL publishes notices requesting cooperation or issuing alerts to member countries that allow national police to share critical crime-related information. For instance, a green notice provides warnings and intelligence about persons who have committed criminal offenses and are likely to repeat these crimes in other countries. UNODC, charged with promoting implementation of the Palermo Protocol, convenes government experts to collaborate on emerging human trafficking issues, and provides technical assistance to governments upon request. Additionally, UNODC maintains a public case law database with more than 1,400 human trafficking cases from around the world as well as a case digest to assist criminal law and other practitioners interested in how evidentiary issues are addressed in other jurisdictions.

Multilateral and regional organizations also work to foster consensus among their member states on common goals, commitments, and norms; and they can help standardize research and data collection methods at the regional and sub-regional levels. The Association of Southeast Asian Nations (ASEAN) is one example of multilateral leadership where consensus-building led to the development and adoption of a new legally-binding regional instrument. The ASEAN Convention against Trafficking in Persons, Especially Women and Children, which entered into force on March 8, 2017, provides a framework for Member States to enter into direct law enforcement cooperation on human trafficking cases. Multilateral fora also frequently provide a venue for member states, civil society, academia, the private sector, and survivors to exchange information on experiences and challenges, including identifying new and emerging issues related to human trafficking.

As with every aspect of combating human trafficking, collaboration can leverage expertise, resources, and capacity, which lead to better overall outcomes in law enforcement and victim protection.

Conclusion

Human trafficking is an assault on human dignity and should be penalized accordingly. No government can hold human traffickers accountable or address the needs of victims without stringent and comprehensive human trafficking laws, strong law enforcement and prosecutorial capacity funded with adequate resources, and an informed judiciary. Victims of human trafficking deserve timely and meaningful access to justice through a system that respects rule of law and due process rights. Without these measures, human trafficking will continue to flourish.

While governments cannot undo the pain and indignity victims face, they can seek to right those wrongs through official acknowledgment of injustice and by prosecuting, convicting, and sentencing traffickers and those complicit in human trafficking. In taking these measures, governments provide justice for victims, create more stable societies to keep the vulnerable safe, and work towards a world free from modern slavery.

Countries in the 2017 TIP Report that are not States Parties to the Protocol to Prevent, Suppress and Punish Trafficking In Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime



Between April 2016 and March 2017, the Maldives became party to the Protocol.

VENEZUELA | TRINIDAD AND TOBAGO

Working with a recruiter in Venezuela, Sarah accepted a job in a nursing home in Trinidad and Tobago. She was thrilled by the chance to earn more money, yet nervous that she had to leave her home and did not have enough experience in elder care. When Maria arrived in Trinidad and Tobago, she realized she had been deceived. The recruiter informed her she owed a large debt, and instead of working at a nursing home, she was forced into prostitution at a local hotel bar. Her recruiter confiscated most of her earnings each night.



PAYING TO WORK: THE HIGH COST OF RECRUITMENT FEES

Each year, millions of workers turn to or are approached by labor intermediaries—recruiters, agents, or brokers—who facilitate the movement of labor to satisfy global demand. As globalization increasingly drives markets toward temporary or seasonal contract work that depends on labor mobility and flexibility, the importance of the recruitment industry grows.

Labor intermediaries function as a bridge between workers and employers and, at their best, can provide helpful guidance and assist in matching workers with jobs and in arranging visas and documentation, medical checkups, pre-departure orientation, training, and travel. These intermediaries can range from licensed and legitimate to informal and unregulated, and increasingly, to criminal.

The International Labor Organization recognizes the important function of recruitment in a globalized world, but cautions against its use in ways that harm workers:

Recruitment should respond to established labor market needs, and not serve as a means to displace or diminish an existing workforce, to lower labor standards, wages, or working conditions, or to otherwise undermine decent work.

Around the world, workers and advocates report that unscrupulous recruiters often use misleading and fraudulent practices to take advantage of workers, especially those who do not have access to information about job opportunities and their rights. In many cases, workers also lack access to remedies when they experience exploitation.

Dishonest recruiters employ a variety of practices that ultimately undermine decent working conditions: they mislead workers about the conditions and nature of a job, engage in contract switching, and confiscate or destroy workers' identity documents to prevent them from leaving. Another common practice—charging workers fees to access job opportunities or cover the costs of recruitment—is a dominant model of recruitment in much of the world that contributes to the facilitation of crimes such as corruption and bribery and puts workers at risk of exploitation, including human trafficking.

WORKER-PAID RECRUITMENT FEES

In many cases, low-wage workers borrow large sums of money to cover the cost of recruitment fees, which can amount to anywhere from several hundreds to tens of thousands of dollars. Misled by promises of high wages, workers may borrow money from family or predatory lenders, or mortgage their homes or land, believing that they can easily repay their debts upon employment. These fees, which may also be combined with unfair and excessive interest rates, mean workers spend a period of time—sometimes years—working exclusively to repay what they owe.

When workers are charged recruitment fees, they become vulnerable to a variety of abuses, including debt bondage, a form of human trafficking in which individuals are forced to give up most or all of their salary until their debts are repaid. Individuals who carry debts that must be repaid with their wages are reluctant to complain to an employer or law enforcement, or leave the job. Workers may endure abusive conditions for fear of losing their job and defaulting on their debts. In many cases, unpaid debt results in threats to family members or loss of family property, adding further pressure for workers to stay in exploitative conditions.

ENFORCING GOVERNMENT REGULATION AND PRIVATE SECTOR POLICIES

Currently, the loosely defined “recruitment industry” is ripe for creating conditions of exploitation. Existing laws often fail to assign any responsibility to recruitment agents to protect workers, and governments do not actively monitor recruiters or require remediation when recruiters use fraudulent practices to exploit workers. In those countries where recruitment fees are prohibited, governments often do not robustly enforce such prohibitions.

In many cases, it can be difficult to prove that recruiters or recruitment agencies were aware of the exploitative circumstances in which the worker eventually ended up—and, even if they do not knowingly contribute to a human trafficking scheme, their actions can significantly contribute to the vulnerability of the worker. Because holding recruiters criminally accountable is challenging, the enforcement of regulations on abusive recruitment practices is all the more important.

For many businesses, the use of recruiters is a necessity and therefore should be treated as any operating cost, but using recruitment methods that ultimately pass these costs on to workers is both unfair and unsustainable. All employers, including those who contract with governments, should bear the cost and responsibility of using recruiters and should support and work closely with licensed recruitment agents to prohibit unscrupulous recruitment practices. Employers should be willing to pay higher costs for agencies that effectively implement measures to prevent exploitation and governments should promote policies that protect workers, enforce labor regulations, and prosecute criminals who knowingly exploit the vulnerability of workers.



In recent years, there has been growing consensus that, throughout their supply chains, both governments and the private sector should prohibit the practice of charging recruitment fees to workers:

- In 2016, worker, employer, and government representatives to the ILO negotiated and adopted non-binding general principles and operational guidelines for fair recruitment. The ILO identified governments as having the ultimate responsibility for advancing fair recruitment, and included the principle that "No recruitment fees or related costs should be charged to, or otherwise borne by, workers or jobseekers."
- In 2011, the Dhaka Principles for migration with dignity included as its first principle that no fees should be charged to migrant workers.
- The United States' 2015 Federal Acquisition Regulation, Ending Trafficking in Persons, prohibits federal contractors from charging workers recruitment fees, among other misleading and fraudulent recruitment practices.
- The International Organization for Migration is developing the International Recruitment Integrity System (IRIS) to provide a platform for addressing unfair recruitment. Accreditation to the program will be based on recruiters' adherence to certain principles, one of which includes a prohibition on charging fees to job seekers.
- The Consumer Goods Forum, a global network of more than 400 retailers, manufacturers, and service providers representing some \$3.5 trillion in sales, adopted a policy in 2016 stating the employer should bear the cost of recruitment, not the worker.
- The Leadership Group for Responsible Recruitment, convened by the Institute for Human Rights and Business, is a group of major companies working together with experts to address the payment of recruitment fees by workers. Launched in 2016, the initiative is based around the Employer Pays Principle, which states that "No worker should pay for a job. The costs of recruitment should be borne not by the worker but by the employer." The aim of the Group is the eradication of worker-paid fees over the coming decade.

Access to fair economic opportunity is critical not only to the livelihood of workers but also to preventing human trafficking. Labor intermediaries can help connect workers and employers and should be compensated for this work. Too often, however, workers are forced to shoulder the cost of their own recruitment, which makes them increasingly vulnerable to exploitation. Governments and the private sector can take actions to eliminate this practice and help to create supply chains free from human trafficking.



THE FACE OF MODERN SLAVERY

Sex Trafficking

When an adult engages in a commercial sex act, such as prostitution, as the result of force, threats of force, fraud, coercion or any combination of such means, that person is a victim of trafficking. Under such circumstances, perpetrators involved in recruiting, harboring, enticing, transporting, providing, obtaining, patronizing, soliciting, or maintaining a person for that purpose are guilty of sex trafficking of an adult. Sex trafficking also may occur through a specific form of coercion whereby individuals are compelled to continue in prostitution through the use of unlawful “debt,” purportedly incurred through their transportation, recruitment, or even their “sale”—which exploiters insist they must pay off before they can be free. Even if an adult initially consents to participate in prostitution it is irrelevant: if an adult, after consenting, is subsequently held in service through psychological manipulation or physical force, he or she is a trafficking victim and should receive benefits outlined in the Palermo Protocol and applicable domestic laws.

Child Sex Trafficking

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

Forced Labor

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

Bonded Labor or Debt Bondage

One form of coercion used by traffickers in both sex trafficking and forced labor is the imposition of a bond or debt. Some workers inherit debt; for example, in South Asia it is estimated that there are millions of trafficking victims working to pay off their ancestors’ debts. Others fall victim to traffickers or recruiters who unlawfully exploit an initial debt assumed, wittingly or unwittingly, as a term of employment. Traffickers, labor agencies, recruiters, and employers in both the country of origin and the destination country can contribute

to debt bondage by charging workers recruitment fees and exorbitant interest rates, making it difficult, if not impossible, to pay off the debt. Such circumstances may occur in the context of employment-based temporary work programs in which a worker’s legal status in the destination country is tied to the employer so workers fear seeking redress.

Domestic Servitude

Involuntary domestic servitude is a form of human trafficking found in distinct circumstances—work in a private residence—that create unique vulnerabilities for victims. It is a crime in which a domestic worker is not free to leave his or her employment and is abused and underpaid, if paid at all. Many domestic workers do not receive the basic benefits and protections commonly extended to other groups of workers—things as simple as a day off. Moreover, their ability to move freely is often limited, and employment in private homes increases their isolation and vulnerability. Labor officials generally do not have the authority to inspect employment conditions in private homes. Domestic workers, especially women, confront various forms of abuse, harassment, and exploitation, including sexual and gender-based violence. These issues, taken together, may be symptoms of a situation of domestic servitude. When the employer of a domestic worker has diplomatic status and enjoys immunity from civil and/or criminal jurisdiction, the vulnerability to domestic servitude is enhanced.

Forced Child Labor

Although children may legally engage in certain forms of work, children can also be found in slavery or slavery-like situations. Some indicators of forced labor of a child include situations in which the child appears to be in the custody of a non-family member who requires the child to perform work that financially benefits someone outside the child’s family and does not offer the child the option of leaving, such as forced begging. Anti-trafficking responses should supplement, not replace, traditional actions against child labor, such as remediation and education. When children are enslaved, their exploiters should not escape criminal punishment—something that occurs when governments use administrative responses to address cases of forced child labor.

Unlawful Recruitment and Use of Child Soldiers

Child soldiering is a manifestation of human trafficking when it involves the unlawful recruitment or use of children—through force, fraud, or coercion—by armed forces as combatants or other forms of labor. Perpetrators may be government armed forces, paramilitary organizations, or rebel groups. Many children are forcibly abducted to be used as combatants. Others are made to work as porters, cooks, guards, servants, messengers, or spies. Young girls may be forced to “marry” or be raped by commanders and male combatants. Both male and female child soldiers are often sexually abused or exploited by armed groups and such children are subject to the same types of devastating physical and psychological consequences associated with child sex trafficking.

HUMAN TRAFFICKING: A PUBLIC HEALTH PERSPECTIVE

Human trafficking is a crime increasingly associated with other government priorities such as national security, economic stability, migration, and environmental sustainability. It is reported that human trafficking fuels transnational criminal organizations, exacerbates irregular migratory flows, disrupts labor markets, and sustains other harmful, illicit activities through the forced criminality of its victims. Human trafficking can subvert legitimate economic and labor markets and cause a loss of productivity and economic stability for countries. And certain industries known for the use of forced labor also feature practices that wreak significant environmental damage.

In the public health arena, the consequences of human trafficking are even more evident. The circumstances that victims of human trafficking endure often include unsanitary and dangerous work environments, poor living conditions, substandard nutrition, exposure to sexually transmitted and other communicable diseases, and the denial of access to any health care. Victims of trafficking also frequently suffer physical and mental abuse resulting in physical, sexual, and psychological trauma.

For both children and adults, unsanitary and crowded living conditions, coupled with poor nutrition, foster a host of adverse health conditions. In forced labor cases, long hours and hazardous working conditions including poor training, proximity to dangerous chemicals, lack of personal protective equipment, and financial or physical punishment, including sexual assault, can cause or contribute injuries and illnesses. Sex trafficking victims are exposed to pelvic inflammatory disease, HIV/AIDS, and other sexually transmitted infections. Human traffickers may force pregnant victims to undergo abortions, usually in unsafe conditions, posing further trauma and health risks. In addition to physical harm suffered, the range of recurrent emotional and psychological abuse victims often experience can lead to a host of disorders, such as anxiety, depression, and panic attacks.

The myriad health conditions victims of human trafficking face are often not treated properly or promptly, if at all. Victims may be barred entirely from seeking medical attention for health issues and from seeking preventive services, such as dental cleanings, annual health screenings, or vaccinations, either by their trafficker or due to a lack of health insurance or money. Unaddressed health issues, which may have been treatable if detected early, can become more aggressive and severely degenerate the individual's health. Even after leaving a trafficking situation, survivors face health risks and consequences that last for many years. These often chronic health conditions are compounded for survivors of trafficking by unique barriers to accessing adequate health care and medical treatment. Untreated conditions, especially contagious illnesses, can threaten the health of the individual victims, as well as the collective health condition of their communities.

In responding to the consequences detailed above, several U.S. public health experts in the 2017 compilation of essays titled *Human Trafficking Is a Public Health Issue* make the case that using a public health perspective that moves beyond a criminal justice response has the advantage of enlisting a broader set of stakeholders and leads to more effective strategies to support victims and prevent human trafficking. For example, licensed health care practitioners, first responders, and other service providers can be trained to better identify victims seeking medical attention and help them to come forward. Likewise, professional curricula on domestic violence, child abuse, and elder abuse can integrate human trafficking elements. Such enhanced understanding and expanded training among a wide range of community stakeholders also aids in the prevention of human trafficking, as individuals with certain histories—such as abuse, violence, homelessness, substance abuse, or untreated mental health disorders—are considered at increased risk for human trafficking. In this way, employing a public health perspective can help inform the development of more effective anti-trafficking interventions and prevention strategies.

A man subjected to forced labor loads a truck in a charcoal camp in Brazil. Conditions in the charcoal sector are hazardous and workers are often isolated, making them more vulnerable to human trafficking.





Sex trafficking victims in a shelter in Sarajevo, Bosnia and Herzegovina. Service providers assist victims by facilitating access to medical and mental health care, shelter, and legal support.



MEXICO

Lilly lived in a small town in Mexico and needed a job. After she inquired at a local dry cleaning establishment, the owners offered her a position and a place to stay, which she happily accepted. Soon after beginning, the owners accused her of stealing and began to force her to work without pay. For almost two years, the owners confined Lilly to an ironing station in the shop and physically abused her if she stopped working. She was allowed only one small meal a day and little access to water. Lilly finally managed to escape the shop and alert the police, who raided the establishment.



CHILD SOLDIERS PREVENTION ACT LIST

The Child Soldiers Prevention Act of 2008 (CSPA) was signed into law on December 23, 2008 (Title IV of Pub. L. 110-457), and took effect on June 21, 2009. The CSPA requires publication in the annual *Trafficking in Persons Report* of a list of foreign governments identified during the previous year as having governmental armed forces or government-supported armed groups that recruit and use child soldiers, as defined in the act. These determinations cover the reporting period beginning April 1, 2016, and ending March 31, 2017.

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

- (i) any person under 18 years of age who takes a direct part in hostilities as a member of governmental armed forces;
- (ii) any person under 18 years of age who has been compulsorily recruited into governmental armed forces;
- (iii) any person under 15 years of age who has been voluntarily recruited into governmental armed forces; or
- (iv) any person under 18 years of age who has been recruited or used in hostilities by armed forces distinct from the armed forces of a state.

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


Governments identified on the list are subject to restrictions, in the following fiscal year, on certain security assistance and commercial licensing of military equipment. The CSPA, as amended, prohibits assistance to governments that are identified in the list under the following authorities: International Military Education and Training, Foreign Military Financing, Excess Defense Articles, and Peacekeeping Operations, with exceptions for some programs undertaken pursuant to the Peacekeeping Operations authority. The CSPA also prohibits the issuance of licenses for direct commercial sales of military equipment to such governments. Beginning October 1, 2017, and effective throughout Fiscal Year 2018, these restrictions will apply to the listed countries, absent a presidential national interest waiver, applicable exception, or reinstatement of assistance pursuant to the terms of the CSPA. The determination to include a government in the CSPA list is informed by a range of sources, including first-hand observation by U.S. government personnel and research and credible reporting from various UN entities, international organizations, local and international NGOs, and international media outlets.

The 2017 CSPA List includes governments in the following countries:

1. Democratic Republic of Congo
2. Mali
3. Nigeria
4. Somalia
5. South Sudan
6. Sudan
7. Syria
8. Yemen

Former anti-Balaka child soldiers wait to be released as part of a UN-negotiated deal in the Central African Republic. Some governments and government-supported militias in African, Asian, and Middle Eastern countries force children to serve as front-line soldiers or servants, and to guard checkpoints.





A child soldier trains in a Syrian training camp. Recruitment and use of children in combat in Syria continues to increase. Syrian government forces, pro-regime militias, and armed groups, including ISIS, continue to recruit and use boys and girls as soldiers, human shields, suicide bombers, and executioners, as well as to fill supporting roles.

NIGERIA

Boko Haram attacked Abdul's village and kidnapped him when he was 14 years old. They trained him to handle assault weapons such as machine guns, anti-aircraft guns, and rocket-propelled grenades. The group kept him and forced him to carry out various operations during which he was forced to kill 18 civilians. They also forced Abdul to gather intelligence on government forces, where he risked being recognized and prosecuted as a Boko Haram member. After being forced to fight for three years, Abdul decided to flee while on a spying mission, but was recognized as Boko Haram and arrested when he entered an internally displaced persons camp to look for his parents.

"I was forced literally to kill my best friend as an initiation process into the army. That's something I will never forget, and I still fight with every single day."

– Michel Chikwanine, former child soldier, DRC

ASSISTING MALE SURVIVORS OF HUMAN TRAFFICKING

The most frequently cited global statistics on human trafficking indicate that men and boys represent nearly half of the total number of human trafficking victims; yet the identification and proper care of male victims remains an enormous challenge to governments and care providers around the world. Too often, men and boys go unidentified and remain in perilous situations, deprived of their freedom. When they do escape their trafficking situations, they are likely to be neglected by governments and service providers whose programs were established to shelter and assist women and girls. Instead of being treated as exploited individuals, they are at greater risk of being penalized or fined for offenses, such as crossing a border illegally, or of facing charges and imprisonment for crimes committed as a result of being subjected to trafficking.

Male victims of forced labor have been found in nearly all work sectors, including mining, forestry, construction, health care, factories, hospitality, and agriculture. Recent investigative reports have documented the severe abuse of men on fishing boats in Southeast Asia for years at a time and the exploitation of boys in forced labor on fishing vessels on Ghana's Lake Volta. In addition, there have been recent reports of men forced to work in construction in Qatar as it prepares for the 2022 World Cup and in agriculture in the United Kingdom and the United States. Around the world, the sex trafficking of boys and men continues to be hidden and underreported, and there is a severe shortage of programs to meet their needs. For example, reports have documented boys sold into sex trafficking in Afghanistan, including for *bacha baazi*, where men use young boys for social and sexual entertainment. In the United States, men and boys are exploited in commercial sex.

Recent research has documented the physical and mental health impact of human trafficking on men and boys who may have experienced physical and sexual abuse and threats of violence, deprivation of basic nutrition and sanitation, and loss of freedom of movement. Despite experiencing such conditions, male survivors often do not initially see themselves as having been the victim of the crime of forced labor. Instead they are likely to view their labor trafficking situation as bad luck, their own "gullibility," or a "normal" consequence of labor migration. This is reinforced by commonly accepted or traditional gender roles or stereotypes in which men are expected to stand up for themselves and provide for their families. In addition, authorities, such as immigration officers, labor inspectors, and police, often do not recognize male victims due to biases or the tendency to perceive males as less vulnerable to human trafficking or erroneously view human trafficking as exclusively the sex trafficking of girls and women.

Most programs established to assist trafficking victims do not focus on meeting male survivors' needs. In many countries, even when authorities identify a male trafficking victim, there are few anti-trafficking programs able to provide men or boys specialized assistance, especially safe housing.

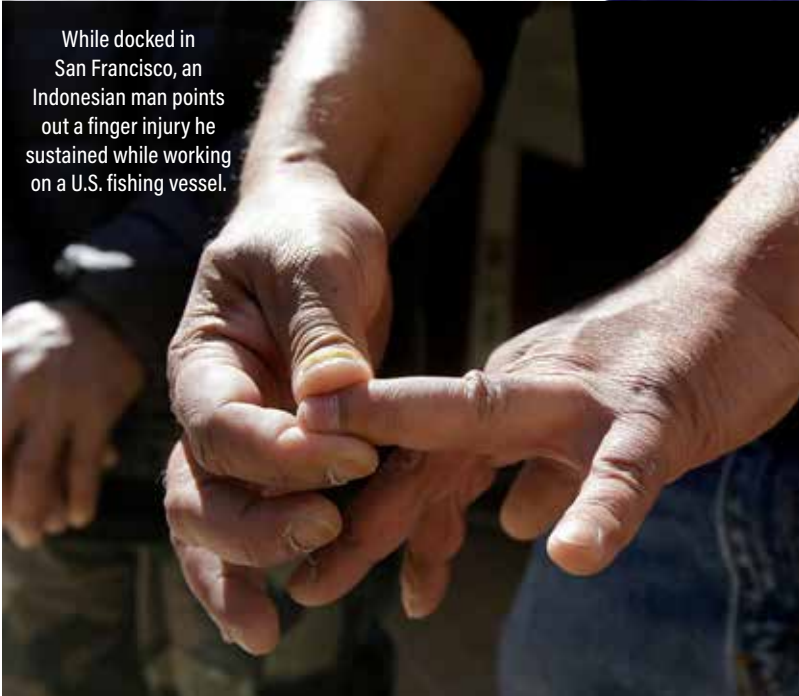
Male survivors of trafficking need access to **comprehensive and culturally appropriate assistance** to meet their needs, such as housing, medical care, mental health services, legal support, and employment assistance, offered through centers that tailor services to individuals, for example:

- **Housing.** Access to housing that is safe and has resources to meet their unique needs. The use of homeless shelters is often inadequate for traumatized male survivors.
- **Health.** Access to a wide range of trauma-informed physical and mental health services, including alternatives to traditional care such as peer-to-peer counseling.
- **Legal Support.** Access to legal support to ensure male survivors are aware of their rights, have access to legal proceedings, and are assisted in contacting consular services from their home country and seeking compensation for lost wages and injuries and other forms of restitution.
- **Employment Assistance.** Access to employment assistance that includes education, skills training, and job placement.

While some governments have made progress to improve the anti-trafficking response for male victims, much work remains to ensure men and boys are not overlooked or under-served. Governments should ensure services are sensitive to the needs of all victims, regardless of gender, and adapt methodologies as needed. All trafficking victims should be offered high quality individualized assistance, supported in regaining control of their lives, and empowered to make informed decisions about the options available to them.



While docked in San Francisco, an Indonesian man points out a finger injury he sustained while working on a U.S. fishing vessel.



UNITED KINGDOM

Tim lost his job in 2009 and was on the edge of destitution when a couple recruited him to work in their construction business, offering him housing and three meals a day. When he arrived at the couple's property, however, he found workers were living in a crowded and dirty trailer. The couple shaved his head, took his clothes, and confiscated his phone and identification. They held him captive, physically and verbally abused him, and forced him to work laying cement driveways. Eventually, the traffickers were arrested and Tim was released.



A child sex trafficking victim eats her lunch in her room at a brothel in Bangladesh. Traffickers subject adults and children to sex trafficking in brothels, bars, massage parlors, and private apartments.

“

There are situations where you have to force girls by using rape, abuse or torture. When she begins to fear for her life, she stops resisting and starts working.”

– South African brothel owner and human trafficker



METHODOLOGY

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

U.S. diplomatic posts and domestic agencies reported on the trafficking situation and governmental action to fight trafficking based on thorough research that included meetings with a wide variety of government officials, local and international NGO representatives, officials of international organizations, journalists, academics, and survivors. U.S. missions overseas are dedicated to covering human trafficking issues year-round. The 2017 *Trafficking in Persons Report* covers government efforts undertaken from April 1, 2016 through March 31, 2017.

Tier Placement

The Department places each country in this Report onto one of four tiers, as mandated by the TVPA. This placement is based not on the size of the country's problem but on the extent of governments' efforts to meet the TVPA's minimum standards for the elimination of human trafficking (see page 38), which are generally consistent with the Palermo Protocol.

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

Tier rankings and narratives in the 2017 *Trafficking in Persons Report* reflect an assessment of the following:

- enactment of laws prohibiting severe forms of trafficking in persons, as defined by the TVPA, and provision of criminal punishments for trafficking offenses;
- criminal penalties prescribed for human trafficking offenses with a maximum of at least four years' deprivation of liberty, or a more severe penalty;

CAMBODIA

After Lai's family fell into debt to loan sharks, her mother asked her to help the family earn more money. Lai, just 12 years old, was examined by a doctor and issued a certificate of virginity. Her mother then delivered her to a hotel where a man raped her repeatedly. For nearly two years, Lai's mother continued to sell her to make money to pay off their debts. After learning her mother was planning to sell her again, this time for a six-month stretch, Lai fled her home and found sanctuary in a residence for sex trafficking victims.

A Burmese victim of trafficking in Indonesia awaits repatriation. Traffickers use debts, physical abuse, and document confiscation, among other tactics, to trap victims in involuntary servitude.



- implementation of human trafficking laws through vigorous prosecution of the prevalent forms of trafficking in the country and sentencing of offenders;
- proactive victim identification measures with systematic procedures to guide law enforcement and other government-supported front-line responders in the process of victim identification;
- government funding and partnerships with NGOs to provide victims with access to primary health care, counseling, and shelter, allowing them to recount their trafficking experiences to trained social workers and law enforcement in an environment of minimal pressure;
- victim protection efforts that include access to services and shelter without detention and with legal alternatives to removal to countries in which victims would face retribution or hardship;
- the extent to which a government ensures victims are provided with legal and other assistance and that, consistent with domestic law, proceedings are not prejudicial to victims' rights, dignity, or psychological well-being;
- the extent to which a government ensures the safe, humane, and to the extent possible, voluntary repatriation and reintegration of victims;
- governmental measures to prevent human trafficking, including efforts to curb practices identified as contributing factors to human trafficking, such as employers' confiscation of foreign workers' passports and allowing labor recruiters to charge prospective migrants recruitment fees; and
- governmental efforts to reduce the demand for commercial sex acts and international sex tourism.

Tier rankings and narratives are NOT affected by the following:

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



NIGERIA | ITALY

Paula was walking home from the market in her hometown in Nigeria when a man approached her and offered her a job in Italy that included good pay and housing. The man told Paula she would have to pay a substantial recruitment fee for the job, but she did not have enough money. Paula reasoned that a job in Europe was a once-in-a-lifetime opportunity, and the proposed salary would be enough to pay back the debt easily, so she borrowed the money and eagerly accepted. Paula and a group of other Nigerian women traveled with the recruiters to Italy. Upon arrival, the women realized they had been deceived; the recruiters forced them into prostitution to repay their travel debts. Paula and the other women were discovered during a police raid.

GOVERNMENT ACCOUNTABILITY OFFICE REPORT:
"STATE HAS MADE IMPROVEMENTS IN ITS ANNUAL REPORT BUT DOES NOT
EXPLICITLY EXPLAIN CERTAIN TIER RANKINGS OR CHANGES"

On December 5, 2016, the Government Accountability Office released a report evaluating the Department of State's annual *Trafficking in Persons (TIP) Report* and making several recommendations to the Secretary of State to improve the clarity and usefulness of the *TIP Report*. Among these was the recommendation that the *TIP Report* should more clearly explain the factual basis for country tier rankings. To that end, the tier ranking justification for each country in the 2017 *TIP Report* is now contained in the first paragraph of each country narrative and includes new language that more explicitly highlights the factors that support a given tier ranking. These changes are intended to provide clear linkages between statements in each country narrative and the respective tier ranking, especially in the case of tier upgrades and downgrades.



LEFT: Sex trafficking survivors watch a presentation at a shelter in New Delhi, India. Experts estimate millions of people are victims of sex trafficking in India. Some are exploited in brothels on Delhi's notorious Garstin Bastion Road.

TOP: A *talibé* takes a break from begging in a market in Dakar, Senegal. The Quranic students rise before dawn to study, and then spend hours begging for money and food to bring back to their religious teacher, or *marabout*.

RIGHT: In Afghanistan, boys are sold as dancers, and are often subjected to sex trafficking, in a practice known as *bacha baazi*.



A Guide to the Tiers

Tier 1

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

Tier 2

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

Tier 2 Watch List

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

- a. the *absolute number* of victims of severe forms of trafficking is very significant or is significantly increasing;
- b. there is a failure to provide evidence of *increasing efforts* to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or
- c. the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take *additional steps over the next year*.

Tier 3

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

The TVPA lists additional factors to determine whether a country should be on Tier 2 (or Tier 2 Watch List) versus Tier 3: first, the extent to which the country is a country of origin, transit, or destination for severe forms of trafficking; second, the extent to which the country's government does not meet the TVPA's minimum standards and, in particular, the extent to which officials or government employees have been complicit in severe forms of trafficking; and third, reasonable measures that the government would need to undertake to be in compliance with the minimum standards in light of the government's resources and capabilities to address and eliminate severe forms of trafficking in persons.

A 2008 amendment to the TVPA provides that any country that has been ranked Tier 2 Watch List for two consecutive years and that would otherwise be ranked Tier 2 Watch List for the next year will instead be ranked Tier 3 in that third year. This automatic downgrade provision came into effect for the first time in the 2013 Report. The Secretary of State is authorized to waive the automatic



UKRAINE | RUSSIA

Sofia traveled from her small town in central Ukraine to Moscow with a friend on the promise of a job working in a market. When they arrived, the man who had offered them the job confiscated their passports and drove them to an old factory surrounded by barbed wire outside the city. Guards carrying guns ensured they could not escape. For almost two months Sofia worked 18-hour days, bottling, packing, and loading vodka from the plant's illegal stills. Sofia was finally able to escape when police raided the factory.

downgrade based on credible evidence that a waiver is justified because the government has a written plan that, if implemented, would constitute making significant efforts to meet the TVPA's minimum standards for the elimination of trafficking and is devoting sufficient resources to implement the plan. The Secretary can only issue this waiver for two consecutive years. After the third year, a country must either go up to Tier 1 or 2 or down to Tier 3. Governments subject to the automatic downgrade provision are noted as such in the country narratives.

Funding Restrictions for Tier 3 Countries

Pursuant to the TVPA, governments of countries on Tier 3 may be subject to certain restrictions on assistance, whereby the President may determine not to provide U.S. government nonhumanitarian, nontrade-related foreign assistance. In addition, the President may determine to withhold funding for government official or employee participation in educational and cultural exchange programs for certain Tier 3 countries. Consistent with the TVPA, the President may also determine to instruct the U.S. Executive Director of each multilateral development bank and the International Monetary Fund to vote against and use his or her best efforts to deny any loans or other uses of the institutions' funds to a designated Tier 3 country for most purpose (except for humanitarian, trade-related, and certain development-related assistance). Alternatively, the President may waive application of the foregoing restrictions upon a determination that the provision to a Tier 3 country of such assistance would promote the purposes of the TVPA or is otherwise in the national interest of the United States. The TVPA also authorizes the President to waive funding restrictions if necessary to avoid significant adverse effects on vulnerable populations, including women and children.

Applicable funding restrictions apply for the next Fiscal Year, which begins October 1, 2017.

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

Nigerian migrants cross the Mediterranean Sea to Sicily from Libya. Migrants smuggled to Italy via Libya are especially susceptible to exploitation on their journey and when they arrive at their destination.

UNITED STATES


Amy was 12 when her father, an alcoholic and drug addict, began abusing her physically and sexually. When she was 17, Amy began staying with her friend, Lisa, to escape her father's abuse. Lisa told Amy that she knew an agent who could help her become a model—something Amy had always dreamed of. Instead, the man forced Amy into prostitution and kept all the money she made, locking her in a hotel room for weeks, giving her very little food. He threatened to kill her if she ever left. Amy was finally able to escape and now hopes to train to become a certified nursing assistant so she can help others.



“Why should I slap them when I can just use words to destroy them mentally?”

– Romanian trafficker in the United Kingdom, speaking on why he doesn't need to use violence against the women he forces into commercial sex.

ENGAGING SURVIVORS OF HUMAN TRAFFICKING



I see this council really as a shining light for survivors across the country as a way to really empower survivors, that they can be anything that they want to be and they can overcome just about anything that they're dealing with, that they're struggling with, and that there is hope."

– Sheila White, sex trafficking survivor, on behalf of the U.S. Advisory Council on Human Trafficking

Survivors play a vital role in combating human trafficking. Survivors should not be seen only as recipients of services; they run organizations, advocate before legislatures, train law enforcement officers, conduct public outreach, and work with government officials. The survivor voice is vital in establishing effective anti-trafficking strategies that address prosecution, protection, and prevention. The appointment of the United States Advisory Council on Human Trafficking in December 2015 established a formal platform for human trafficking survivors to advise and make recommendations to the federal government on anti-trafficking policies and programs. This marked a significant milestone in the anti-trafficking movement, as it demonstrates both to survivors and governments around the world the importance of survivor engagement in all efforts to combat this crime.

Governments, civil society, and businesses should understand how to engage with survivors appropriately and responsibly, whether within the criminal justice system, through the provision of services, in the adoption and implementation of corporate policies, or in efforts to advocate for social change. The following list, although not exhaustive, delineates several guidelines for meaningful engagement with survivors:

DO:

- **Promote survivor empowerment and self-sufficiency.** Survivors of human trafficking should have access to services that are comprehensive, victim-centered, and culturally appropriate, including long-term care, to promote autonomy. Additionally, survivors should have access to vocational training, skill development courses, financial counseling, and educational scholarships.
- **Use a victim-centered and trauma-informed approach.** All engagement with survivors, as well as all anti-trafficking work, should incorporate a victim-centered and trauma-informed approach to minimize re-traumatization and ensure an understanding of the impact of trauma on the individual.

The victim-centered approach seeks to minimize re-traumatization associated with involvement in the criminal justice process by providing the support of victim service providers, empowering survivors as engaged participants in the process, and providing survivors an opportunity to play a role in seeing their traffickers brought to justice.

A trauma-informed approach includes an understanding of the physical, social, and emotional impact of trauma on the individual, as well as on the professionals who help them.

- **Hire and compensate.** Survivors know firsthand how to improve anti-trafficking efforts and should be hired and compensated for their expertise. It is important for agencies and organizations to create opportunities to employ survivors as staff members, consultants, or trainers. Survivors, like any other employee or consultant, deserve financial compensation for their time and expertise.
- **Incorporate input.** Government agencies, victim service providers, law enforcement agencies, non-profit organizations, and businesses should listen carefully to survivor recommendations and incorporate survivor input in both the design and implementation of anti-trafficking policies, programs, trainings, and advocacy efforts.
- **Protect confidentiality.** Agencies and organizations interacting with survivors should protect survivors' identities and privacy appropriately and establish policies and procedures on confidentiality.

DON'T:

- **Require participation.** Requiring a survivor to participate in a program deprives him or her of autonomy and the right to self-determination. Survivors should be empowered to make their own decisions about the care they would like to receive.
- **Overpromise.** Law enforcement officials, victim service providers, and government agencies should avoid making promises and commitments they cannot keep. In particular, they should not promise services to gain a survivor's cooperation.
- **Re-traumatize.** When engaging with survivors, do not push them to recount their personal story unnecessarily. Similarly, don't share the details of a survivor's story without gaining permission and providing context for how the information will be used.
- **Sensationalize the individual's experience.** The use of graphic language or shocking imagery to depict human trafficking promotes myths and misconceptions about this crime and can re-traumatize survivors.
- **Photograph or publish information without consent.** It is a survivor's decision to participate in any outreach, marketing, social media, or publicity efforts. Publishing a survivor's name or story without their informed consent could compromise the survivor's safety and well-being. If a survivor is willing, always ask how they would like to be described (e.g., survivor, advocate, etc.) and allow the survivor to review any material for accuracy before publication.

"I didn't know I was a victim of anything except circumstance."

– Caitlin Kelly Lawrence, sex trafficking survivor



PHILIPPINES

When Mariel approached Jasmine and promised her a job in an internet café in Manila, Jasmine readily accepted. Mariel recruited Jasmine and more than a dozen other girls from their small village and arranged for the group to travel to Manila together. At the port, however, a security guard became suspicious of the girls traveling with Mariel and asked to see their identification and work documents. Mariel failed to present proper documentation and was arrested. Officials later learned that there had never been any internet café jobs, but rather Mariel had planned to force the girls to work in commercial sex by advertising them online.

ONLINE SEXUAL EXPLOITATION OF CHILDREN: AN ALARMING TREND

“That could be anybody’s daughter...That could be your neighbor. That could be your daughter’s or your son’s friend at school.”

– FBI Agent Bob Parker, on a victim lured into child sex trafficking via Facebook

New technologies are facilitating the online sexual exploitation of children, including the live-streaming of sexual abuse of children using web cameras or cellphones, often for profit. Mobile devices also provide new and evolving means by which offenders sexually abuse children as apps are being used to target, recruit, and coerce children to engage in sexual activity. Experts believe tens of thousands of children globally are sexually exploited online, and the number appears to be growing. The victims may be boys or girls, ranging from very young children to adolescents, and hailing from all ethnic and socio-economic backgrounds.

The process often begins when an offender gains access to a potential child victim and, through psychological manipulation and coercion, grooms the child for sexual exploitation. The offender then connects via the internet with a paying client who often specifically requests a child. The child is further victimized through commercial sexual exploitation and abuse and the live-streaming of commercial sex acts. Perpetrators can pay to direct the sexual abuse of children from anywhere in the world while the abuse takes place in private homes, Internet cafes, or “cyber dens” in or near the child’s community. Disturbingly, closed and highly protected online communities dedicated to the sexual abuse of children have proliferated. Children have been reported to be victims of this crime in Colombia, India, Mexico, the Philippines, Thailand, and the United States. Many countries, including Australia, Britain, Canada, the Netherlands, the Philippines, and the United States, have prosecuted perpetrators—both paying clients and offenders who facilitate the exploitation of the child.

In the Philippines, where many are impoverished and nearly half of the population is connected to the internet, numerous individuals in poor communities reportedly earn income from this type of child exploitation. Online sessions can be conducted at low cost using a cellphone or a computer with a webcam. Connections to prospective clients are made easily; clients remain anonymous and make payments by wire transfer. Children, often naked, have been exploited on camera—including by family members or neighbors—and coerced into exhibiting themselves and performing sex acts for the viewing of individuals watching online. In many cases, family members justify facilitating the online sexual exploitation by asserting that it is not harmful to the child, especially in cases where there is no direct physical contact with the child. This lack of understanding of the detrimental psychological, developmental, and physical impact of this crime on children, the complicity of relatives, and the easy flow of money have contributed to the practice becoming more prevalent.

Another growing threat to children is sextortion, which is a form of online sexual exploitation of children where offenders hack, coerce, deceive or otherwise obtain incriminating photos or information from a child and then threaten exposure if that child does not perform sex acts via web cameras.

The online sexual exploitation of children presents new challenges for law enforcement, prosecutors, judges, and victim service providers. Law enforcement and prosecutors in most countries have little training or experience in detecting this crime, conducting online investigations, obtaining evidence from internet service providers, and presenting relevant evidence in court. Enhanced mechanisms of encryption by the offenders, such as networks of technologies and platforms that obfuscate traditional IP addresses, have also delayed or complicated investigations. In addition, difficulties in obtaining the cooperation of family members and others who facilitate the crime is a widespread challenge in these cases, as is the lack of specialized trauma-informed care and services for the child victims, especially boys.

Despite such challenges, governments, international organizations, and NGOs are working together to address the online sexual exploitation of children. Successful detection and prosecution of perpetrators requires advanced cybercrime investigative skills, criminal laws and procedures that secure cyber evidence and allow for prosecution of crimes committed online, specialized training for prosecutors and judges, cross-border law enforcement cooperation, and specialized care for child victims. The low financial cost of this criminal enterprise (an internet connection and a mobile device or computer-linked webcam), coupled with its low risk nature (as seen by the relatively small number of convictions globally) and high profitability are driving the rapid growth of online sexual exploitation of children. To reverse this trend, governments must rally significant political will and resources to hold perpetrators accountable, provide comprehensive services to child victims, and prevent the crime from occurring.

MEDIA REPORTING ON HUMAN TRAFFICKING

From traditional news outlets to social media, a growing movement is exposing human trafficking as a concern both from a human rights and a national security perspective.

Just 15 years ago, human trafficking was an under-reported and often misrepresented issue and some reporting sensationalized the problem or even misinformed the public. In the last few years, a significant shift has occurred in the media's reporting of human trafficking, from dramatic exposés to in-depth original research and agenda-setting public-interest reporting. These media reports have helped change the way the public looks at human trafficking—from a crime that happens to “others” to one that has an impact on people's everyday lives, in nearly every community and region of the world.

Some of the highlights and exemplary reporting in the last few years include:

- **2009, *Des Moines Register*.** A *Register* investigation in 2009 led to the release of dozens of men with intellectual disabilities, who were living in squalor, abused, and forced to work for as little as 41 cents per hour processing turkeys in a plant in Atalissa, Iowa. After four years of court battles with the company, the men won a \$240 million jury verdict, which was subsequently reduced to \$50,000 per person.
- **2010, *CNN Freedom Project*.** The network originally committed to a one-year project dedicated to raising awareness about modern slavery around the world. This year, the network celebrates seven years of the “Freedom Project,” which has covered more than 600 investigative stories on human trafficking to date.
- **2011, *Al Jazeera English*.** The network started a ground-breaking series, “Slavery: A 21st Century Evil,” highlighting modern slavery around the world.
- **2012, *National Public Radio*.** A two-part series on *Morning Edition* exposed forced labor in the seafood sector and its link to American dinner tables.
- **2014, *the Guardian*.** A six-month investigative series, “Modern-day Slavery in Focus,” revealed direct links between the men forced to labor on fishing boats and in the production of seafood sold by major retailers throughout the world.
- **2014, *Los Angeles Times*.** The four-part investigative series, “Product of Mexico,” revealed the harsh living conditions and exploitative situations endured by migrant farmworkers in Mexico who supplied significant amounts of agricultural produce to the United States.
- **2015, *New York Times*.** A seven-part series, “The Outlaw Ocean,” which took two years to investigate, provided a comprehensive look at the overall lawlessness at sea and chronicled a diversity of crimes, including forced labor on fishing boats.
- **2015, *Capital News Service*.** Students from the Philip Merrill College of Journalism at the University of Maryland produced a six-part investigative series, “The Brothel Next Door: Human Trafficking in Maryland,” that examined more than three-dozen state and federal human trafficking cases from 2005 to 2015, and submitted 70 public records requests for reports on forced labor and sex trafficking cases.
- **2016 *Associated Press*.** The 18-month investigative story, “Seafood from Slaves,” led to the release of more than 2,000 trafficking victims, traced the seafood they caught to supermarkets and pet food providers across the United States, and led to the jailing of perpetrators, congressional hearings, and the introduction of new laws.

Media play an enormous role in shaping perceptions and guiding the public conversation about human trafficking. Human trafficking schemes are constantly evolving, and the media's vigilance helps keep the public informed and engaged. As media pursues more research and investigative work on the issue, the public will better understand how the crime works, how to identify and help trafficking victims, and ultimately, what can be done to prevent the crime from happening.

AFGHANISTAN

When Pasha was 10 years old, his family pulled him out of school so he could help out by earning money working in a brick kiln. Pasha's family had borrowed money from the kiln owner to help take care of Pasha's ailing father, and the interest charged on the loan made the debt insurmountable. For three years, Pasha has worked 12-hour days hauling a handcart full of dirt alongside his father and siblings. If Pasha's family cannot pay off the debt, he and his siblings will inherit it and possibly pass it on to their own children.




GLOBAL LAW ENFORCEMENT DATA

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


YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2009	5,606 (432)	4,166 (335)	49,105	33
2010	6,017 (607)	3,619 (237)	33,113	17
2011	7,909 (456)	3,969 (278)	42,291 (15,205)	15
2012	7,705 (1,153)	4,746 (518)	46,570 (17,368)	21
2013	9,460 (1,199)	5,776 (470)	44,758 (10,603)	58
2014	10,051 (418)	4,443 (216)	44,462 (11,438)	20
2015	19,127 (857)	6,615 (456)	77,823 (14,262)	30
2016	14,897 (1,038)	9,071 (717)	66,520 (17,465)	25

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.



“Victims will only find freedom if we cultivate a radically new, global and co-ordinated approach to defeat this vile crime. Together we must work tirelessly to preserve the freedoms and values that have defined our United Nations from its inception. Together we must work tirelessly to restore these freedoms and values to the lives of the men, women and children who are exploited for profit and held captive with little or no chance of escape.”

– Theresa May, Prime Minister of the United Kingdom

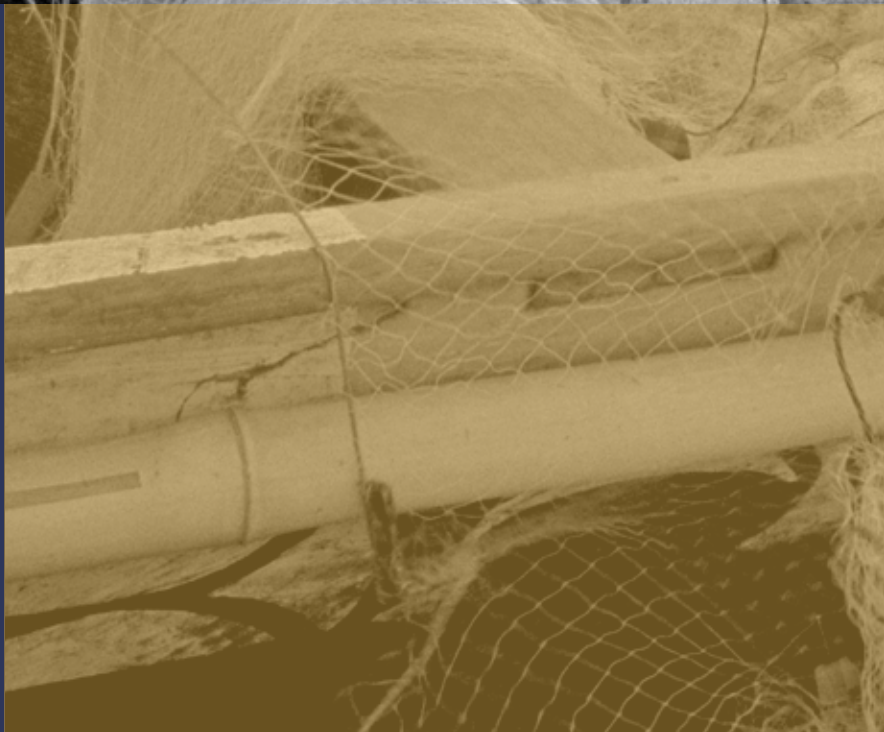


Miners dig in an open pit mine. Forced labor is common in the mining industry. Exposure to toxic chemicals and mine collapses jeopardize the health and safety of those who work in these mines.

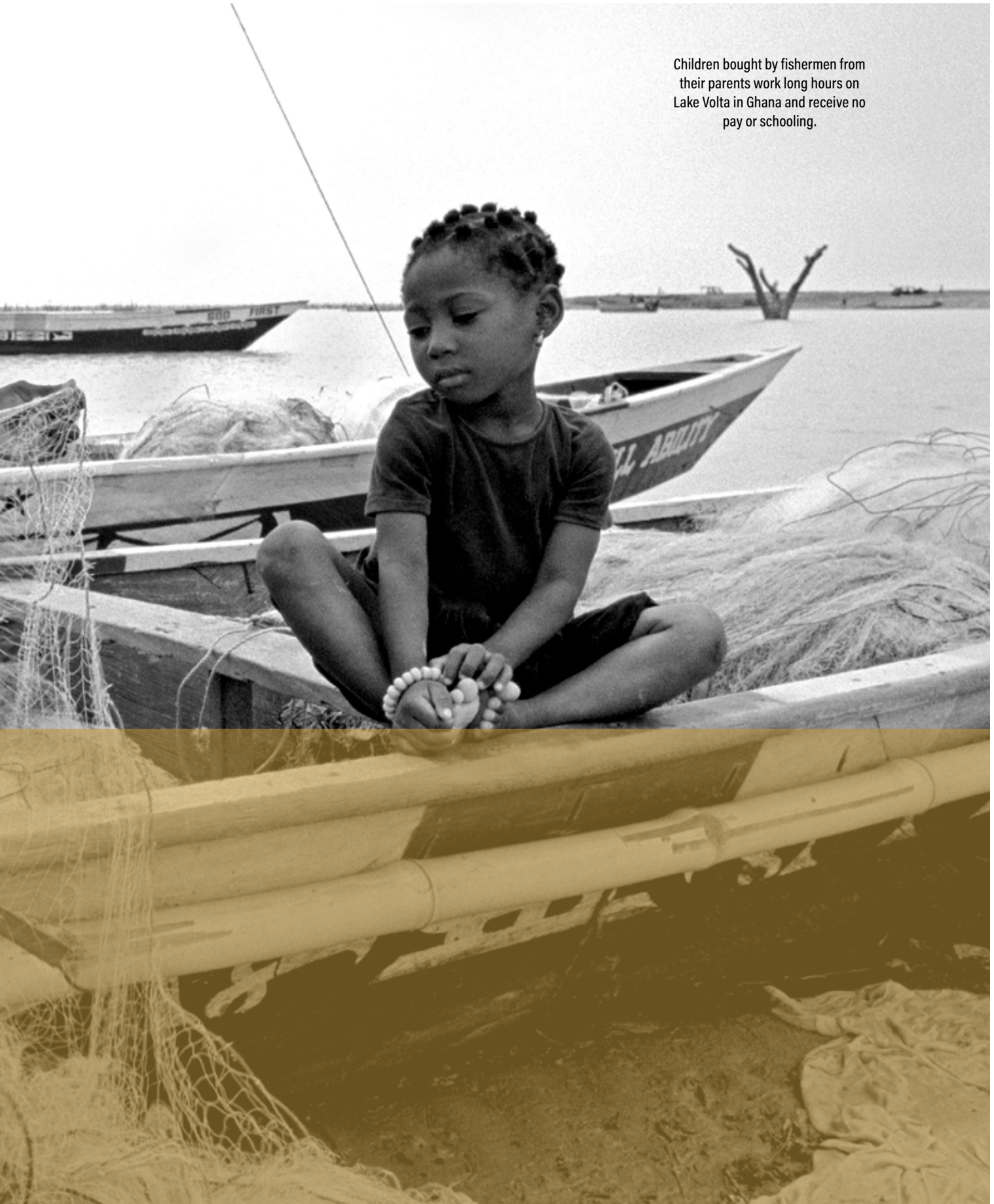


UGANDA

Mary dreamed of being an electrician in Uganda. When she was 16 years old, her parents could no longer support her or pay her school fees; they sent her to live with an aunt in a village outside of Kampala. After her aunt had an accident, Mary was soon struggling for money. A neighbor helped Mary get a job in a nearby bar, where her boss forced her to have sex with some of the bar's patrons. One day, a social worker came to the bar and told Mary about an organization that could help her escape the bar. With the support of the NGO, Mary was able to leave, return to school, and get her degree in electronics.



Children bought by fishermen from their parents work long hours on Lake Volta in Ghana and receive no pay or schooling.



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

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

- (1) The government of the country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.
- (2) For the knowing commission of any act of sex trafficking involving force, fraud, coercion, or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault.
- (3) For the knowing commission of any act of a severe form of trafficking in persons, the government of the country should prescribe punishment that is sufficiently stringent to deter and that adequately reflects the heinous nature of the offense.
- (4) The government of the country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.

INDICIA OF "SERIOUS AND SUSTAINED EFFORTS"

- (1) Whether the government of the country vigorously investigates and prosecutes acts of severe forms of trafficking in persons, and convicts and sentences persons responsible for such acts, that take place wholly or partly within the territory of the country, including, as appropriate, requiring incarceration of individuals convicted of such acts. For purposes of the preceding sentence, suspended or significantly reduced sentences for convictions of principal actors in cases of severe forms of trafficking in persons shall be considered, on a case-by-case basis, whether to be considered as an indicator of serious and sustained efforts to eliminate severe forms of trafficking in persons. After reasonable requests from the Department of State for data regarding investigations, prosecutions, convictions, and sentences, a government which does not provide such data, consistent with the capacity of such government to obtain such data, shall be presumed not to have vigorously investigated, prosecuted, convicted, or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.
- (2) Whether the government of the country protects victims of severe forms of trafficking in persons and encourages their assistance in the investigation and prosecution of such trafficking, including provisions for legal alternatives to their removal to countries in which they would face retribution or hardship, and ensures that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts as a direct result of being trafficked, including by providing training to law enforcement and immigration officials regarding the identification and treatment of trafficking victims using approaches that focus on the needs of the victims.
- (3) Whether the government of the country has adopted measures to prevent severe forms of trafficking in persons, such as measures to inform and educate the public, including potential victims, about the causes and consequences of severe forms of trafficking in persons, measures to establish the identity of local populations, including birth registration, citizenship, and nationality, measures to ensure that its nationals who are deployed abroad as part of a diplomatic, peacekeeping, or other similar mission do not engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, a transparent system for remediating or punishing such public officials as a deterrent, measures to prevent the use of forced labor or child labor in violation of international standards, effective bilateral, multilateral, or regional information sharing and cooperation arrangements with other countries, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting.
- (4) Whether the government of the country cooperates with other governments in the investigation and prosecution of severe forms of trafficking in persons and has entered into bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with other countries.
- (5) Whether the government of the country extradites persons charged with acts of severe forms of trafficking in persons on substantially the same terms and to substantially the same extent as persons charged with other serious crimes (or, to the extent such extradition would be inconsistent with the laws of such country or with international agreements to which the country is a party, whether the government is taking all appropriate measures to modify or replace such laws and treaties so as to permit such extradition).

- (6) Whether the government of the country monitors immigration and emigration patterns for evidence of severe forms of trafficking in persons and whether law enforcement agencies of the country respond to any such evidence in a manner that is consistent with the vigorous investigation and prosecution of acts of such trafficking, as well as with the protection of human rights of victims and the internationally recognized human right to leave any country, including one's own, and to return to one's own country.
- (7) Whether the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials, including diplomats and soldiers, who participate in or facilitate severe forms of trafficking in persons, including nationals of the country who are deployed abroad as part of a diplomatic, peacekeeping, or other similar mission who engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, and takes all appropriate measures against officials who condone such trafficking. A government's failure to appropriately address public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria. After reasonable requests from the Department of State for data regarding such investigations, prosecutions, convictions, and sentences, a government which does not provide such data consistent with its resources shall be presumed not to have vigorously investigated, prosecuted, convicted, or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.
- (8) Whether the percentage of victims of severe forms of trafficking in the country that are non-citizens of such countries is insignificant.
- (9) Whether the government has entered into effective, transparent partnerships, cooperative arrangements, or agreements that have resulted in concrete and measurable outcomes with
- (A) domestic civil society organizations, private sector entities, or international nongovernmental organizations, or into multilateral or regional arrangements or agreements, to assist the government's efforts to prevent trafficking, protect victims, and punish traffickers; or
 - (B) the United States toward agreed goals and objectives in the collective fight against trafficking.
- (10) Whether the government of the country, consistent with the capacity of such government, systematically monitors its efforts to satisfy the criteria described in paragraphs (1) through (8) and makes available publicly a periodic assessment of such efforts.
- (11) Whether the government of the country achieves appreciable progress in eliminating severe forms of trafficking when compared to the assessment in the previous year.
- (12) Whether the government of the country has made serious and sustained efforts to reduce the demand for
- (A) commercial sex acts; and
 - (B) participation in international sex tourism by nationals of the country.

2017 TIP REPORT HEROES

Each year, the Department of State honors individuals around the world who have devoted their lives to the fight against human trafficking. These individuals are NGO workers, lawmakers, police officers, and concerned citizens who are committed to ending modern slavery. They are recognized for their tireless efforts—despite resistance, opposition, and threats to their lives—to protect victims, punish offenders, and raise awareness of ongoing criminal practices in their countries and abroad. For more information about current and past Trafficking in Persons Report Heroes, including how to connect with them, please visit the Trafficking in Persons Report Heroes Global Network at www.tipheroes.org.

ALIKA KINAN / ARGENTINA



Alika Kinan is the first survivor of human trafficking in Argentina to win an award for damages in a civil sex trafficking case. In November 2016, she helped secure a criminal conviction of her traffickers and won the civil judgment and award; this was the first time in the country's history that a local government was ordered to pay a civil award to a victim of human trafficking.

Since escaping from her trafficking situation in 2012, Ms. Kinan has advocated tirelessly for the rights of women at both the national and provincial levels. She has partnered with the Argentine government to enhance its response to human trafficking and continues to fight on behalf of trafficking victims for greater access to essential services such as medical treatment, housing, job training, and education. Ms. Kinan frequently works with the Argentine Prosecutor General's Office, the Public Defenders' Office, and the Ministry of Justice to improve the prosecution of human trafficking cases at the national and provincial levels. She also participates in training efforts and advises provincial governments, NGOs, and local universities on programs to prevent trafficking in persons across the country.

Ms. Kinan is working to establish an NGO to help raise awareness and improve assistance to human trafficking victims in Argentina.

LEONARDO SAKAMOTO / BRAZIL



Leonardo Sakamoto is a Brazilian journalist with an unwavering commitment to the protection of fundamental freedoms in Brazil. In 2001, he established *Repórter Brasil*, an NGO dedicated to monitoring and combating forced labor in Brazil. *Repórter Brasil's* pioneering investigative journalism has helped leaders in the public and private sectors, as well as in civil society, use research and educational programs as tools to combat human trafficking, especially forced labor.

Repórter Brasil runs *Escravo, Nem Pensar!*, the first educational program operating at the national level to help raise awareness about and prevent forced labor in Brazil by providing technical and financial support for vulnerable communities. Under Mr. Sakamoto's leadership, the program has already reached more than 140 municipalities in eight Brazilian states, benefiting more than 200,000 people.

With Mr. Sakamoto at the helm, *Repórter Brasil* was also an active participant in the creation of the National Pact for the Eradication of Slave Labor, an agreement that brings together 400 companies committed to combating forced labor. His devotion to the issue is exemplified by his role in the production of the *Lista Suja*, or the dirty list, a public list of individuals and private companies found to be using forced labor in their supply chains, which has mobilized the Brazilian government to increase its efforts to prevent forced labor in supply chains.

VANAJA JASPHINE / CAMEROON



Vanaja Jasphine is the driving force behind and coordinator of the Kumbo Diocesan Commission for Justice and Peace in the Northwest Region of Cameroon. In this role, she has placed her organization at the forefront of the fight against human trafficking in Cameroon and has contributed to a renewed government commitment to combat human trafficking.

Sister Jasphine has worked tirelessly to inform authorities and civil society leaders, including those in the religious community and media partners, about human trafficking, especially on patterns of movement that create vulnerabilities. She played a key role in recognizing the trend of Cameroonians traveling to the Middle East and being forced into domestic servitude or sex trafficking, and then spurred the government to take action, including drafting migrant worker agreements and enhancing screening measures at airports. Sister Jasphine and her organization have identified more than 200 Cameroonian trafficking victims in the Middle East during the past few years. In 2016 alone, she helped facilitate the return of at least 14 victims from the Middle East, including raising funds to sponsor return air travel for four of them.

Through her organization, Sister Jasphine has helped provide reintegration assistance to survivors, initiate a number of trafficking-related court proceedings, and offer legal assistance to victims.

VIKTORIA SEBHELYI / HUNGARY



Viktoria Sebhelyi is a Hungarian sociologist and human rights activist whose groundbreaking research has been instrumental in increasing awareness and understanding of human trafficking among policymakers and NGO service providers in Hungary. Known as both an academic expert on the issue and a dedicated advocate, Ms. Sebhelyi has galvanized government and NGO actors to collaborate on enhancing protections for victims.

She worked as a researcher and legal analyst between 2013 and 2015 at the Central European University's Center for Policy Studies, writing a report on the prevalence and characteristics of child sex trafficking in Hungary—the first of its kind.

In addition to her academic work, Ms. Sebhelyi collaborates with Hungarian initiatives to improve the country's referral system. She has successfully brought together government officials and civil society actors to address structural challenges affecting vulnerable populations and increase the effectiveness of identifying and providing services for victims of trafficking and abuse, especially women and children. She regularly dedicates her time volunteering for women's and human rights NGOs (NANE Women's Rights Association, Sex Education Foundation, and Hungarian Women's Lobby) and domestic violence shelters, as well as in state institutions to increase the effectiveness of the anti-trafficking referral system.

MAHESH BHAGWAT / INDIA



Mahesh Muralidhar Bhagwat, who currently serves as the first Commissioner of Police of Rachakonda, a police commissionerate in India's Telangana state that covers more than four million residents, has demonstrated remarkable commitment to the fight against human trafficking for the last 13 years. He has participated in anti-trafficking operations that have removed hundreds of victims from situations of trafficking and, with the help of other government departments and civil society organizations, has ensured their placement in support programs.

Mr. Bhagwat's dedication to the fight against human trafficking is exemplified by his innovative and highly effective approach to investigating cases and his success in dismantling trafficking operations within his command areas. He has pioneered the use of legal provisions to close sites where human trafficking is known to occur. Under his command, Rachakonda police closed 25 brothels—five hotels and 20 residential apartments—in less than a year and participated in one of the largest crackdowns on labor trafficking in the country, which led to the identification and removal of more than 350 children forced to work in brick kilns.

In addition to being a central figure in trafficking deterrence efforts, Mr. Bhagwat also constantly pushes for human trafficking to be a top priority for the Telangana state of India.

AMINA OUFROUKHI / MOROCCO



Amina Oufroukhi is a judge within the Moroccan Ministry of Justice's Directorate of Criminal Affairs and Pardons, which is responsible for women's and children's issues, vulnerable populations, and trafficking in persons. She played a critical role in drafting and encouraging the passage of Morocco's anti-trafficking law in 2016 and has been a driving force within the government to develop an implementation plan to ensure the protection of victims and the appropriate punishment of perpetrators.

As the head of the central unit coordinating the care of women and children in the courts, Judge Oufroukhi established special protection units in Moroccan courts for women and children and later drafted new legal procedures to extend these protections to all trafficking victims. She helped establish a group of expert judges to train judicial and law enforcement personnel and prepared detailed legal guidance clarifying the provisions of the law for all Moroccan courts.

In addition, Judge Oufroukhi has managed several international cooperative projects on combating trafficking in persons, assisted in the drafting of studies on human trafficking in Morocco, and worked to raise awareness and organize training for government officials, prosecutors, judges, social workers, and security service officers on protecting trafficking victims.

ALLISON LEE / TAIWAN



Allison Lee is a co-founder and the Secretary General of the Yilan Migrant Fishermen Union, Taiwan's first labor union composed of and led by foreign workers, and is a leading voice in demanding stronger protections for fishing crew members and accountability for human traffickers. Ms. Lee spearheaded the establishment of the union after working for 16 years for Taiwan NGOs focused on labor rights issues and handling labor disputes for four years at the municipal level as an employee of Taipei's Labor Affairs Bureau.

Since founding the Yilan Migrant Fishermen Union in 2013, Ms. Lee has advocated for the rights of foreign fishermen working on Taiwan-flagged vessels and documented hundreds of accounts of exploitation, abuse, and underpayment. By serving as a voice for these often unseen and unheard foreign fishing crew members, Ms. Lee has raised international and domestic awareness of exploitative working conditions, including instances of forced labor. In one case, she successfully pushed to reopen an investigation into the death of an Indonesian fisherman on a Taiwan-flagged vessel.

Ms. Lee and her advocacy partners drive change from the grassroots level through sustained pressure on officials and direct engagement with under-represented communities, including victims of human trafficking. She continues to engage local labor bureaus, fisheries associations, and law enforcement to seek justice and compensation for crew members who are exploited at the hands of their employers and labor brokers.

BOOM MOSBY / THAILAND



Boom Mosby, the founder and director of the HUG Project, is a passionate advocate for child victims of sexual abuse in Thailand and has been instrumental in the advancement of a victim-centered approach in Thai anti-trafficking efforts.

Ms. Mosby's early work with the HUG Project included a partnership with the Royal Thai Police to provide educational and support services for at-risk children in the city of Chiang Mai. As Ms. Mosby's involvement with child trafficking investigations deepened, she developed key relationships with law enforcement, government officials, and NGO partners, establishing a network of resources and support for child victims.

In 2015, she played a fundamental role in opening the Advocacy Center for Children Thailand (ACT House) in Chiang Mai—the first child advocacy center in all of Southeast Asia. Under Ms. Mosby's leadership, the ACT House has supported more than 81 investigations and the arrest of more than 20 perpetrators. In 2016, she joined the Thailand Internet Crimes Against Children Task Force and continues to work tirelessly to develop standard operating procedures for investigating and prosecuting cybercrimes against children using a victim-centered approach. As the use of the internet to facilitate child trafficking grows, Ms. Mosby is battling technology with technology by implementing IT forensics and other systematic strategies.

Ms. Mosby continues to promote prevention, recovery, and reintegration programs for survivors and those vulnerable to trafficking.

Global supply chains have transformed many lives for the better—but not always without costs. Clothes, food, smartphones, jewelry and other consumer goods may bear, wittingly or unwittingly, the traces of exploitation. Gleaming new skyscrapers may owe some of their shine to the sweat of bonded laborers.”

– Antonio Guterres,
United Nations Secretary General

Workers labor on a building in Kazakhstan. Construction is a sector vulnerable to forced labor.



THE TIER

TIER 1

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

TIER 2

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

TIER 2 WATCH LIST

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

- a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;
- b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or
- c) The determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year.

TIER 3

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

TIER PLACEMENTS

TIER 1

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

TIER 2

AFGHANISTAN	ECUADOR	LESOTHO	ST. VINCENT & THE GRENADINES
ALBANIA	EGYPT	MACEDONIA	SEYCHELLES
ANGOLA	EL SALVADOR	MALAWI	SIERRA LEONE
ARGENTINA	ESTONIA	MALAYSIA	SINGAPORE
ARUBA	ETHIOPIA	MALDIVES	SOLOMON ISLANDS
AZERBAIJAN	FIJI	MALTA	SOUTH AFRICA
BAHRAIN	GREECE	MAURITIUS	SRI LANKA
BARBADOS	HONDURAS	MEXICO	TAJIKISTAN
BHUTAN	ICELAND	MICRONESIA	TANZANIA
BOSNIA & HERZEGOVINA	INDIA	MONGOLIA	TIMOR-LESTE
BOTSWANA	INDONESIA	MOROCCO	TOGO
BRAZIL	JAMAICA	NAMIBIA	TONGA
BRUNEI	JAPAN	NEPAL	TRINIDAD & TOBAGO
CAMBODIA	JORDAN	PALAU	TUNISIA
COSTA RICA	KAZAKHSTAN	PANAMA	TURKEY
COTE D'IVOIRE	KENYA	PARAGUAY	UGANDA
CROATIA	KOSOVO	PERU	UKRAINE
CURAÇAO	KYRGYZ REPUBLIC	QATAR	UNITED ARAB EMIRATES
CYPRUS	LATVIA	ROMANIA	URUGUAY
DOMINICAN REPUBLIC	LEBANON	ST. LUCIA	VIETNAM

TIER 2 WATCH LIST

ALGERIA	DJIBOUTI	MACAU	RWANDA
ANTIGUA & BARBUDA	GABON	MADAGASCAR	SAUDI ARABIA
BANGLADESH	THE GAMBIA	MARSHALL ISLANDS	SENEGAL
BENIN	GHANA	MOLDOVA	SERBIA
BOLIVIA	GUATEMALA	MONTENEGRO	SURINAME
BULGARIA	HAITI	MOZAMBIQUE	SWAZILAND
BURKINA FASO	HONG KONG	NICARAGUA	THAILAND
BURMA	HUNGARY	NIGER	ZAMBIA
CABO VERDE	IRAQ	NIGERIA	ZIMBABWE
CAMEROON	KUWAIT	OMAN	
CHAD	LAOS	PAKISTAN	
CUBA	LIBERIA	PAPUA NEW GUINEA	

TIER 3

BELARUS	CONGO, DEMOCRATIC REP. OF	IRAN	SUDAN
BELIZE	CONGO, REPUBLIC OF	KOREA, NORTH	SYRIA
BURUNDI	EQUATORIAL GUINEA	MALI	TURKMENISTAN
CENTRAL AFRICAN REPUBLIC	ERITREA	MAURITANIA	UZBEKISTAN
CHINA (PRC)	GUINEA	RUSSIA	VENEZUELA
COMOROS	GUINEA-BISSAU	SOUTH SUDAN	

SPECIAL CASE

LIBYA	SOMALIA	YEMEN
-------	---------	-------



TIER PLACEMENTS

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

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2010	272 (168)	163 (113)	9,626	5
2011	340 (45)	217 (113)	8,900 (5,098)	2
2012	493 (273)	252 (177)	10,043 (5,544)	4
2013	572 (245)	341 (192)	10,096 (2,250)	7
2014	611 (49)	317 (33)	9,523 (1,306)	4
2015	1,517 (53)	719 (8)	12,125 (3,531)	6
2016	1,251 (54)	1,119 (21)	18,296 (13,205)	4

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

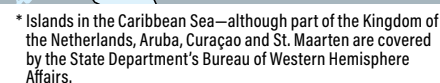


TIER PLACEMENTS

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

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2010	427 (53)	177 (9)	2,597	0
2011	2,127 (55)	978 (55)	3,454 (3,140)	4
2012	1,682 (115)	1,251 (103)	8,521 (1,804)	4
2013	2,460 (188)	1,271 (39)	7,886 (1,077)	3
2014	1,938 (88)	969 (16)	6,349 (1,084)	3
2015	3,414 (193)	1,730 (130)	13,990 (3,533)	10
2016	2,137 (51)	1,953 (31)	9,989 (310)	7

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.



TIER 1 TIER 2 TIER 2 WATCH LIST TIER 3

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.



TIER PLACEMENTS

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

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2010	323 (63)	68 (10)	1,304	1
2011	209 (17)	60 (5)	1,831 (1,132)	2
2012	249 (29)	149 (15)	4,047 (1,063)	1
2013	119 (25)	60 (4)	1,460 (172)	4
2014	320 (5)	144 (25)	3,388 (2,460)	0
2015	480 (31)	343 (31)	6,068 (156)	0
2016	996 (591)	1,187 (582)	3,292 (185)	4

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.



TIER PLACEMENTS

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

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2010	1,460 (196)	1,068 (11)	4,367	1
2011	974 (24)	829 (11)	3,907 (1,089)	2
2012	1,043 (6)	874 (4)	4,415 (2,150)	1
2013	1,904 (259)	974 (58)	7,124 (1,290)	5
2014	1,839 (12)	958 (10)	4,878 (1,041)	3
2015	6,930 (225)	1,468 (16)	24,867 (1,191)	0
2016	6,297 (72)	2,193 (19)	14,706 (464)	5

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.




TIER PLACEMENTS

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

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2010	732 (80)	293 (65)	6,661	6
2011	624 (17)	279 (14)	9,014 (2,490)	3
2012	1,077 (369)	402 (107)	7,639 (3,501)	8
2013	1,182 (207)	446 (50)	7,818 (3,951)	4
2014	944 (67)	470 (63)	8,414 (2,014)	5
2015	1,796 (83)	663 (26)	9,661 (2,118)	6
2016	1,513 (69)	946 (24)	8,821 (109)	2

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.



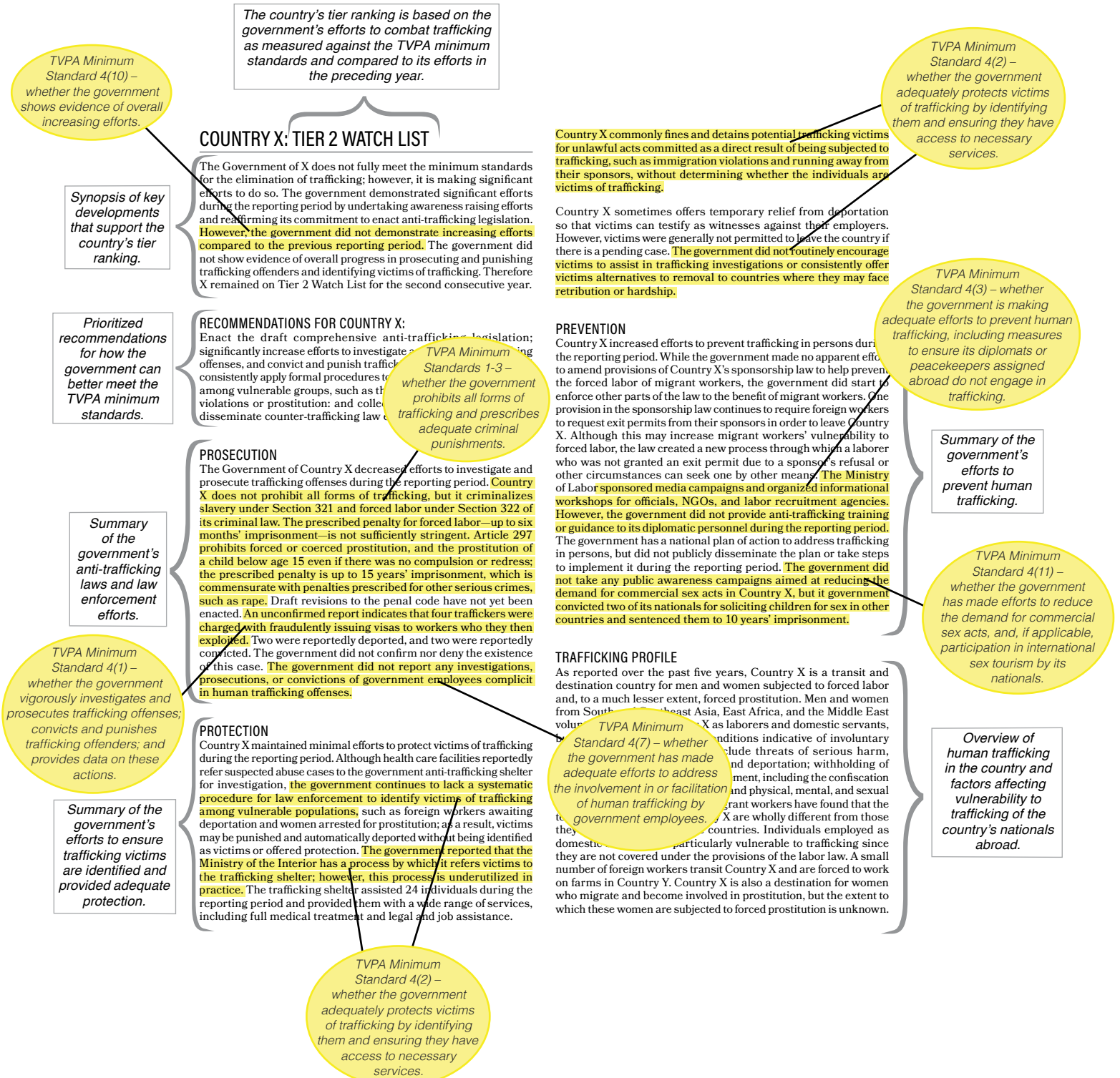
A refugee girl begs for money
in traffic in Beirut, Lebanon.
Children, especially refugees
and migrant children, are
vulnerable to forced begging.

*I would feel terrified. He would tell
me I had to stay out until I came up
with the money. It grossed me out...
I didn't want them to look at me,
I didn't want them to touch me."*

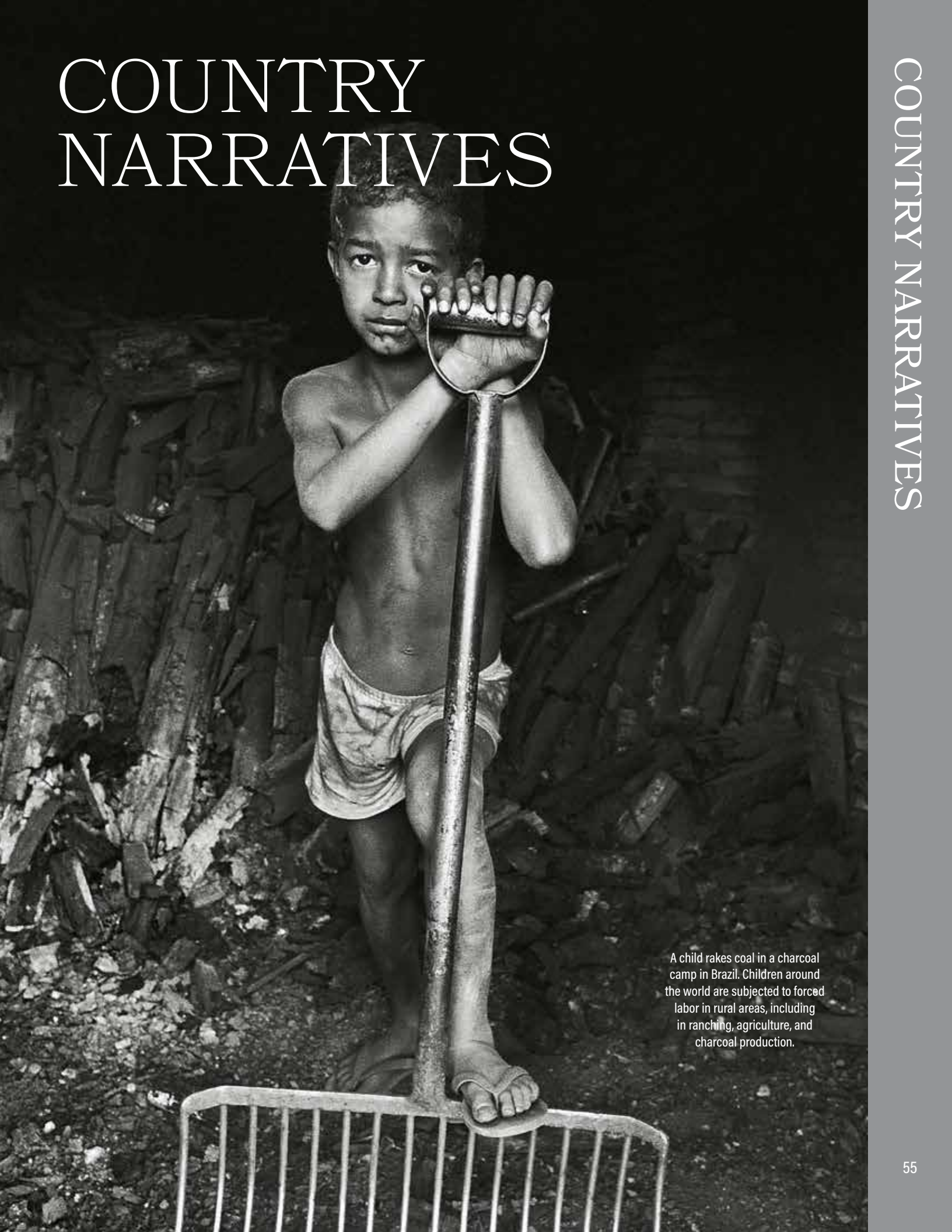
- Teenage sex trafficking victim, California

HOW TO READ A COUNTRY NARRATIVE

This page shows a sample country narrative. The tier ranking justification for each country in this year's Report now appears in the first paragraph of each country narrative and includes new language that more explicitly highlights the factors supporting a given tier ranking. The Prosecution, Protection, and Prevention sections of each country narrative describe how a government has or has not addressed the relevant TVPA minimum standards (see page 38), during the reporting period. This truncated narrative gives a few examples.



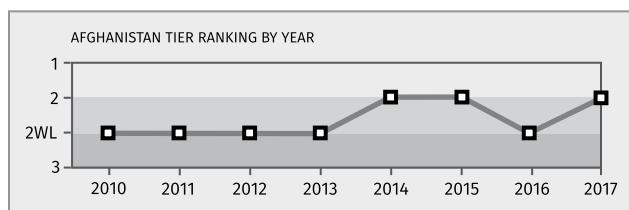
COUNTRY NARRATIVES



A child rakes coal in a charcoal camp in Brazil. Children around the world are subjected to forced labor in rural areas, including in ranching, agriculture, and charcoal production.

AFGHANISTAN: TIER 2

The Government of Afghanistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Afghanistan was upgraded to Tier 2. The government demonstrated increasing efforts by enacting a new law on human trafficking in January 2017 that attempts to reduce conflation of smuggling and trafficking, and criminalizes *bacha baazi*, a practice in which men exploit boys for social and sexual entertainment. The government investigated, prosecuted, and convicted traffickers, including through the arrest and punishment of complicit officials for *bacha baazi*. With funding and staff from an international organization, the government reopened a short-term shelter in Kabul for trafficking victims. The government also opened 15 child protection units that prevented the recruitment of more than 300 children into the security forces in 2016. However, the government did not meet the minimum standards in several key areas. Official complicity remained a serious problem, especially in the sexual exploitation and recruitment of children by Afghan security forces. Victim protection efforts remained inadequate; all but one government-run shelter for trafficking victims remained closed during the reporting period. The government did not develop or employ standard operating procedures for victim identification or for referral of victims to rehabilitation services, which at times resulted in the government's arrest and prosecution of trafficking victims as criminals.



RECOMMENDATIONS FOR AFGHANISTAN

Cease the recruitment and use of children by Afghan security forces, and ensure adequate protection and reintegration support for demobilized children; use the 2017 trafficking law to investigate and prosecute alleged traffickers, including law enforcement and members of the military suspected of being complicit in trafficking, and convict and appropriately sentence the perpetrators, while respecting due process; cease the penalization of victims for offenses committed as a direct result of being subjected to trafficking, including stopping prosecutions for moral crimes and the placement of child trafficking victims in juvenile rehabilitation centers; develop standard operating procedures for victim identification and referral to rehabilitation services and train officials on their use; strengthen the capacity of the Ministry of Interior (MOI)'s anti-trafficking/smuggling units, including increasing the number of staff in each region and ensuring their ability to differentiate between smuggling and trafficking; continue to increase the capacity of the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling (high commission) to coordinate and report on the government's anti-trafficking efforts, and oversee implementation of the anti-trafficking national action plan; as the security situation and access to rural areas allow, continue to educate officials at national, provincial, and local levels on the definition of human trafficking, as well as identification,

protection, and law enforcement strategies; improve efforts to collect, analyze, and accurately report counter-trafficking data; dedicate resources to support long-term victim rehabilitation programs; continue to educate government officials and the public on the criminal nature of *bacha baazi* and debt bondage of children; and proactively inform government officials, especially at the MOI and Ministry of Defense (MOD), of the law prohibiting the recruitment and enlistment of minors, and enforce these provisions with criminal prosecutions.

PROSECUTION

The government increased its law enforcement efforts. In January 2017, the government enacted the Law to Combat Crimes of Trafficking in Persons and Smuggling of Migrants, which prohibits all forms of human trafficking. The law criminalizes the use of threat or force or other types of coercion or deceit for the purpose of exploitation. It includes forms of exploitation that go beyond those in the 2000 UN TIP Protocol, such as medical experiments and forcing a person to commit "other illegal activities," and includes armed fighting and *bacha baazi*, a practice, in which men exploit boys for social and sexual entertainment—effectively criminalizing this practice for the first time. The law prescribes maximum penalties of eight years imprisonment; aggravating factors increase the maximum sentence to between 10 and 15 years and the imposition of the death penalty if exploitation for armed fighting resulted in the victim's death. Such penalties are sufficiently stringent and commensurate with those for other serious crimes. The government used the 2008 Law Countering Abduction and Human Trafficking/Smuggling, article 516 of the penal code, and the 2009 Law on the Elimination of Violence Against Women, which together prohibited many, but not all, forms of human trafficking to prosecute and convict traffickers until the enactment of the 2017 law repealed the 2008 law. These penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The government reported the investigation of 103 alleged traffickers and the prosecution of 63 during the reporting period, compared with the investigation of 108 alleged traffickers and the prosecution of 56 in the previous reporting period. The government reported primary courts convicted 33 traffickers during the reporting period, compared with 39 traffickers convicted in the previous reporting period. Of the 33 convictions, sentences ranged from three months to 10 years imprisonment; 30 required imprisonment of one year or more. Three sentences resulted in inadequate penalties of three months imprisonment. The government's law enforcement response to forced and bonded labor in particular is unknown as case details or types were not provided. Law enforcement and judicial officials continued to have a limited understanding of trafficking. Dari, the language spoken most widely in Afghanistan, historically used the same word for both human trafficking and human smuggling, compounding the confusion. Authorities attempted to address this issue by including separate terms and definitions for trafficking and smuggling in the new law; however, international observers expressed concern the government would not effectively train provincial police and prosecutors on the new terminology. MOI had a central anti-trafficking/smuggling unit staffed with 16 officers, with an additional two officers in each of the 34 provinces; however, officers were not solely dedicated to anti-trafficking, and officials noted two officers per province was insufficient. The Attorney General's Office reported it trained officials from the National Directorate of Security intelligence agency on combating trafficking during the reporting period.

International organizations and NGOs continued to provide most training opportunities to government officials.

Official complicity in trafficking remained a serious and pervasive problem. Some government and security officials reportedly engaged in the practice of *bacha baazi*. In July 2016, the President ordered an investigation into institutionalized sexual abuse of children by police officials and stated perpetrators would be prosecuted. The Afghanistan Independent Human Rights Commission's (AIHRC) 2014 report assessed that most who engage in *bacha baazi* paid bribes to, or had relationships with, law enforcement, prosecutors, or judges that effectively exempted them from prosecution. In October 2016, five Afghan National Army (ANA) soldiers were accused of sexually abusing a boy, possibly in *bacha baazi*. All five were arrested and transferred to an ANA court, where one soldier was convicted of unlawful use of lethal force and sentenced to two years imprisonment; another soldier was convicted of battery and sentenced to one year imprisonment. Three of the soldiers were released due to lack of evidence against them. In February 2017, a district chief of police and six members of the security forces were arrested for allegedly participating in a *bacha baazi* gathering; the district chief of police was fired from his position. However, observers reported the police also arrested the four victims involved in the case. In 2016, the government established the Department of Gender and Human Rights Research on Child Abuse within the MOI to protect women and children from abuses of law enforcement officials and police. The UN verified the continued use of children in combat and non-combat roles by the government in 2016, including five cases of recruitment by the Afghan National Police, two by the Afghan Local Police, and one by the ANA. The UN also verified in 2016 one case of child recruitment and use by the People's Uprising Group of Baghlan, a government-supported armed group. Observers reported some officials accepted bribes to produce identity documents for boys stating their age was above 18 years old.

PROTECTION

The government maintained inadequate efforts to protect victims. The government did not compile comprehensive victim identification and assistance statistics; however, the Ministry of Labor and Social Affairs, Martyrs, and the Disabled (MOLSAMD) reported identifying 23 victims. Separately, an NGO reported identifying and assisting 93 victims, including 55 boys and 38 girls. The government did not develop or employ systematic procedures for the identification of victims and their subsequent referral to protective services; however, NGOs and international organizations noted the government, including multiple ministries and the police, actively referred victims to protective services. In 2016, government referrals accounted for 96 percent of two NGO-run trafficking shelter's caseloads. MOLSAMD reported it created a referral system for forced labor cases for the border police; it was unknown if the system was disseminated and used during the reporting period. Police lacked formal guidelines and funding to provide basic care (including water and food) to victims during investigations. In some instances, police officers paid out-of-pocket for basic victim care. MOLSAMD, with funding and staff from an international organization, reopened a government-owned short-term shelter in Kabul for trafficking victims that had closed several years ago. MOLSAMD provided registration, referral, and social services for trafficking victims, including receiving victims repatriated to Afghanistan from other countries. NGOs operated 29 women's protection shelters in 21 provinces that provided protection, legal, and social services to female victims of violence, which were available to trafficking victims. The Ministry of Women's

Affairs monitored and regulated all women's protective shelters through site visits to ensure compliance with women's centers regulations and guidelines and hosted national and provincial coordination committees to discuss the findings of visits and to address challenges. Family guidance centers provided non-residential legal and social services for victims of all crimes in 17 provinces, and provided shelter for victims in 14 provinces. The Child Protection Action Network, a conglomerate of NGOs, civil society, and government entities overseen by MOLSAMD, provided shelter to some child victims. NGOs operated two shelters for victims of labor and sex trafficking in Kabul, including one specifically dedicated to serving boys under age 18. At times, the government placed child victims in orphanages, although some children in orphanages were subjected to trafficking. There continued to be no shelters for adult male victims.

Authorities sometimes treated male and female victims as criminals simply for being unchaperoned or for having committed moral crimes; officials continued to arrest, imprison, or otherwise punish victims for prostitution or adultery, without regard to whether they had been subjected to forced prostitution, or for escaping from husbands who forced them into prostitution. Authorities sometimes prosecuted victims for possessing forged identity documents. Article 20 of the 2017 Law to Combat Crimes of Trafficking in Persons and Smuggling of Migrants provides that a trafficking victim shall not be prosecuted for crimes committed while being subjected to trafficking or for the possession or use of fraudulent travel documents. Officials sometimes placed in prisons male and female victims who could not be accommodated in shelters. NGOs reported placement of child trafficking victims in juvenile detention centers, sometimes for several years. Male child sex trafficking victims, including those subjected to *bacha baazi*, were in some cases referred to juvenile rehabilitation centers on criminal charges. The government did not demobilize child soldiers associated with governmental or nongovernmental armed groups or provide or refer such children for protection services or for reintegration support.

The government did not encourage victims to participate in investigations; it did not provide adequate support, security, or protective services for victims to safely do so without supplemental trauma. NGOs reported child trafficking victims are at times forced to testify in front of their alleged traffickers. Afghan law allows foreign victims to remain temporarily in Afghanistan for at least six months. There was no information the government forcibly deported any foreign trafficking victims in 2016.

PREVENTION

The government increased its trafficking prevention efforts. The government continued to coordinate its anti-trafficking activities through its high commission, which met three times during the reporting period and separately held nine working level meetings. Provincial anti-trafficking commissions in 33 provinces coordinated activities to implement policy established by the high commission. The high commission did not receive money from the government for its operating or program expenses; the international community fully funded its activities. The government continued to implement its 2015-2017 national action plan to combat human trafficking. The high commission developed an action plan for public awareness of human trafficking and conducted 22 training programs in 10 provinces. The government continued to raise trafficking awareness through radio, television, and print media, and encouraged mullahs

to raise awareness through their weekly sermons. The AIHRC conducted 60 educational training programs on preventing and combating human trafficking for MOD officials, university lecturers, mullahs, and civil society activists; the programs reached 2,091 individuals.

During the reporting period, the government opened 15 child protection units (CPUs) to prevent the recruitment of children into the security forces. According to an international organization, the CPUs prevented the recruitment of 315 boys and three girls from January through November 2016. Separately, MOI reported it prevented the recruitment of 63 children into the police forces in 2016. The government continued to develop plans for its long-delayed electronic national identification card. During the reporting period, the government finalized a policy and drafted an action plan for the reintegration of Afghan returnees and internally displaced persons in partnership with the UN; however, government ability to assist vulnerable persons, including over one million documented and undocumented returnees from Pakistan and Iran in 2016, remained limited, and it continued to rely on the international community for assistance. The government did not take steps to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Afghanistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking. Men, women, and children are exploited in bonded labor in Afghanistan, where an initial debt assumed by a worker as part of the terms of employment is exploited, ultimately entrapping other family members, sometimes for multiple generations. Some entire Afghan families are trapped in debt bondage in the brick-making industry in eastern Afghanistan. Most Afghan trafficking victims are children exploited in carpet making and brick factories, domestic servitude, commercial sex, begging, poppy cultivation, transnational drug smuggling, and assistant truck driving within Afghanistan. Some Afghan families knowingly sell their children into sex trafficking, including for *bacha baazi*—where men, including some government officials and security forces, use boys for social and sexual entertainment. There are reports that some law enforcement officials, prosecutors, and judges accept bribes from or use their relationships with perpetrators of *bacha baazi* to allow them to escape punishment. Opium-farming families sometimes sell their children to settle debts with opium traffickers. Children in orphanages overseen by the government, but run by NGOs, were sometimes subjected to trafficking. Members of the Shia Hazara minority group were victims of forced labor. Afghan returnees from Pakistan and Iran and internally displaced Afghans are vulnerable to forced and bonded labor.

Men, women, and children in Afghanistan often pay intermediaries to assist them in finding employment, primarily in Iran, Pakistan, India, Europe, or North America; some of these intermediaries force Afghans into labor or prostitution. Afghan women and girls are subjected to sex trafficking and domestic servitude primarily in Pakistan, Iran, and India. The majority of Afghan victims in Pakistan are women and girls subjected to trafficking for the purpose of commercial sexual exploitation, including through forced marriages. Afghan boys and men are subjected to forced labor and debt bondage in agriculture and construction, primarily in Iran, Pakistan, Greece,

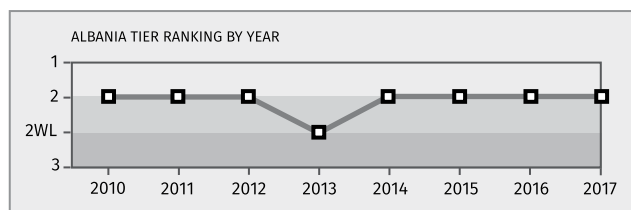
Turkey, and the Gulf states. Boys, especially those traveling unaccompanied, are particularly vulnerable to trafficking. Some Afghan boys are subjected to sex trafficking in Greece after paying high fees to be smuggled into the country. Reportedly, the Iranian government and the Islamic Revolutionary Guards Corps (IRGC) coerce male Afghan migrants and registered refugees, including boys as young as 12, to fight in Syria in IRGC-organized and commanded militias, by threatening them with arrest and deportation to Afghanistan.

The government and armed non-state groups in Afghanistan recruit and use children in combat and non-combat roles. Armed non-state groups, mostly the Taliban, but also including other non-state groups like the Islamic State in Khorasan Province, account for most child recruitment and use. Insurgent groups forcibly recruit and use children as suicide bombers. The Taliban indoctrinate children using religious and military education and teach children to use small arms and deploy improvised explosive devices. Some families receive cash payments or protection in exchange for sending their children to the Taliban-run schools. Children from impoverished and rural areas, particularly those under Taliban control, are especially vulnerable to recruitment. The Afghan Local and National Police use children in combat and non-combat roles, including as personal servants, support staff, and body guards. The ANA also recruits children, although to a lesser extent. There were reports that some members of the Afghan security forces, including members of the ANA, and other groups of non-state actors sexually abuse and exploit young girls and boys.

There were reports of women and girls from the Philippines, Pakistan, Iran, Tajikistan, Sri Lanka, and China subjected to sex trafficking in Afghanistan. Under the pretense of high-paying employment opportunities, some labor recruiting agencies lure foreign workers to Afghanistan, including from Sri Lanka, Nepal, India, Iran, Pakistan, and Tajikistan; the recruiters subject these migrants to forced labor after arrival.

ALBANIA: TIER 2

The Government of Albania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Albania remained on Tier 2. The government demonstrated increasing efforts by prosecuting and convicting more traffickers and using for the first time its “special fund” towards victim protection from assets seized from traffickers. The government increased funding to the Office of the National Anti-Trafficking Coordinator (ONAC) and regularly convened stakeholders of the national referral mechanism and national anti-trafficking committee. However, the government did not meet minimum standards in several key areas. Police continued to illustrate a limited understanding of human trafficking and failed in some cases to identify trafficking victims among individuals involved in forced prostitution or domestic servitude. The government investigated two victims and punished one victim for unlawful acts committed as a result of being subjected to trafficking, although the law exempts victims from punishment for crimes committed as a result of their exploitation.



RECOMMENDATIONS FOR ALBANIA

Implement the law that exempts victims from penalties for unlawful acts committed as a direct result of being subjected to trafficking, particularly sex trafficking victims exploited in prostitution; train police, labor inspectors, and other front-line officials on proactive identification of victims; continue to vigorously investigate, prosecute, and convict traffickers under article 110(a) and 128 (b); establish sustainable funding mechanisms for mobile units operated by law enforcement and civil society groups to identify victims; increase protection for victims from threats and intimidation during court proceedings by facilitating participation in the witness protection program and expanding training for prosecutors dealing with victim witnesses; increase funding to NGO-run shelters for trafficking victims and provide funding on a regular basis; improve the capacity of border and migration police to screen irregular migrants for trafficking indicators; and increase efforts to screen street children for signs of trafficking.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Articles 110(a) and 128(b) of the criminal code prohibit sex and labor trafficking and prescribe penalties of eight to 15 years imprisonment; these are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. The state police investigated 69 cases with 69 suspected traffickers in 2016, compared to 80 cases with 90 suspects in 2015. The government did not disaggregate law enforcement data to demonstrate efforts against sex trafficking and forced labor, but did track whether the victims were adults or children. Twenty-one of these suspects in 2016 were investigated for child trafficking and 48 for adult trafficking. The Serious Crimes Prosecutor's Office prosecuted 18 suspected traffickers, compared to 15 in 2015. Nine of these suspects were prosecuted for child trafficking, compared to two suspects in 2015. Courts convicted 24 traffickers, compared to 11 in 2015. Eleven of these traffickers were convicted for child trafficking, and 13 for adult trafficking. All convicted traffickers received prison sentences, which ranged from two to 25 years. Authorities continued to prosecute some traffickers for the lesser crime of exploitation of prostitution. Authorities reported the confusion between overlapping elements of exploitation of prostitution and trafficking and at times applied the lesser charge because it required less specialization and time or due to the false belief that trafficking crimes required a transnational element. Traffickers charged with exploitation of prostitution could receive lighter penalties than those charged with sex trafficking.

In 2016, the government trained 75 judges and 20 police officers on investigation and prosecution of traffickers and victim protection. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Transnational law enforcement efforts increased. The government cooperated in two joint investigations with Italian and Spanish law enforcement. In 2016, eight Albanians were arrested in the Netherlands, Germany, Greece,

and Italy for suspected involvement in trafficking; three of these suspects were extradited to Albania. Albania extradited eight suspected foreign traffickers to Italy, Macedonia, and Moldova.

PROTECTION

The government maintained victim protection efforts. The government and NGOs identified 95 trafficking victims and potential trafficking victims, compared to 109 in 2015. Of these, 55 were adults and 44 were children (61 adults and 48 children in 2015), 11 were male and 84 were female (22 male victims and 87 female victims in 2015), and eight were foreigners (four foreign victims in 2015). Sixty-two were identified as potential victims and 33 officially identified as victims, a status provided after a joint interview held by representatives from both law enforcement and state social services. The law guaranteed equal services for both potential victims and officially recognized victims.

Three specialized NGO-run shelters and one state-run shelter provided assistance to trafficking victims, including food, counseling, legal assistance, medical care, educational services, employment services, assistance to victims' children, financial support, long-term accommodation, social activities, vocational training, and post-reintegration follow-up. NGO-run shelters supported 75 trafficking victims and potential victims and the state-run shelter supported 30, of which 10 were from 2015. The government provided 21.7 million leks (\$169,231) to the state-run shelter, a decrease from 23,970,000 leks (\$186,900) in 2015. The government provided 15.3 million leks (\$119,093) to NGO-run shelters to support 24 staff salaries, an increase from 10 million leks (\$77,972) to support 12 staff salaries in 2015. For the first time, the government added 4.7 million leks (\$36,647) to the budget from seized criminal assets to fund reintegration and support services. Food support for NGO-run shelters decreased to 1.8 million leks (\$14,035) from 3 million leks (\$23,392) in 2015. NGO-run shelters continued to operate under financial constraints and relied on outside sources for operating costs. Financial mechanisms used to fund these shelters annually remained complicated and open to manipulation by local governments. Government funding for the three NGO-run shelters was delayed by two months and one shelter never received funding for food. NGO-run shelters allowed adult victims to leave the shelter voluntarily, but the state-run shelter required victims to seek approval from the director of the shelter. The government provided free vocational training, textbooks for child victims, and health cards that provided free access to health care. Only one NGO-run shelter provided specialized services for child victims under the age of 16. Male victims were provided with rented apartments, where they received assistance from NGOs. Foreign victims had access to the same services as domestic victims, including legal assistance.

First responders followed a standard operating procedure for identifying and referring victims to services; however, the government deactivated mobile identification units because international donors no longer provided support and the government lacked the funds to continue the units. NGOs reported law enforcement jailed victims for unlawful acts committed as a direct result of being subjected to human trafficking. For example, a female trafficking victim was convicted of prostitution and sentenced to 16 months imprisonment, of which she served nine months. Another victim was sentenced to 18 months probation but won her case on appeal. NGOs reported police often associated trafficking with movement and were unlikely to identify victims recruited and exploited

in the same region of the country. Observers reported cases of border guards and immigration officials not carrying out standard screening procedures. The government, in cooperation with an international organization, trained 388 officials in 12 regions on victim identification, referral, and assistance. The law provided foreign victims a three-month reflection period with temporary residency status and authorization to work for up to two years, although the government had yet to grant this status to a victim. Victims could obtain restitution from the government or file civil suits against traffickers; three victims filed for compensation but their cases were still pending during the reporting period. Observers reported threats were made to victims and their families during court proceedings. Courts allowed testimony via video conferences and victims who testified against traffickers had access to the witness protection program, but no trafficking victims participated in the program.

PREVENTION

The government increased efforts to prevent trafficking. The government increased funding for the ONAC to 5.7 million leks (\$44,444) from 5.2 million leks (\$40,546) in 2015. The government adopted a revised national action plan after an assessment by ONAC in cooperation with an international organization. ONAC continued to publish regular activity reports on its website and convened stakeholders involved in the national referral mechanism. Twelve regional anti-trafficking committees (RATC) comprised of local officials and NGOs worked on prevention and victim assistance. The prime minister issued an order to strengthen the RATC by formalizing reporting, establishing deadlines, and increasing local awareness-raising efforts. ONAC and national anti-trafficking coordinators from Montenegro and Kosovo signed a joint declaration ensuring the application of a unified standard operating procedure for victim protection and assisted voluntary repatriation. The government sponsored awareness campaigns on exploitative labor practices; an international organization reported only 28 of 47 private employment agencies were operating legally. ONAC trained over 1,000 government workers, judges, prosecutors, and civil society partners on trafficking issues. The government did not make efforts to reduce the demand for commercial sex. The government provided anti-trafficking guidance for its diplomatic personnel, and the national coordinator briefed Albanian diplomats stationed in nine cities on human trafficking regulations.

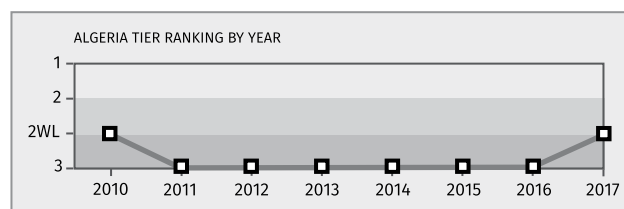
TRAFFICKING PROFILE

As reported over the past five years, Albania is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Albanian women and children are subjected to sex trafficking and forced labor within the country, especially during tourist season. Traffickers use false promises such as marriage or employment offers to force victims into sex trafficking. Traffickers increasingly use social media to recruit victims. Children are commonly forced to beg or perform other types of compelled labor such as selling small items. Albanian children, mainly from the Romani community, are exploited in Turkey for seasonal work. There were also instances of children forced to work in cannabis fields in Albania and some traffickers are likely involved in drug trafficking. Albanian victims are subjected to sex trafficking in countries across Europe, particularly Kosovo, Greece, Italy, and the United Kingdom. NGOs report an increase in the number of Albanian children subjected to forced labor in Kosovo and the United Kingdom. Foreign victims from European countries,

Philippines, and Nigeria were subjected to sex trafficking and forced labor in Albania. Irregular migrants from Asia are increasingly employed as domestic workers by wealthy families where they are vulnerable to domestic servitude. Middle Eastern, Central Asian, and African migrants transit Albania to reach Western Europe and are vulnerable to trafficking.

ALGERIA: TIER 2 WATCH LIST

The Government of Algeria does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore, Algeria was upgraded to Tier 2 Watch List. These achievements include the investigation and prosecution of 16 alleged traffickers and the identification of 65 potential forced labor victims, both significant increases from the previous reporting period. Despite the identified victims' illegal immigration status, the government provided them temporary housing, medical aid, and other basic services at a migrant transit center. The government's newly demonstrated political will to address trafficking included the issuance of a September 2016 presidential decree formally institutionalizing the inter-ministerial anti-trafficking committee and assigning it a dedicated budget to implement its mandate. Despite these achievements, the government did not systematically identify trafficking victims among vulnerable populations, nor did it provide adequate protection services for all trafficking victims. It did not have a standardized mechanism to refer potential victims to government- or NGO-run protection services. Furthermore, due to a lack of identification efforts, authorities continued to punish potential trafficking victims for acts committed as a direct result of being subjected to trafficking, such as immigration violations and prostitution.



RECOMMENDATIONS FOR ALGERIA

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

PROSECUTION

The government increased efforts to investigate and prosecute trafficking offenders. Algeria prohibits all forms of trafficking under section 5 of its penal code. Prescribed penalties under this statute range from three to 20 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Law No.14-01, which criminalizes the buying and selling of children younger than the age of 18, provides for prison terms of three to 20 years imprisonment for individuals and groups convicted of committing or attempting to commit this crime; however, this law could be interpreted to include non-trafficking crimes such as human smuggling or illegal adoption.

The government remained without an effective system to collect and report nationwide anti-trafficking law enforcement data. However, the government reported it investigated six individuals in September 2016—including three Nigeriens, two Algerians, and one Malian—allegedly involved in a trafficking network, who forced undocumented adult and child migrants from Niger to beg in cities in northern Algeria. The government arrested and charged these alleged offenders with human trafficking offenses, among other crimes. The case was transferred from a court in Tamanrasset to a specialized court in Ouargla and remained pending at the end of the reporting period. Police continued to search for four members of this alleged trafficking network who remained at large at the end of the reporting period. The government also investigated two other human trafficking cases involving a total of 10 alleged perpetrators and 33 victims. These 16 prosecutions represent an increase from zero prosecutions in the previous reporting period. However, for another consecutive year, the government did not report convicting any trafficking offenders. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The General Directorate for National Security maintained six police brigades to monitor illegal immigration and human trafficking and provided staff specialized training. It also maintained 50 brigades specializing in combating crimes against children, including trafficking crimes. The government partnered with an international organization to hold two anti-trafficking training workshops for law enforcement officers, members of the national anti-trafficking committee, and Algerian journalists in May and September 2016. In March 2017, the government provided in-kind support for an anti-trafficking workshop led by an international organization, which trained more than 25 judges and prosecutors from several regions of the country. The government also sent two representatives from its national anti-trafficking committee to an international workshop on human trafficking in Oman in December 2016. As of the end of the reporting period, the Ministry of Interior was in the process of planning training sessions on human trafficking for provincial and local government officials.

PROTECTION

The government increased efforts to identify and provide protection services to trafficking victims. In September 2016 as part of its investigation of an alleged forced begging ring in Tamanrasset, the government identified 32 potential trafficking victims, including 17 children. The government also identified 33 additional potential victims in two other investigations of alleged trafficking. This compares to zero victims identified in 2015. The government did not have a formal mechanism to refer potential victims to protection services, but officials referred potential victims to basic services on an ad hoc basis. After authorities broke up the trafficking ring, police, local

officials, and a governmental aid organization in Tamanrasset partnered to provide the victims with temporary housing, food, clothing, and medical services at a migrant transit center. Authorities recognized that the victims—although undocumented migrants—were entitled to protection services and freedom of movement rather than criminal punishment, which represented a significant step towards providing victim-centered protection.

Despite the various protection services provided to trafficking victims, the government did not systematically identify victims and provide necessary services, such as appropriate shelter, rehabilitation, psycho-social care and legal assistance, or repatriation support for victims who chose to return to their home countries. The government did not have formal standardized identification procedures for officials to screen for and identify victims among vulnerable groups. Government officials admitted difficulty distinguishing trafficking victims from irregular migrants and identifying trafficking victims among ethnically cohesive migrant communities. Officials continued to rely on victims to report abuses to authorities; however, trafficking victims among the migrant populations typically did not report potential trafficking crimes to the police for fear of arrest and deportation. Police officers reportedly used a worksheet to identify potential victims among those detained at police stations, while *gendarmerie* brigades were under instructions to refer potential trafficking cases to a representative in the national anti-trafficking commission for review. However, it was unknown whether officials used these procedures regularly or throughout the country during the reporting period. Thus, potential trafficking victims among migrant populations continued to face punishment, such as arrest and deportation, for crimes committed as a direct result of being subjected to human trafficking, such as illegal migration. For example, authorities in the migrant transit center in Tamanrasset, where 5,000 migrants transited in 2016 before being repatriated, made no effort to identify potential trafficking victims proactively among those in the center, nor did officials distinguish or separate potential trafficking victims from alleged traffickers. Additionally, during a government operation to repatriate to Niger an estimated 1,000 undocumented sub-Saharan migrants from Mali, Guinea, and other West African countries in December 2016, authorities did not proactively screen for or identify trafficking victims among deportees.

The anti-trafficking law encourages victims to participate in investigations or prosecutions of offenders through the provision of financial assistance, housing, and medical care, but there were no reports that victims participated in investigations in 2016. Additionally, trafficking victims were legally entitled to file civil suits against their offenders, but the government did not report cases in which victims did so during the reporting period. The government did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

PREVENTION

The government made some efforts to prevent human trafficking, which it increasingly acknowledged as a problem in Algeria, and developed institutional frameworks to respond to the crime. In September 2016, a presidential decree formally institutionalized the inter-ministerial anti-trafficking committee—placing it under the auspices of the prime minister's office—and provided it a dedicated budget. The committee was composed of 20 members from various government ministries and institutions to coordinate the government's anti-trafficking activities,

including implementation of the government's 2015 national anti-trafficking action plan. This committee met nine times during the reporting period. Although the presidential decree instructed the national committee to organize awareness activities, the government did not do so during the reporting period. The government took actions to reduce the demand for commercial sex acts. The government took limited measures to reduce the demand for forced labor. The government provided anti-trafficking training as a part of its broader human rights training for its diplomatic personnel.

TRAFFICKING PROFILE

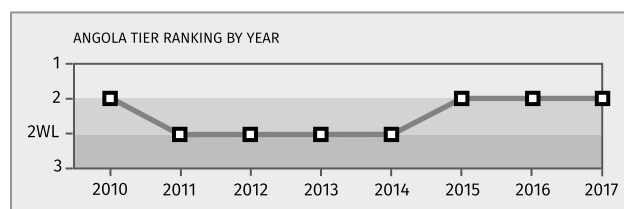
As reported over the past five years, Algeria is a transit and destination country and, in very isolated cases, a source country for children subjected to sex trafficking and men subjected to forced labor. Undocumented sub-Saharan migrants, primarily from Mali, Niger, Burkina Faso, Cameroon, Guinea, Liberia, and Nigeria, are most vulnerable to labor and sex trafficking in Algeria, mainly due to their irregular migration status, poverty, and language barriers. Unaccompanied women and women traveling with children are also particularly vulnerable to exploitation. Sub-Saharan African men and women, often en route to neighboring countries or Europe, enter Algeria voluntarily but illegally, frequently with the assistance of smugglers or criminal networks. Many migrants, impeded in their initial attempts to reach Europe, remain in Algeria until they can continue their journey. While facing limited opportunities in Algeria, many migrants illegally work in construction or engage in prostitution to earn money to pay for their onward journey to Europe, which puts them at high risk of exploitation. Some migrants become indebted to smugglers, who subsequently exploit them in forced labor and sex trafficking upon arrival in Algeria. For example, female migrants in the southern city of Tamanrasset—the main entry point into Algeria for migrants and for the majority of foreign trafficking victims—are subjected to debt bondage as they work to repay smuggling debts through domestic servitude, forced begging, and forced prostitution. Some migrants also fall into debt to fellow nationals who control segregated ethnic neighborhoods in Tamanrasset; these individuals pay migrants' debts to smugglers and then force the migrants into bonded labor or prostitution. Tuareg and Maure smugglers and traffickers in northern Mali and southern Algeria force or coerce men to work as masons or mechanics; women to wash dishes, clothes, and cars; and children to draw water from wells in southern Algeria. Victims also report experiencing physical and sexual abuse at the hands of smugglers and traffickers. Many sub-Saharan migrant women in southern Algeria willingly enter into relationships with migrant men to provide basic shelter, food, income, and safety, in return for sex, cooking, and cleaning. While many of these relationships are purportedly consensual, these women are at risk of trafficking, and migrants in Tamanrasset reported instances of women prevented from leaving the home and raped by their "partner." Foreign women and children, primarily sub-Saharan African migrants, are exploited in sex trafficking in bars and informal brothels, typically by members of their own communities, in Tamanrasset and Algiers.

Nigerien female migrants begging in Algeria, who often carry children—sometimes rented from their mothers in Niger—may be forced labor victims. Nigerien children, ranging from 4 to 8 years old, are brought to Algeria by trafficking networks with the consent of their parents and forced to beg for several months in Algeria before being returned to their families in Niger. Media and civil society organizations reported in 2015

that some sub-Saharan African migrant women working in domestic service for Algerian families experience physical abuse, confiscation of passports, and withheld pay. In 2014, the media and an international NGO reported Vietnamese migrants were forced to work on construction sites for Chinese contractors in Algeria. In 2015, civil society organizations reported isolated instances of foreign and Algerian children in sex trafficking and in forced labor on construction sites.

ANGOLA: TIER 2

The Government of Angola does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Angola remained on Tier 2. The government demonstrated increasing efforts by issuing its first convictions with stringent sentences for three sex traffickers. It identified an increased number of trafficking victims for the third consecutive year, and referred the majority of victims to protective services. The government cooperated with three foreign governments on investigations of Angolans exploited abroad and with international organizations to provide protective services and facilitate repatriation for foreign victims. The inter-ministerial commission met periodically throughout the year, undertook robust prevention efforts, and worked to identify best practices to improve its efforts to combat trafficking. However, the government did not meet the minimum standards in several key areas. The government did not adequately fund protection mechanisms, including shelters, legal, medical, and psychological services. It did not conduct any investigations of allegations of official complicity despite credible reports of some law enforcement officers' involvement in trafficking. Border security guards forcibly detained and deported illegal migrants without adequate screening procedures to identify potential trafficking victims.



RECOMMENDATIONS FOR ANGOLA

Increase investigations and prosecution of forced labor and sex trafficking offenses, including those involving allegedly complicit officials; train law enforcement officials on the 2014 money laundering law's anti-trafficking provisions; implement procedures for identifying trafficking victims, and train officials on such procedures; investigate labor trafficking in the Angolan construction sector; develop uniform and systematic referral procedures for all provinces; increase efforts to provide shelter, counseling, and medical care for adult victims, including men, either directly or in partnership with NGOs; collect and analyze anti-trafficking law enforcement data; and tailor nationwide anti-trafficking public awareness campaigns to vulnerable populations.

PROSECUTION

The government increased law enforcement efforts. The 2014 money laundering law criminalizes all forms of trafficking in persons and prescribes penalties of one to 15 years imprisonment, depending on the specific offense; which are sufficiently stringent and commensurate with those prescribed for other serious crimes. Trafficking is criminalized in chapter III, articles 18, through 23. Article 18 criminalizes slavery and servitude as well as the buying and selling of a child under 14 years of age for adoption or for slavery. Article 19 criminalizes the trafficking of adults and children for the purpose of sexual exploitation, forced labor or trafficking in organs by means of force, fraud or coercion, with a penalty of three to 12 years imprisonment. Article 19 makes it a crime to receive services or organs that are provided by those means, subject to a lesser penalty. Article 20 makes it a crime to entice or force a person to practice prostitution in a foreign country. Article 21 also appears to make sex trafficking a crime; entitled “pimping,” it makes it a crime to use violence, threats or fraud to promote the exercise of prostitution, subject to a prison sentence of one to 6 years. Article 22 makes it a crime to pimp children under the age of 18, without regard to means of force, fraud or coercion—which is the definition of sex trafficking of children in international law—with a penalty of two to 10 years imprisonment; for the use of force, fraud or coercion with a child less than 14 years old, the term of imprisonment is 5 to 12 years. Article 22 makes it a crime to entice children to engage in prostitution in a foreign country, with sentences of three to 12 years imprisonment; with force, fraud or coercion, the sentence is three to 15 years imprisonment. These sentences are generally commensurate with the penalties for other serious crimes, such as rape.

The government investigated two potential child sex trafficking cases, compared with 12 potential trafficking cases in the previous reporting period. The government initiated one prosecution of a suspected trafficker and continued the prosecution of three suspects initiated during the previous reporting period, which led to the government’s first conviction and sentencing of traffickers. The Luanda Provincial Court sentenced three Vietnamese citizens, two women and one man, to eight, nine, and 10 years imprisonment, respectively, for the sex trafficking of five Vietnamese women and for the indentured servitude of three Vietnamese and one Chinese man—the first trafficking convictions in Angola under the 2014 money laundering law. The government initiated prosecution of one Congolese woman for trafficking of four Congolese children, ages 11 to 14, in Zaire province. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses despite credible reports of some law enforcement officers owning brothels in Luanda suspected of involvement in trafficking. Some law enforcement officials were also accused of trying to undermine anti-trafficking efforts by harassing anti-trafficking activists. There were allegations that corruption may have hindered law enforcement anti-trafficking efforts.

The government, at times in partnership with international organizations, trained 119 magistrates and local level officials from the justice, interior, and labor ministries on identifying and processing trafficking cases. The government trained labor inspectors on child labor laws. National police academy training continued to include human trafficking provisions. The government cooperated with French, Portuguese, and Brazilian authorities in the investigation of potential trafficking crimes involving Angolan citizens abroad; these investigations remained ongoing at the close of the reporting period. The government cooperated with the Vietnamese authorities in the

investigation that led to the conviction of three Vietnamese citizens on trafficking charges in Angola, involving Vietnamese and Chinese victims. The government maintained a labor agreement with the Government of China, which requires Chinese companies to follow Angolan labor laws; and Angolan authorities investigated construction companies and employers, including Chinese-run operations, for alleged forced labor abuses during the reporting period.

PROTECTION

The government increased its efforts to identify and protect victims. The government identified 91 trafficking victims, including 77 children, five women, and 15 men; this represents an increase for the third consecutive year compared to 55 in 2015 and 17 in 2014. The government referred all 77 children to either government shelters or private shelters recognized by the government for care. The government did not provide information regarding the care of nine adult sex trafficking victims, whose case resulted in Angola’s first trafficking convictions. In two recent cases involving victims from the Democratic Republic of Congo (DRC) and Kenya, the government partnered with an international NGO to provide protective services and facilitate repatriation. The government did not adequately fund protection mechanisms, including shelters and legal, medical, and psychological services; however, the government drastically reduced its spending across all sectors, particularly the health and social services sector, due to an economic downturn.

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

Law enforcement and social services officials lacked a mechanism for screening vulnerable populations, including foreign workers and persons in prostitution. The government may have arrested and deported individuals for unlawful acts committed as a result of having been subjected to trafficking, including immigration and employment violations. To stem the flow of illegal migrants crossing into Angola, particularly from the DRC, border security forces detained and deported individuals without screening to identify any potential trafficking victims. Furthermore, a UN official expressed concern over allegations that Angolan security forces harassed, detained, and denied legal services to irregular migrants. Authorities who found workers without work permits during labor inspections fined the employers and arrested and deported the workers. On previous occasions when authorities identified trafficking victims among foreign laborers, the Angolan government routinely repatriated them to the source countries without providing care or ensuring proper treatment upon their arrival. Angolan law does not provide foreign trafficking victims with legal alternatives to

their removal to a country where they may face hardship or retribution. The national police, with the assistance of social workers and psychologists as appropriate, used victim testimony for investigation and prosecution of traffickers.

PREVENTION

The government maintained its efforts to prevent human trafficking. The inter-ministerial commission—established in 2014 under the direction of the Ministry of Justice and Human Rights and the Ministry of Social Assistance and Reintegration—was instrumental in encouraging increased collaboration between national police and provincial government officials. The commission was comprised of provincial commissions to combat trafficking in Benguela, Huila, Namibe, Uige, and Zaire, which informed national level efforts by sharing information with the national commission in order to identify trafficking cases. Resistance from the national police to share information in their national crime database has slowed the inter-ministerial commission's analysis of trafficking in Angola. During the reporting period, it produced and distributed 1,000 copies of a manual entitled "Trafficking in Persons: Prevention, Protection, and Assistance to Victims" and continued to meet periodically. In August 2016, the government issued Presidential Decree No. 155/16, the New Legal Framework on Domestic Work and Domestic Services Employees' Social Protection, which entitles domestic workers to paid leave, eight-hour work days, the right to retirement, holidays and maternity leave. Decree 155/16 complements article 3 of the General Labor Law, Law No. 7/15, which prohibits minors to serve as domestic workers; however, government did not widely enforce the decree. The Office of the Attorney General organized a meeting with the Association of African Attorneys to discuss best practices to combat trafficking. The government-funded two public information radio campaigns to raise awareness of trafficking. The government sought technical assistance from two international organizations to review Angola's anti-trafficking legislation, identify state and non-state actors that work on counter trafficking, and to provide recommendations to help develop a new national anti-trafficking policy. In November, the inter-ministerial commission started a bilateral working group with Mozambique's national coordinating body to discuss regional trafficking concerns and share best practices. The commission continued to draft a formal national action plan; however, it did not finalize or adopt it for the second consecutive year. The government did not report any efforts to reduce the demand for commercial sex or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

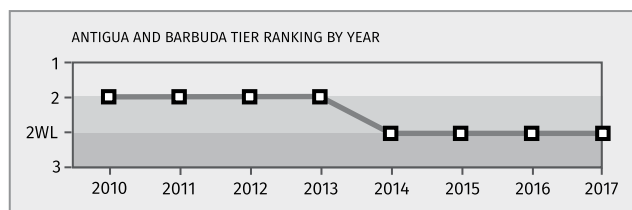
As reported over the past five years, Angola is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Angolans, including minors, endure forced labor in the brick-making, domestic service, construction, agricultural, and artisanal diamond mining sectors within the country. Angolan girls as young as 13 years old are victims of sex trafficking. Angolan adults use children younger than age 12 for forced criminal activity, because children cannot be criminally prosecuted. The provinces of Luanda, Benguela, and the border provinces of Cunene, Namibe, Zaire, and Uige are the most high threat areas for trafficking activities. Some Angolan boys are taken to Namibia for forced labor in cattle herding, while others are forced to serve as couriers to transport illicit goods, as part of a scheme to skirt import fees in cross-border trade with Namibia. Angolan women and

children are subjected to domestic servitude and sex trafficking in South Africa, Namibia, and European countries, including the Netherlands and Portugal.

Women from Namibia, the DRC, Vietnam, and Brazil engaged in prostitution in Angola may be victims of sex trafficking. Some Chinese women are recruited by Chinese gangs and construction companies with promises of work, but later are deprived of their passports, kept in walled compounds with armed guards, and forced into prostitution to pay back the costs of their travel. Chinese, Southeast Asian, Brazilian, Namibian, Kenyan, and possibly Congolese migrants are subjected to forced labor in Angola's construction industry; they may be subject to withholding of passports, threats of violence, denial of food, and confinement. At times, workers are coerced to continue work in unsafe conditions, which at times reportedly resulted in death. Chinese workers are brought to Angola by Chinese companies that have large construction or mining contracts; some companies do not disclose the terms and conditions of the work at the time of recruitment. Undocumented Congolese migrants, including children, enter Angola for work in diamond-mining districts, where some endure forced labor or sex trafficking in mining camps. Trafficking networks recruit and transport Congolese girls as young as 12 years old from Kasai Occidental in the DRC to Angola for labor and sex trafficking.

ANTIGUA AND BARBUDA: TIER 2 WATCH LIST

The Government of Antigua and Barbuda does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by initiating the prosecution of a trafficking case, revising its national action plan, training relevant government personnel, increasing funding for anti-trafficking efforts, and providing some assistance to victims. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not report significant law enforcement efforts, reported fewer victims identified and fewer investigations of suspected cases, and continued to issue administrative penalties for suspected complicit police officers rather than charging them with crimes. The government has never reported any trafficking convictions. The government did not allocate sufficient funding, services, and human resources for victim needs, law enforcement and prosecutions, and public awareness campaigns. The government also suffered from a lack of coordination and cohesion in its efforts to combat trafficking due to personnel rotations at the working and ministerial levels and the lack of a dedicated office or personnel for anti-trafficking efforts. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Antigua and Barbuda was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore, Antigua and Barbuda remained on Tier 2 Watch List for the fourth consecutive year.



RECOMMENDATIONS FOR ANTIGUA AND BARBUDA

Provide increased prioritization, coordination, robust funding, and human resources across all agencies to adequately combat human trafficking; vigorously prosecute trafficking offenses and convict and punish traffickers, including complicit officials; improve the capacity of investigators and prosecutors to expeditiously process trafficking cases; train law enforcement and prosecutors in the relevant legislation and proactively identifying, obtaining, preserving, and corroborating evidence using victim-centered approaches with a special emphasis on identifying trafficking victims in establishments selling sex; consider creating a dedicated trafficking unit with seconded personnel from relevant agencies; develop joint and agency specific standard operating procedures (SOPs) for all government agencies and relevant NGOs; increase training for relevant immigration, labor, medical personnel, and NGOs; improve data collection on prosecutions, convictions, and victim identification and care; and increase public awareness campaigns.

PROSECUTION

The government increased prosecution efforts. The Trafficking in Persons (Prevention) Act, 2010, which was amended in 2015 to vest jurisdiction for trafficking cases to the High Court of Justice, prohibits all forms of trafficking and prescribes punishments of 20 to 30 years imprisonment and fines of 400,000 to 600,000 Eastern Caribbean dollars (\$148,148 to \$222,222). These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

Authorities reportedly investigated three cases of trafficking; however, conflicting government accounts made it difficult to determine the number of cases, nature of the crimes, and the nationalities of the victims. The government reported investigating 10 cases of trafficking in 2015 and two cases in 2014. The 2016 cases remained open at the close of the reporting period. The government initiated its first prosecution since 2011 for a case of sex trafficking that occurred in December 2015. The government has never reported any trafficking convictions. Experts noted the prosecutor's office had limited staff and resources and were concerned the police were not undertaking proactive raids to uncover sex trafficking cases. Experts noted investigations of suspected trafficking cases were slow due to overburdened investigators. The police worked closely with Interpol and police from victims' countries, which included Jamaica and Guyana. The police incorporated anti-trafficking training into the standard curriculum for all new officers. The immigration department also conducted training for officials in coordination with an international organization.

The government did not report any new investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Authorities continued to review the case of three police officers suspected of involvement in trafficking crimes; the police standards committee is reviewing the case for disciplinary action, but did not prosecute the officers. Over the past two years, the police force has administered administrative sanctions for officers suspected or implicated

in trafficking, rather than charge them with a crime under the country's trafficking laws.

PROTECTION

The government maintained protection efforts, although there was not sufficient funding to adequately provide for victim needs. There was no standardized database available to track trafficking cases across all departments, although the government continued to develop a shared database. The government completed drafting SOPs for referral procedures in trafficking cases, including for law enforcement, healthcare, and gender offices. With the assistance of an international organization, the government held a four-day, multi-agency training session in October 2016.

Conflicting government accounts made it difficult to determine the number of victims identified and circumstances of their victimization. The government reported identifying four foreign female trafficking victims: two of the victims were reportedly subjected to labor trafficking and two other cases were under investigation; one of the victims was a minor. In 2015, the government reported identifying 10 victims. The gender affairs department was responsible for providing care to victims, such as counseling, health care, shelter, food and clothing, assistance to communicate with families, travel arrangements, and assistance with employment, work permits, and immigration relief, through a referral process. The gender affairs department obtained in-kind contributions for victim care donated from businesses, including hotel stays and groceries. For the reporting period, one victim received shelter, food, and personal items. The other three victims requested repatriation assistance but declined other victim services.

Experts noted problems in how the government identified and provided suitable shelter for victims and payment for medical services involving foreign nationals. Medical providers were trained during the reporting period on trafficking indicators to understand the type of psychological care and sensitivity required for victims. Experts were concerned that the government was unable to keep information on victims confidential due to the paperwork circulated among several public offices. The government did not issue residency benefits or provide long-term shelter during the reporting period. The government assisted with repatriation of three victims. The gender affairs department and police encouraged victim participation in investigations and prosecutions; all victims cooperated with police. The 2010 anti-trafficking act protects identified victims from punishment for unlawful acts committed as a direct result of having been subjected to trafficking. There were no reports of trafficking victims being detained or fined for illegal acts committed as a result of trafficking. Per the anti-trafficking act, a victim can file a civil suit for restitution from a government official complicit in trafficking; however, the government reported no civil suits during the reporting period.

PREVENTION

The government maintained modest prevention efforts, which were hampered by a lack of leadership, funding, and coordination. According to the Ministry of National Security, the 2016 budget for anti-trafficking efforts was 109,405 Eastern Caribbean dollars (\$40,520), an increase from 66,000 Eastern Caribbean dollars in 2015 (\$24,444). It was unclear how this funding was allocated. All government agencies reported a lack of funding for anti-trafficking efforts and victim care. Experts noted a shortage of funding and human resources for

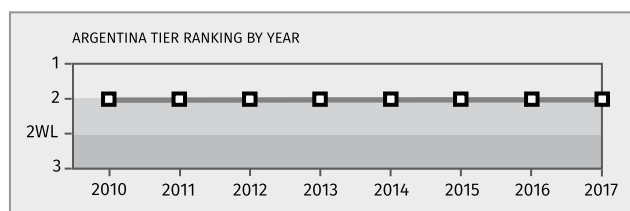
public awareness campaigns. The government conducted an eight-day awareness-raising campaign, including radio and television interviews, two school presentations, and a street fair and awareness march. The anti-trafficking committee met 10 times during the reporting period and continued to oversee implementation of the three-year national action plan, which expires in 2018. There was no full-time working-level staff member within the Ministry of National Security to lead anti-trafficking efforts, and frequent personnel rotations among the working and leadership levels, contributed to problems in leadership, coordination, knowledge, and training among government agencies. The government released a 2015 annual report on the efforts of the anti-trafficking committee during the reporting period. The government revised its 2016-2018 action plan to include more specificity of tasks and assessment plans for government agencies and NGOs. The government included diplomatic staff in its anti-trafficking training sessions. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Antigua and Barbuda is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. Documented and undocumented immigrants from the Caribbean region, notably from Jamaica, Guyana, Haiti, and the Dominican Republic, as well as from Southeast Asia, are most vulnerable to trafficking. Sex trafficking has been reported in bars, taverns, and brothels. Recruitment of victims has often involved the promise of opportunities, such as a job offer to work as a dancer in a club. There are anecdotal reports of children subjected to sex trafficking, including by parents and caregivers. Forced labor occurs in domestic service and the retail sector. There have been concerns about trafficking-related complicity by police officers.

ARGENTINA: TIER 2

The Government of Argentina does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Argentina remained on Tier 2. The government demonstrated increasing efforts by identifying and assisting more victims, opening two regional anti-trafficking offices, increasing the number of investigations, and providing more training and outreach to improve protection and awareness-raising efforts. However, the government did not meet the minimum standards in several key areas. Despite the increase in investigations and convictions, the number of prosecutions declined. In addition, the government did not confirm how many convicted traffickers served time in prison or how many victims it identified or assisted. Official complicity continued to be a significant concern, inhibiting law enforcement efforts.



RECOMMENDATIONS FOR ARGENTINA

Strengthen efforts to investigate, prosecute, convict, and punish traffickers with dissuasive sentences, including complicit officials; continue funding specialized shelters, provide services for male victims, and increase legal, medical, and employment services for victims; provide victim identification training to law enforcement officials and labor inspectors focused on specific vulnerable populations, such as domestic workers; draft and implement the anti-trafficking plan with an adequate budget; strengthen coordination among the federal and provincial governments and NGOs; improve efforts to collect data on victim protection efforts and assistance; and increase awareness campaigns targeting vulnerable populations.

PROSECUTION

The government maintained law enforcement efforts. Law 26842 of 2012 prohibits all forms of human trafficking and prescribes punishments of four to 10 years imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international standards law 26842 establishes the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime. The law also includes as the crime of trafficking, facilitating or profiting from the prostitution of others and the illegal sale of organs without regard to the use of force, fraud, or coercion. Some provincial authorities investigated and prosecuted trafficking cases under different statutes related to exploitation and pimping, making it difficult to collect comprehensive data. Authorities did not report the total number of trafficking cases investigated by police in 2016. The government decreased prosecutions, but investigated and convicted more traffickers than in 2015, although it was unclear how many of the reported cases were for trafficking as defined by international law. The anti-trafficking prosecutor's office (PROTEX) opened 1,089 preliminary investigations in 2016, compared with 358 in 2015 and 200 in 2014. The government prosecuted 54 suspected traffickers (32 for sex trafficking and 22 for labor trafficking), compared with 98 (47 for sex trafficking and 51 for labor trafficking) in 2015, and 92 for sex and labor trafficking in 2014. Despite the three-fold increase of investigations, prosecutions dropped nearly half. The government obtained convictions of 46 traffickers in 2016, compared with 35 in 2015 and 67 in 2014. Fifty-four percent of sentences ranged from two to five years imprisonment; however, under Argentine law, defendants sentenced to less than three years for any crime automatically have their sentences suspended; it was unclear how many sentences were suspended. Corruption and official complicity in trafficking crimes remained significant concerns, although the government continued to investigate and prosecute cases involving public officials. During the reporting period, PROTEX successfully appealed a case leading to the reopening of an investigation after allegations surfaced that one of three judges assigned to the case was involved in covering up trafficking crimes. In another case, investigations revealed members of the security forces and the judiciary were believed to be involved with three human trafficking networks; authorities indicted 26 individuals accused of sexual exploitation, and the case was pending at the end of the reporting period. In addition, the government indicted a provincial mayor and superintendent for allegedly protecting a sex trafficking organization. Despite several ongoing investigations and formal indictments, including cases from the previous year, there were no convictions of complicit officials. The government provided numerous anti-trafficking trainings to law enforcement, prosecutors, and judicial officials, among others, including virtual training courses.

PROTECTION

The government increased protection efforts. The Program for Rescue is the government office responsible for coordinating emergency victim services nationwide; in 2016, it reported identifying 666 potential trafficking victims, compared with 424 in 2015. This includes all individuals discovered during anti-trafficking law enforcement raids, some of whom were likely in exploitative labor situations that may not rise to the level of forced labor. Federal officials had formal procedures for victim identification and assistance; however, in practice, the procedures to identify victims among vulnerable populations varied by province. Some front-line responders had limited understanding of trafficking; the government did not make efforts to identify victims of domestic servitude. Regional governments in the provinces of Chaco, Santa Fe, La Pampa, Mendoza, and La Rioja operated anti-trafficking centers, which provided psychological, social, medical, and judicial assistance to trafficking victims. In 2016, the government opened two more centers, in the provinces of Chubut and Rio Negro. A government-funded NGO operated two shelters that assisted trafficking victims, one in Buenos Aires, and one in Tucuman. The Secretariat for Children, Adolescents, and Families also operated two shelters, one for children and one for women. There were no specialized shelters for male victims; therefore, the government often placed male victims in other government-funded shelters or in hotels for temporary housing, while others returned to their country or province of origin. The Program for Rescue reported all identified victims could receive emergency assistance during the early stages of the investigation and during the initial testimony for the courts; the Ministry of Social Development provided mid-term and long-term care assistance. NGOs reported a need for long-term housing, skills training and employment, childcare and legal assistance. Foreign victims had the same access to care as Argentine nationals; however, victims were sometimes unaware of services available. Authorities did not report how many received assistance during the reporting period. The government did not report the number of victims who received repatriation assistance. There were no reports of identified victims jailed or penalized for unlawful acts committed as a direct result of their being subjected to trafficking. Authorities organized 50 training courses on victim identification and assistance, reaching 2,257 individuals, including officials, members of civil society, students, teachers, and health professionals.

The government encouraged the participation of victims in trials of their traffickers by assisting victims throughout the initial testimony and during any subsequent appearances. The Program for Rescue provided tribunals with reports on the psychological state of victims and what requirements they might have to assist in the prosecution of their traffickers. Other support for victim testimony included the possibility of video testimony and the use of recorded testimony. It was unclear how many victims received such assistance during the reporting period. In 2016, a victim of sex trafficking filed and won a civil suit against her traffickers and the municipality where the abuse occurred, marking the first time that a trafficking victim was awarded restitution from her traffickers and the state.

PREVENTION

The government maintained prevention efforts. In June 2016, the federal council on human trafficking, which included federal government entities, provincial officials, and a smaller executive council that implemented the initiatives of the federal council, met for the first time. During the reporting period, the government held sessions to draft a national action plan and

identify NGOs to include on the federal council. Despite these efforts, NGOs advocated for improved interagency coordination. Some provincial governments undertook prevention efforts, such as awareness campaigns focused on students and teachers. NGOs and municipal authorities continued to express concern about child sex tourism, though there were no reported investigations or prosecutions related to this crime. The government continued proactive efforts to register informal workers and employers in rural areas and investigate non-compliance with labor laws. The government launched a new campaign to increase public awareness of trafficking indicators and to encourage the public to report cases of potential trafficking. The government made efforts to reduce the demand for commercial sex. The government did not make efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic personnel. Argentine troops received anti-trafficking training prior to their deployment abroad on international peacekeeping operations.

TRAFFICKING PROFILE

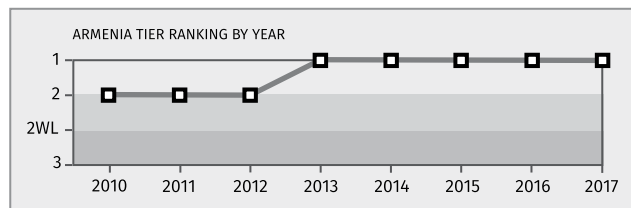
As reported over the past five years, Argentina is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Argentine women and children are subjected to sex trafficking within the country, as are women and children from other Latin American countries. To a more limited extent, Argentine men, women, and children are subjected to sex and labor trafficking in other countries, mostly in Europe. Men, women, and children from Argentina, Bolivia, Paraguay, Peru, and other countries are subjected to forced labor in a variety of sectors, including sweatshops, agriculture, street vending, charcoal and brick production, domestic work, and small businesses. Chinese citizens working in supermarkets are vulnerable to debt bondage. Argentine officials report isolated cases of foreign victims recruited in Argentina and subjected to trafficking in third countries.

Vulnerable women and girls who live in extreme poverty, a violent family environment, or suffer from addiction are among those most vulnerable to trafficking; a significant number of them, originally from Bolivia and Paraguay, and to a lesser extent from the Dominican Republic, Uruguay, and Brazil, are subjected to sex trafficking in Argentina, as are Argentine women and girls from rural areas and the northern provinces. Traffickers from across Argentina bypass regulations that ban brothels by establishing “mobile brothels” in vans and trucks where sexual exploitation occurs, making raids more difficult; this practice is particularly prevalent in the northern area of the country. Street vendors may subject migrants from neighboring or African countries to forced labor. Transgender Argentines are exploited in sex trafficking within the country and in Western Europe. Official complicity, mainly at the sub-national levels, continues to hinder the government’s efforts to combat trafficking. In 2016, the Municipality of Ushuaia was ordered to pay restitution to a victim after being found complicit of facilitating trafficking by failing to adequately regulate brothels.

ARMENIA: TIER 1

The Government of Armenia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Armenia remained on Tier 1. The government demonstrated serious and sustained efforts by identifying more

victims, adopting a national action plan, and establishing and allocating funds for a compensation fund for trafficking victims. Although the government meets the minimum standards, it did not have established procedures to repatriate victims to Armenia, decreased funding to NGO-run shelters, and continued to lack a formal victim-witness protection program. The government continued to suspend the majority of Labor Inspectorate functions, hindering regular inspections that had the potential to identify indications of forced labor.



RECOMMENDATIONS FOR ARMENIA

Vigorously investigate, prosecute, and convict traffickers under articles 132 and 132-2; proactively investigate all potential trafficking offenses, even those complaints filed by victims that do not specifically mention trafficking; improve efforts to identify victims of forced labor, including by strengthening victim identification training for officials; allow labor inspectors to conduct regular inspections and identify victims through unannounced visits; establish formal procedures for repatriating trafficking victims from abroad, including measures to cover logistical costs; maintain adequate funding for NGO-run shelters; train rural police officers on protection and assistance available to victims and local investigators on proper interviewing techniques, especially for children; work with Russian authorities to identify Armenian forced labor victims and prosecute labor traffickers; work with NGOs to find ways to identify and assist Armenian victims in Turkey and reintegrate victims; provide sensitivity training to judges and lawyers to improve treatment of victims; license, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad; approve legislation to establish victim-witness protection measures; and conduct awareness-raising campaigns to rural and border communities and to children leaving child care institutions.

PROSECUTION

The government maintained law enforcement efforts. Articles 132 and 132-2 of the criminal code prohibit both sex and labor trafficking and prescribe penalties of five to 15 years imprisonment; these are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 16 trafficking cases, compared to 14 in 2015; of these, five cases were sex trafficking, 10 cases were labor trafficking, and one case was both sex and labor trafficking, compared to four labor trafficking cases and 10 sex trafficking cases investigated in 2015. Authorities prosecuted one defendant, compared to two in 2015. Courts convicted three sex traffickers, the same as in 2015. Two traffickers received sentences of eight years imprisonment and one received five years imprisonment. Prosecution of labor trafficking remained a challenge as many cases occurred in Russia, where Armenian investigators continued to face difficulties collaborating with law enforcement. Similarly, the absence of diplomatic relations with Turkey continued to hinder law enforcement and victim protection efforts for cases involving that country.

Observers reported law enforcement investigated only formal

criminal complaints filed by victims that specifically alleged trafficking and did not proactively investigate criminal activity that potentially involved trafficking. The government trained 334 investigators from the Investigative Committee and 83 police officers on trafficking issues. The Border Control Training Center trained staff working at border checkpoints on issues of labor trafficking, child trafficking, and victim identification. The government, in cooperation with INTERPOL, coordinated investigations with four foreign governments. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The government maintained protection efforts. The government identified 22 victims, compared to nine in 2015. Nineteen were subjected to forced labor and three to sex trafficking. Authorities notified all victims of their right to services and 19 victims accepted NGO-run shelter assistance, compared to five in 2015. The government allocated 18.8 million drams (\$39,260) for victim protection efforts, including operational costs for an NGO-run shelter, compared to 18.3 million drams (\$38,100) in 2015. The government established and allocated 1.8 million drams (\$3,650) to a compensation fund through which a one-time monetary compensation of 250,000 drams (\$520) is provided to trafficking victims. The Law on Identification and Assistance to Victims of Human Trafficking and Exploitation establishes a national referral mechanism and outlines actions for the Victim Identification Commission consisting of national and local government bodies, NGOs, international organizations, and civil society to identify and support trafficking victims. The law also ensures victim assistance is not linked to their cooperation with law enforcement and affords foreign trafficking victims the same rights and services as Armenian citizens.

The government and local NGOs jointly provided victims legal, medical, and psychological assistance; housing; and access to social, educational, and employment projects. The government offered free health care; one victim received this service in the reporting period. The government maintained cooperation agreements with two specialized NGO-run shelters to provide services to victims; however, one NGO-run shelter closed at the end of February 2017 due to the completion of their donor-funded project. NGO-run shelters required adult victims to notify staff when they left shelters unescorted, but victims were free to leave if they no longer wanted assistance. Services were available to female and male victims. Shelters did not provide specialized services for child victims, who could be housed in an adult trafficking shelter or referred to a child care institution. NGOs reported law enforcement officers in remote areas lacked information and training to inform victims of their rights to protection or assistance. As a result of a legal change suspending most Labor Inspectorate functions in July 2015, inspectors were unable to conduct regular inspections and identify indications of forced labor.

The law designates the Ministry of Foreign Affairs to coordinate repatriation of Armenian trafficking victims from abroad; however, observers reported difficulties in such repatriations due to a lack of established procedures and funds to cover logistical costs. The government, in cooperation with NGOs, repatriated 11 labor trafficking victims from Russia through ad hoc procedures and funds from different sources including government, NGOs, and churches. During the last several years, victims reported greater trust in law enforcement when assisting investigations and prosecutions; however, observers reported that for various

reasons, including fear of retaliation from their traffickers, victims were reluctant to assist in prosecutions. Observers reported local investigators lacked the skills to interview victims properly, especially children. The government continued to lack a formal victim-witness protection program. In 2014, a draft law establishing victim-witness protection was submitted to parliament; the law remained pending at the close of the reporting period. There were no reports in 2016 that authorities inappropriately detained identified trafficking victims; the law exempts victims from criminal prosecution for crimes they were forced to commit as a result of being subjected to trafficking. The law entitles victims to obtain restitution during criminal proceedings or through a separate civil suit. Victims did not file any civil suits; however, in previous years, judges had not issued damages in civil suits, asserting that victims did not substantiate the financial damages they had suffered. The law allows investigators to place defendants' property in custody to ensure civil claims can be paid.

PREVENTION

The government increased trafficking prevention efforts. The government developed and adopted the 2016-2018 national action plan (NAP), in cooperation with all major government agencies, NGOs, and international organizations. The NAP prioritizes the implementation of measures that prevent trafficking of children and labor trafficking. The Inter-Agency Working Group against Trafficking in Persons met regularly and published semi-annual and annual reports of its activities. Government agencies conducted a variety of prevention projects and activities, although the government reported some observers believe it did not reference trafficking in public awareness campaigns frequently enough. Police transmitted videos and participated in television programs devoted to trafficking issues. Police held awareness-raising discussion at schools, and the Ministry of Diaspora distributed informative materials on the risks of trafficking to individuals crossing the border, as well as Armenians residing in the Middle East and European countries. The Ministry of Education together with the Ministry of Health conducted awareness raising campaigns for students and teachers. The Ministry of Sports and Youth Affairs financed several awareness campaigns targeting vulnerable populations. Government agencies posted trafficking information on their websites, including information on hotlines operated by police and NGOs; hotline calls led to preventive measures and investigations. There was no mechanism for oversight and regulation of labor 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 and guidance for its diplomatic personnel.

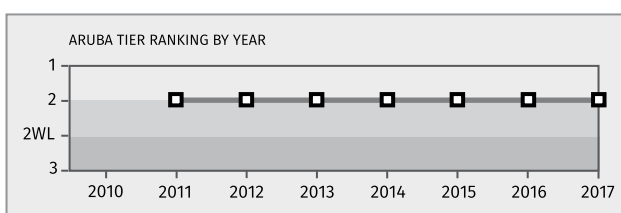
TRAFFICKING PROFILE

As reported over the past five years, Armenia is a source and, to a lesser extent, destination country for men, women, and children subjected to sex and labor trafficking. Armenians are subjected increasingly to labor trafficking in Russia, the United Arab Emirates (UAE), and Turkey; Armenian women and children are subjected to sex trafficking in the UAE and Turkey. Armenian women and children are subjected to sex and labor trafficking and forced begging within the country. Chinese women have been subjected to sex trafficking in Armenia. Some children work in agriculture, construction, and service provision within the country, where they are vulnerable

to labor trafficking. Men in rural areas with little education and children staying in child care institutions remain highly vulnerable to trafficking. Conflict-displaced persons, including Syrian Armenians, living in Armenia are at risk of exploitation and have been subjected to bonded labor.

ARUBA: TIER 2[†]

The Government of Aruba does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Aruba remained on Tier 2. The government demonstrated increasing efforts by initiating investigations, upholding the 2013 conviction of one trafficker, identifying potential victims, conducting awareness campaigns, and establishing the Counter Trafficking Coordination Center (CTCC)—responsible for coordinating awareness trainings and for gathering and analyzing indicators of human trafficking. However, the government did not meet minimum standards in several key areas. For the third consecutive year, it did not initiate any new prosecutions or secure any new convictions, and only very limited efforts were made to refer and protect victims.



RECOMMENDATIONS FOR ARUBA

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

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Articles 203a and 286a of the criminal code prohibit all forms of trafficking in persons. In 2014, the government amended the penal code to criminalize the receipt of services from a trafficking victim if the individual knows the victim is being forced or coerced to provide the services and to

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

increase penalties to eight to 18 years imprisonment or a fine of 25,000 to 100,000 Aruba West Indies Guilder (AWG) (\$14,045-56,180). These penalties are generally sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape; however, instances in which fines are applied in lieu of imprisonment are inadequate to deter trafficking crimes.

The national coordinator received referrals for four alleged forced labor and seven suspected sex trafficking cases, compared to five in 2015. Of these, the government conducted subsequent investigations in six of these cases, compared to one in 2015. The government did not initiate any prosecutions for trafficking offenses or newly convict any traffickers for the third consecutive year. In January 2016, the government upheld the 2013 conviction of a trafficker to five years imprisonment for fraudulently recruiting workers, threatening and physically injuring victims, and exploiting women in sex trafficking. The government also upheld the 2013 conviction and sentencing in absentia of his wife, including 22 months imprisonment; she remains outside of Aruba and has not served her sentence. The public prosecutor and police screened all human smuggling cases for indicators of human trafficking. In 2016, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. However, it arrested and suspended an immigration officer who allegedly allowed illegal border crossings and falsification of documents; at the close of the reporting period, this case remained under investigation.

The Counter Trafficking Taskforce trained 450 government officials on the signs of human trafficking and their responsibilities to combat it. The government created a multidisciplinary investigative team, the team comprises officials from the police and the Directorates of Alien Affairs and Labor, designated to investigate cases of human trafficking and smuggling; and established the Counter Trafficking Coordination Center (CTCC), which coordinated trainings and analyzed indicators of human trafficking. At the Interpol Conference on Human Trafficking in the Caribbean, the CTCC provided training on victim identification and assistance procedures and gave a presentation on the multidisciplinary approach towards human trafficking used in Aruba and the possibilities for regional cooperation to combat trafficking to approximately 100 law enforcement officials from Aruba and various Latin America and Caribbean countries.

PROTECTION

The government identified an increased number of victims and maintained assistance efforts. The government identified nine potential victims of forced labor and sex trafficking, an increase from one in 2015. It reported initiating use of a trafficking victim referral process, drafted in the previous reporting period, to guide officials using a three-tier system of high, medium, and low urgency. The Bureau for Victim Assistance, the government agency providing shelter, legal assistance, and medical care to all victims of criminal acts and the national coordinator utilized this process to refer one victim to NGOs for shelter and assistance during the reporting period; however, the victim did not utilize these services and found private accommodations after government issuance of a special permit for victims of trafficking. Multi-disciplinary teams of police, labor and immigration officials conducted inspections aimed at identifying potential labor exploitation. In addition to identifying employers who illegally employ workers, the teams also focused on ensuring all workers received

appropriate wages and compensation for their services.

The government encouraged victims to cooperate in investigations and prosecutions by arranging for shelter and providing necessary care and assistance; and in June 2016, the Legislation Committee of the Aruba Taskforce started to ensure trafficking victims accessibility to legal aid, medical assistance, and immigration support. The taskforce and the Bureau for Victim Assistance could provide potential victims with emergency shelter, food, medical care, legal assistance, temporary immigration relief, and financial and repatriation assistance; the bureau also operated a hotline for trafficking victims. The taskforce maintained informal, verbal agreements with local NGOs and private sector accommodations to shelter adult and child victims; however, the government did not support the work of these organizations. Unaccompanied children received shelter in foster care centers or in foster homes, and in certain cases, local churches could also provide shelter. Nonetheless, to improve availability of shelter, in December 2016, the taskforce signed an MOU with a local NGO to establish a multifunctional shelter in Aruba for victims in the Dutch Caribbean; however it did not begin implementation of the agreement. The national anti-trafficking taskforce lacked a dedicated budget for shelter and other forms of victim assistance. Foreign victims are entitled to the same rights and protection as Arubans. Officials conducted risk assessments before deciding whether victims could leave shelters unchaperoned, and restricted their movement if their lives were threatened. The anti-trafficking taskforce continued to provide law enforcement and social services officials with a checklist of the most common signs of human trafficking.

The law authorizes the extension of temporary immigration relief for foreign victims for three to six months on a case-by-case basis, and allows foreign victims whose employers are suspected of human trafficking to change employers. The criminal code enabled victims to file civil suits against traffickers and if the trial resulted from a criminal investigation, the victim could also seek restitution not to exceed 50,000 AWG (\$28,090) for financial and emotional damages. Victims were not punished for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government maintained efforts to prevent trafficking. The 2015-2019 national anti-trafficking action plan, completed by the taskforce in the previous reporting period, remained pending approval by the government. While the taskforce and other relevant stakeholders lacked the capacity to be exclusively dedicated to combating trafficking, in the interim, they reported limited efforts to begin implementation of the plan. The CTCC gave a presentation on multidisciplinary and regional cooperation, provided training during the Interpol Conference on Human Trafficking in the Caribbean, and worked with NGOs to explore possibilities of a multifunction shelter for victims needing temporary shelter. The government continued its trafficking awareness campaigns, via social media and posters and flyers in four languages targeting both victims and the general public; the campaign was linked to a hotline staffed by the national coordinator trained to assist trafficking victims. The government conducted an awareness campaign highlighting the risks of becoming victims of human trafficking, which targeted students leaving Aruba to study abroad. In connection with the National Day Against Human Trafficking, the taskforce cooperated with an NGO to host its first Walk for Freedom in Oranjestad; 50 people participated.

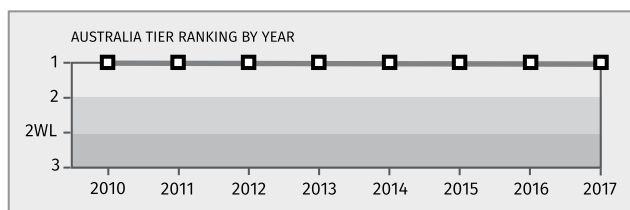
The government continued procedures to screen and inform adult entertainers and meet with a Dutch consular officer to ensure the applicant knows his/her rights and are fully informed of the work agreement before picking up their in-flight letter at the Dutch embassy in Colombia. Upon arrival, such visa recipients undergo medical check-ups and receive information about their rights, risks, and resources. In an effort to reduce the entry or transit of potential victims of human trafficking and smuggling into Aruba, the government established a minimum amount of cash needed to stay in Aruba and created a register of all persons who acted as guarantors for foreigners entering the country. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Aruba is a source and destination country for women, men, and children subjected to sex trafficking and forced labor. Venezuelan women are subjected to trafficking in Aruba's commercial sex trade and foreign men and women are vulnerable to forced labor in the service and construction industries. Chinese men and women working in supermarkets, Indian men in the retail sector and domestic service, and Caribbean and South American women in domestic service are also at risk of forced labor. A 2013 international organization report identified women in Aruba's regulated and unregulated prostitution sectors, domestic workers, and employees of small retail shops as populations most vulnerable to trafficking. Children may be vulnerable to sex trafficking and to forced labor in Chinese-owned supermarkets and restaurants.

AUSTRALIA: TIER 1

The Government of Australia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Australia remained on Tier 1. The government demonstrated serious and sustained efforts by increasing investigations of suspected trafficking cases, identifying and referring more victims to the government-funded support program, and implementing changes to its visa policies intended to better address the needs of foreign trafficking victims. Although the government meets the minimum standards, screening procedures for indicators of labor trafficking among vulnerable groups remained insufficient. Authorities did not obtain any convictions under the trafficking provisions of the criminal code for the third consecutive year; courts convicted only one trafficker for dealing in proceeds of a crime under Division 400 of the criminal code, but fully suspended his sentence.



RECOMMENDATIONS FOR AUSTRALIA

Further strengthen efforts to investigate and prosecute trafficking offenses, with increased focus on labor trafficking, and convict

and stringently sentence sex and labor traffickers; increase efforts to train police and other front-line officers to recognize indicators of trafficking and respond to suspected cases of both sex and labor trafficking; increase training for prosecutors and judges on Australian trafficking laws; continue to strengthen efforts to proactively identify trafficking victims among vulnerable groups, such as undocumented migrants or workers filing civil grievances; ensure initial screening interviews with potential victims are conducted in a safe and neutral location, and in the presence of a social service professional; increase funding to NGOs for robust victim protection services; consider establishing a national compensation scheme for trafficking victims; continue to implement or fund awareness campaigns, particularly among rural communities and migrant populations; strengthen efforts to prosecute and convict Australian child sex tourists; increase efforts to investigate and hold accountable foreign diplomats posted in Australia suspected of complicity in trafficking; and develop a targeted campaign to raise awareness among clients of the legal commercial sex industry about the links between prostitution and trafficking.

PROSECUTION

The government increased investigations, but convicted only one trafficker. Divisions 270 and 271 of the Commonwealth Criminal Code prohibit sex and labor trafficking and trafficking-related offenses and prescribe maximum penalties of 12 to 25 years imprisonment and fines of up to 197,000 Australian dollars (\$142,238). These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The criminal code also prohibits forced labor and prescribes penalties of nine years imprisonment, and the Migration Act of 2007 prohibits exploitation of migrant workers through forced labor, sexual servitude, or slavery, and prescribes penalties of up to five years imprisonment and various fines. Under the law, prosecutors cannot recommend prison sentences—a factor that may contribute to insufficient penalties for traffickers prosecuted under lesser criminal charges.

The Australian Federal Police (AFP) investigated 105 cases of alleged trafficking and related offenses, an increase from 61 cases investigated in 2015; roughly a third were suspected forced marriage cases, and the government did not report how many involved sex or labor trafficking. The government initiated prosecutions of four defendants for suspected labor trafficking offenses and one defendant for suspected sex trafficking offenses, compared to four prosecutions in 2015 and nine in 2014. Authorities continued prosecutions from previous reporting periods against three individuals suspected of forced labor offenses. One individual allegedly subjected 23 foreign nationals to forced labor and was charged with “causing a person to remain in servitude.” In a separate case, authorities initiated the prosecution of two individuals for the alleged long-term exploitation of a foreign national brought to Melbourne in 2007 to perform domestic labor. The government opened one investigation into alleged labor trafficking in the household of a foreign diplomat, but reported being unable to pursue prosecution due to diplomatic immunity provisions.

For the third consecutive year, the government did not convict any sex or labor traffickers under the trafficking provisions in the criminal code. In 2016, authorities convicted one sex trafficker on the lesser offense of dealing in proceeds of a crime under division 400 of the criminal code and fully suspended the prescribed prison sentence; this was a decrease from six convictions in 2015, also under lesser charges, culminating in prison sentences for five offenders. The courts also convicted

three defendants for traveling overseas to engage in child sex tourism, compared to one in 2015. Authorities often opted to pursue labor or employment violations in lieu of trafficking charges due to a perception that it could increase the success rate of prosecutions; however, offenders often faced only civil penalties. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government-funded and facilitated training on trafficking investigations, legal provisions, and victim support for 26 police and immigration officers.

PROTECTION

The government slightly increased efforts to protect trafficking victims. Authorities identified 36 potential victims, including 22 for sex trafficking and forced labor, and 14 for which the form of exploitation was unclear, compared with 35 in 2015. Authorities provided accommodation, living expenses, legal advice, health services, vocational training, and counseling to 83 victims—including some identified in previous years—through the support program, for which the government continued to allocate approximately one million Australian dollars (\$722,021). Only AFP had the legal authority to refer victims to the support program; NGOs provided services for additional victims who were either not formally recognized by AFP or who chose not to communicate with law enforcement. The government also repatriated six potential Australian trafficking victims from abroad, three of whom were returned to Australia to receive protective services through this program, compared to one in 2015. There were no government-run shelters for trafficking victims; one known trafficking-specific shelter run by an NGO received funding from an NGO operating partially on government funding to accommodate participants in the Support Program. In 2016, the government reported providing temporary stay visas to 33 foreign trafficking victims, compared to 29 the previous year, although it did not report how many of these constituted cases of forced marriage. The government began implementing visa policy reforms enacted in 2015 intended to address the needs of foreign trafficking victims, such as by extending access to its adult migrant English programs, which in prior years were only available to permanent visa holders. These services were provided to 11 trafficking victims in Australia on temporary stay visas during the reporting period. It also granted to six victims and their immediate family members referred stay (permanent) visas, compared to four in 2015, which required victims to assist with an investigation or prosecution of a trafficking offense. Victims identified by authorities were not detained, fined, or penalized for unlawful acts committed as a direct result of being subjected to trafficking; however, given underdeveloped screening efforts among vulnerable populations, some unidentified victims may have been arrested, prosecuted, or deported.

The government made limited efforts to identify and refer victims of forced labor to services; authorities did not routinely screen for indicators of labor trafficking among vulnerable groups, but established new mechanisms for doing so. Authorities identified most victims through the efforts of joint agencies, taskforces, and cooperative action with foreign governments. Some victims may have been reluctant to communicate with law enforcement officers due to fear of detainment and deportation. The government did not ensure social service professionals were present during initial screening interviews, although procedures were in place for law enforcement officials to bring them in at their discretion. Although the government expanded certain benefit schemes for trafficking victims, it did not have a centralized victim compensation system.

PREVENTION

The government increased efforts to prevent trafficking. It continued implementation of its five-year national action plan to combat trafficking, launched in 2014, and created new interagency and regional taskforces, working groups, and other mechanisms for the purpose of expanding the scope of its research on, and strengthening its ability to respond to, trafficking offenses. In furtherance of the national action plan, the Australian Interdepartmental Committee on Human Trafficking and Slavery delivered its annual report on government anti-trafficking efforts to Parliament in December 2016. The government continued to fund anti-trafficking initiatives and deliver trainings in the Asia-Pacific and Middle East regions. In May 2016, the Fair Work Ombudsman (FWO) established the Migrant Worker Strategy and Engagement Branch to coordinate and develop strategies for engagement, education, and compliance activities focusing on workplace rights and entitlements in migrant worker communities. In April 2016, the FWO introduced an online platform to facilitate the anonymous reporting of labor law violations. It continued to conduct awareness-raising campaigns on migrant workers' rights and pursued and concluded long-term inquiries into potential labor abuses committed against migrant workers in the retail and hospitality industries, although none of these appeared to culminate in trafficking victim referrals or investigations. The government also facilitated training on trafficking in persons for 535 immigration officials during the reporting period. The government continued to publish materials for passport applicants outlining the application of Australian child sexual exploitation and child sex tourism laws to Australians overseas. In 2016, authorities convicted three defendants for traveling to other countries to engage in child sex tourism, compared to one in 2015, with sentences ranging from six months imprisonment to five years and three months imprisonment. The government did not make efforts to reduce the demand for commercial sex acts, but it created a ministerial labor exploitation working group and migrant workers taskforce aimed at reducing the demand for forced labor. The Department of Foreign Affairs and Trade conditioned the departure of diplomatic personnel to overseas posts on compliance with Australia's anti-trafficking legislation, and the government provided anti-trafficking training to military and law enforcement personnel prior to their deployment on international peacekeeping missions.

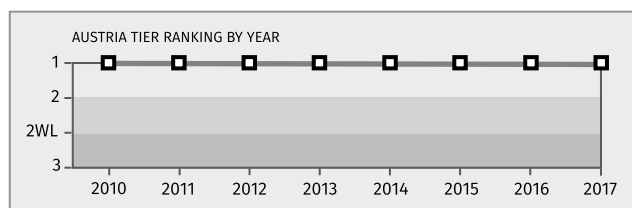
TRAFFICKING PROFILE

As reported over the last five years, Australia is primarily a destination country for women and girls subjected to sex trafficking and for women and men subjected to forced labor. A small number of children, primarily teenage Australian and foreign girls, are subjected to sex trafficking within the country. Some women from Asia and—to a lesser extent—Eastern Europe and Africa migrate to Australia to work legally or illegally in a number of sectors, including commercial sex. After their arrival, some of these women are coerced to enter or remain in prostitution. Some foreign women—and sometimes girls—are held in captivity, subjected to physical and sexual violence and intimidation, manipulated through illegal drugs, obliged to pay off unexpected or inflated debts to traffickers, or otherwise deceived about working arrangements. Some victims of sex trafficking and some women who migrate to Australia for arranged marriages are subjected to domestic servitude. Unscrupulous employers and labor agencies subject some men and women from Asia and several Pacific Islands recruited to work temporarily in Australia to forced labor in agriculture,

construction, hospitality, and domestic service. Some identified victims are foreign citizens on student visas who pay significant placement and academic fees. Unscrupulous employers coerce students to work in excess of the terms of their visas, making them vulnerable to trafficking due to fears of deportation for immigration violations. Some foreign diplomats allegedly subject domestic workers to forced labor in Austria.

AUSTRIA: TIER 1

The Government of Austria fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Austria remained on Tier 1. The government demonstrated serious and sustained efforts through an increased number of prosecutions and convictions, by bolstering rights for victims, and increased funding for victim services. Law enforcement collaborated with neighboring countries on cases and worked closely with NGOs on victim care. The government improved its efforts to identify trafficking victims among refugees, irregular migrants, unaccompanied minors, and asylum-seekers by providing new training in victim identification to border officials and NGOs providing care to migrants and asylum-seekers. Although the government meets the minimum standards, in some cases courts partially or fully suspended sentences for convicted traffickers or accepted fines instead of imprisonment.



RECOMMENDATIONS FOR AUSTRIA

Sentence convicted traffickers to penalties proportionate to the seriousness of the crime to ensure convicted traffickers serve time in prison; strengthen or revise existing criminal code articles, particularly article 217, to better differentiate between trafficking and smuggling; establish a comprehensive national referral mechanism for adult victims; increase efforts to identify victims among women engaged in prostitution, the physically and mentally disabled, children exploited in prostitution and forced begging, and men working in sectors vulnerable to labor exploitation and prosecute their traffickers; continue efforts to identify trafficking victims among irregular migrants, asylum-seekers, and individuals in prostitution; continue cooperation with foreign governments to uncover and prosecute trafficking rings; and consistently apply laws for granting legal residence to trafficking victims including those who choose not to participate in legal proceedings.

PROSECUTION

The Austrian government sustained vigorous law enforcement efforts. Article 104a of the criminal code criminalizes all forms of sex and labor trafficking consistent with the international law definition, with penalties ranging up to 10 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 104 also criminalizes slavery, with penalties ranging from 10 to 20

years imprisonment. In addition, article 116 criminalizes the exploitation of foreigners illegally in the country, with a penalty of one to 10 years. Article 217 also makes it a crime to bring a person into Austria for prostitution, regardless of the means used, but provides enhanced penalties when a foreign person is induced to engage in prostitution by deception, coercion, or force. Article 217 penalties range from six months to 10 years imprisonment.

The government investigated 139 trafficking suspects in 2016 (one under article 104, 77 under article 104a, and 61 under article 217), compared with a total of 118 investigations in 2015. The government prosecuted 39 trafficking defendants in 2016 (19 under article 104a and 20 under article 217), an increase from 35 prosecutions in 2015. Courts convicted 26 traffickers in 2016 (10 under article 104a and 16 under article 217), an increase from 15 convictions in 2015. The 10 convictions under article 104a were for labor exploitation; the 16 cases under article 217 were for sexual exploitation. Prison sentences ranged from six months to five years in 2015, the most recent year for which sentencing data was available, but courts partially or fully suspended some sentences and accepted fines instead of time served. The government provided specialized training to prosecutors and judicial personnel. Training was included as part of the standard curriculum for law enforcement. National and local governments cooperated with authorities from other countries to investigate and prosecute trafficking cases. Cooperation with central European governments was especially effective in uncovering and prosecuting trafficking rings.

PROTECTION

The government increased already strong protection efforts. NGOs reported good cooperation with government agencies and reported police identification was generally effective. The government increased efforts to identify victims among migrants and asylum-seekers and in shelters for unaccompanied minors, providing training to border officials, NGOs, and directly to migrants. Police conducted raids and screenings in brothels, red light districts, and massage parlors to find victims proactively. Police and other government institutions, in cooperation with NGOs, identified and assisted 288 female and 60 male foreign victims in 2016, an increase from 271 female victims and 30 male victims in 2015. According to the government's national implementation plan, between July 2015 and December 2016, officials and NGOs identified 15 trafficking victims among migrants transiting through or remaining in Austria.

The government disbursed approximately €892,220 (\$940,169) to specialized anti-trafficking NGOs to assist and house victims, an increase from €831,760 (\$876,459) disbursed in 2015. The government also disbursed €400,000 (\$421,496) to two NGO-run counseling centers for male trafficking victims and undocumented migrants, on par with funding in 2015. Government funding comprised the bulk of these organizations' budgets. The center for male victims assisted 60 victims, of which 20 were provided accommodation, and all 60 were provided counseling; this is twice the number of cases compared to 2015. A government-run center for unaccompanied minors was available for child trafficking victims and offered legal, medical, psychological, social, and language assistance. There were cases of suspected trafficking among minors assisted by the center. Government-funded NGOs provided adult trafficking victims with emergency shelter, medical care, psychological care, language assistance, and legal assistance; some NGOs offered specialized services for victims with physical or mental

disabilities. Foreign victims were entitled to the same care available to domestic victims. NGO staff helped victims prepare for court proceedings and assisted foreign victims with repatriation.

The government amended its criminal procedural code in 2016 to establish minimum standards on the rights, support, and protection of victims of crime (including those exploited in trafficking), expanding and strengthening victims' rights, specifically in criminal and court proceedings. The new law provides that victims in particular need of protection may, in order to minimize re-traumatization, be accompanied by a trusted person or be afforded special interview methods during the investigation phase. The national trafficking taskforce finalized a comprehensive national referral mechanism and guidelines for the identification of child victims. Government officials from multiple agencies and NGOs used guidelines and checklists to identify trafficking victims proactively. The government trained law enforcement, the labor inspectorate, military, diplomatic services, detention centers, asylum centers, revenue authority, and social services to proactively identify victims.

Under the asylum law, the government-provided right of temporary residence status for trafficking victims and benefits was not linked to victims' participation or testimony in criminal trials. According to one observer, however, the government failed to grant legal residence to victims if they do not assist police and testify in legal proceedings. The government granted 16 foreign victims temporary residence permits in 2016, compared to 14 in 2015; these permits allowed them unconditional access to the labor market. Identified victims were granted a 30-day reflection period to receive assistance and decide whether to cooperate in investigations. Austria led an international working group that discussed strategies for improving the non-punishment of victims in Balkan countries. The justice ministry developed guidelines for prosecutors on non-punishment of victims. Victims can testify via video conference, provide anonymous depositions, and enroll in witness protection programs. The justice ministry reported 120 victims assisted with prosecutions during 2016. Victims, including those without legal residence, are able to file civil suits for damages and compensation against traffickers, even in the absence of a criminal prosecution. According to the justice ministry, victims obtained restitution in nine criminal cases and six victims of trafficking received government compensation as crime victims. Victims were entitled to legal aid in the form of financial assistance and legal representation if they cannot afford their legal costs. The government did not report any cases of trafficking victims being detained, fined, or jailed for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government continued robust efforts to prevent trafficking. A national anti-trafficking coordinator headed a taskforce that coordinated the government's anti-trafficking efforts and included NGOs. The government published a detailed annual report on its website on the implementation of its action plan for 2015-2017. The government hosted several international conferences on trafficking, including labor exploitation and trafficking in the context of the migration crisis. The government subsidized several publications and television programs on trafficking and child sex tourism and funded campaigns to inform women in prostitution of their legal rights. The government also continued school exhibitions, with accompanying teacher handbooks, to sensitize Austrian youth

to trafficking. The interior ministry continued to run a 24-hour trafficking hotline and email service. The taskforce distributed leaflets on child trafficking to government authorities and the military, and the men's shelter had an online brochure that provided information on its services. An NGO collaborated with the Austrian trade union organization to organize information campaigns on trafficking for harvest workers, and workshops during immigration integration and language classes. The government reissued the "Global Code of Ethics for Tourism" to tour operators, hotels, and restaurants to combat child sex tourism. Austrian embassies and consulates in source countries informed visa applicants of the potential dangers of trafficking. The government provided anti-trafficking training to its diplomatic personnel. The foreign ministry hosted events for employees of diplomatic households, increasing workers' awareness of their rights and sensitizing them to trafficking. The government required foreign domestic workers in diplomatic households to appear in person to receive their identification cards. Austrian troops received government-funded anti-trafficking training conducted by NGOs prior to their deployment abroad as part of peacekeeping missions. As part of its efforts to reduce the demand for commercial sex acts, the government subsidized and distributed a brochure, published in seven languages, which raised public awareness about trafficking within commercial sex. The government worked with business and labor organizations in awareness training on labor exploitation. The government changed its public procurement guidelines to avoid goods and services provided by exploited workers.

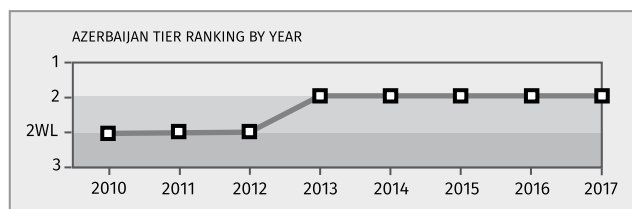
TRAFFICKING PROFILE

As reported over the past five years, Austria is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. Victims primarily originate from Romania, Bulgaria, Hungary, Slovakia, Bosnia, and Serbia, with some victims coming from Nigeria, Southeast Asia, China, and South America. Vienna has the majority of trafficking cases. Most identified victims are foreign women subjected to sex trafficking. Traffickers sometimes lured women by offering fictitious positions, including au pairs, cleaners, waitresses, and dancers. Domestic workers in diplomatic households and workers in restaurants, construction, cleaning companies, and agriculture were subjected to labor exploitation. Children and physically disabled persons are the primary victims of forced begging. A growing number of victims from Nigeria and China are abused for sexual exploitation, some in massage parlors and brothels. Traffickers are primarily male and largely are Austrian or are the same nationality as their victims.

AZERBAIJAN: TIER 2

The Government of Azerbaijan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Azerbaijan remained on Tier 2. The government demonstrated increasing efforts by prosecuting and convicting more traffickers and identifying more victims. The government increased funds for victim protection and the state-run shelter. However, the government did not meet the minimum standards in a few key areas. The victim identification and referral mechanism lacked formal implementation, and the government did not provide consistent funding to NGO-

run shelters while relying heavily on their victim support and reintegration services.



RECOMMENDATIONS FOR AZERBAIJAN

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, in particular, proactively investigate potential trafficking cases such as situations of internal trafficking and forced labor; create standard operating procedures to implement the national referral mechanism and allocate adequate funding to NGO-run shelters providing victim support services; formalize the role of NGOs and other stakeholders in the referral process; respond to NGO referrals of potential trafficking victims by investigating alleged crimes and providing appropriate victim services; continue training first responders, including law enforcement, immigration, and social services personnel, on proactive victim identification and inform relevant actors on formal identification procedures; strengthen the capacity of the Labor Inspectorate to identify and refer victims of forced labor; improve coordination and communication among government agencies, including about victim referrals and potential cases; and target public awareness campaigns to foreign migrant workers, describing indicators of human trafficking and avenues to seek help.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2005 Law on the Fight against Trafficking in Persons and article 144 of the criminal code prohibit sex and labor trafficking and prescribe penalties of five to 15 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 26 cases of suspected trafficking, compared with 29 suspected cases in 2015. Twenty-two cases were for sexual exploitation and four were for labor exploitation. The government prosecuted 36 defendants, compared with 32 defendants in 2015. Thirty defendants were prosecuted for sex trafficking and six defendants for forced labor. The government convicted 28 sex traffickers, compared to 18 sex traffickers and five labor traffickers in 2015. Two traffickers received sentences between one to five years imprisonment and the other 26 traffickers received sentences between five to 10 years imprisonment.

The Anti-Trafficking Department (ATD) held eight trainings for law enforcement and supported an international organization to train law enforcement and officials from the State Migration Service (SMS) in the Autonomous Republic of Nakhchivan. SMS held four separate specialized training programs on human trafficking in all 32 regional offices. The Justice Academy developed an e-learning platform and a specialized curriculum for trafficking. Corruption remained a systemic issue and the government did not report any prosecutions or convictions of complicit officials. The prosecutor general did put out an INTERPOL notice for an Azerbaijani airport official connected to an organized criminal group involved in human trafficking. The government continued law enforcement cooperation with

foreign governments. Azerbaijani law enforcement officials shared information with the government of Uzbekistan after discovering a transnational organized criminal group involved in trafficking citizens from Uzbekistan and Azerbaijan. The government cooperated with Georgia to extradite an Azerbaijani citizen from Georgia.

PROTECTION

The government slightly increased victim protection efforts. The government identified 70 trafficking victims, compared with 63 victims in 2015. Sixty-nine victims were female and one was male, compared to 56 female victims, six male victims, and a child victim in 2015. All females were victims of sex trafficking and the male was a victim of forced labor. The government did not identify any child victims. ATD spent approximately 154,000 manat (\$83,696) for victim protection, compared to approximately 109,000 manat (\$59,239) from 2015. This amount included the ATD's one-time allowance of 400 manat (\$217) to all victims. The ATD spent approximately 900 manat (\$489) a month per individual staying at the government-run shelter. The Ministry of Internal Affairs (MIA) allocated 15,000 manat (\$8,152) to civil society representatives providing victim support services. The government allocated 48,000 manat (\$26,086) to the Victim Assistance Center (VAC), an increase from 44,000 manat (\$23,913) in 2015.

The government had a formal procedure for victim identification but first responders, including law enforcement, immigration, and social services personnel, were either unaware of the procedure or did not consistently follow and understand it. First responders are required to refer potential victims within 48 hours to ATD, who are then officially recognized as victims based on an investigation. NGOs and the government provided support services to some potential victims; however, individuals without official recognition did not receive the one-time government-provided allowance and did not have the ability to bring a civil claim against the alleged traffickers. NGOs referred 466 potential trafficking victims to ATD but none were determined to be victims. Observers reported minimal efforts to proactively identify Azerbaijani victims of internal trafficking; as a result, all officially identified victims were foreign victims exploited in Azerbaijan or Azerbaijani victims repatriated from foreign countries, likely reflecting an overemphasis on transnational movement.

The MIA-run shelter accommodated 63 officially recognized victims and an additional seven potential victims, and provided clothing, specific dietary needs, medical and psychological assistance. The shelter has separate areas for women, men, and children. The MIA-run shelter limited freedom of movement for victims and required victims to submit an application to leave the shelter. The SMS-run reception center did not accommodate trafficking victims in 2016. The VAC provided legal, psychological, medical, and employment assistance to all 63 victims at the MIA-run shelter and assisted an additional 30 potential trafficking victims referred from NGOs and the hotline. The government allocated land to create three new VACs in Ganja, Guba, and Lankaran. ATD provided 42 beds and collected 2,000 manat (\$1,087) in donations for NGO-run shelters; however, the government did not provide consistent funding to NGO-run shelters despite relying heavily on their victim support and reintegration services to 40 victims during the reporting period. NGOs remained severely underfunded and restrictive legislation governing foreign grants limited NGOs' ability to receive funding from foreign donors. Most shelter staff who provided support services during the reporting

period worked on a voluntary basis. The government amended an article in the criminal code; the amendment established a 30-day reflection period to victims before deciding whether to cooperate with authorities. The government did not penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. A presidential decree prevented the Labor Inspectorate from conducting spontaneous employment inspections, which restricted proactive victim identification efforts. Two trafficking victims received restitution of 5,000 manat (\$2,717) and two additional victims received sheep as restitution.

PREVENTION

The government maintained prevention efforts. The ATD led the implementation of the national action plan (2014-2018) during the reporting period; however, competition between agencies hindered interagency coordination. The government publicly released an annual assessment of the country's anti-trafficking efforts, including prosecution data and protection efforts, which were made available online. The Council of State Support to NGOs awarded 71,000 manat (\$38,587) to fund seven proposals from NGOs for awareness campaigns and victim rehabilitation efforts. VAC conducted awareness campaigns targeting youth, students, and other vulnerable populations. The State Committee for Family, Women, and Children Affairs organized awareness campaigns for law enforcement, labor inspectors, executive committees, teachers, and health care workers. SMS helped 117 stateless persons obtain identification documents and Azerbaijani citizenship and legalized residency for 2,372 irregular migrants. The government did not report any new measures to reduce the demand for commercial sex or forced labor. The Ministry of Foreign Affairs, in cooperation with an international organization, began developing a manual for diplomats on identifying and preventing human trafficking.

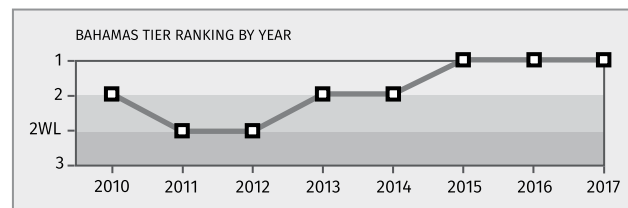
TRAFFICKING PROFILE

As reported over the past five years, Azerbaijan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Azerbaijani men and boys are subjected to forced labor in Turkey, Russia, the United Arab Emirates (UAE), and Azerbaijan. Women and children from Azerbaijan are subjected to sex trafficking within the country and in Malaysia, Turkey, Russia, and the UAE. Traffickers increasingly used the internet for recruitment. Azerbaijan is a destination country for sex and labor trafficking victims from, Ukraine, and in previous years China, Russia, Turkey, Turkmenistan, and Uzbekistan. In previous years, Azerbaijan has been used as a transit country for victims of sex and labor trafficking from Central Asia to the UAE, Turkey, and Iran. Within the country, some children, particularly those of Romani descent, are subjected to forced begging and forced labor as roadside vendors and at tea houses and wedding facilities. Filipino women have been subjected to domestic servitude in Azerbaijan.

THE BAHAMAS: TIER 1

The Government of The Bahamas fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, The Bahamas remained on Tier 1. The government demonstrated serious and sustained efforts

through strong collaboration across multiple government agencies, facilitating the prosecution of traffickers and protection of victims. The government initiated 11 new labor and sex trafficking investigations, screened 37 potential trafficking victims, identified five victims, and initiated one new prosecution. It also increased funding for victim assistance and expanded procedures to include identification and interviewing guidelines to cover labor trafficking victims. Although the government meets the minimum standards, it did not obtain any convictions during the reporting period.



RECOMMENDATIONS FOR THE BAHAMAS

Increase efforts to prosecute, convict, and appropriately punish traffickers; continue to implement the victim identification and referral protocol to identify victims of sex and labor trafficking, especially among vulnerable groups; continue to provide all identified victims with adequate protection and assistance; increase grassroots outreach to potential trafficking victims among vulnerable groups, in partnerships with NGOs; strengthen engagement with officials involved in anti-trafficking activities in other countries in the region; and continue to implement a nationwide public awareness campaign to educate the public and officials about human trafficking and its manifestations in The Bahamas, including the distinction between trafficking and smuggling.

PROSECUTION

The government's anti-trafficking law enforcement efforts continued at previous levels, but resulted in only 11 new labor and sex trafficking investigations involving 37 potential victims, compared with 12 new investigations involving 53 potential victims in 2015. The Trafficking in Persons (Prevention and Suppression) Act 2008 prohibits all forms of human trafficking and prescribes penalties ranging from three years to life imprisonment and fines; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

Authorities initiated one new trafficking prosecution compared to three new prosecutions in the previous reporting period, but continued four prosecutions from previous reporting periods. For the second consecutive year, the government did not convict any traffickers. The Magistrate's Court acquitted three alleged traffickers prosecuted in the previous reporting period, but the government's appeal of those cases remained pending at the end of the reporting period. The government enacted amendments effective March 31, 2017 to the criminal procedure code and the 2008 law to allow prosecutors the option to prosecute trafficking cases directly before the Supreme Court without the necessity of going first to a lower Magistrate's Court; and created a new offense that criminalizes the organizing, engagement in, or directing another to engage in, trafficking in persons. The amendment to the criminal procedure code will address the January 2016 Privy Council's finding that trafficking cases, under then-existing legislation,

could not be brought, in the first instance, in the Supreme Court, where potential penalties are greater. This prior decision had invalidated, on procedural grounds, the 2014 Supreme Court conviction of a defendant for trafficking and withholding of a victim's documents. Government officials funded and delivered training to 270 police, investigators, prosecutors, judges, health professionals, and other officials on the Bahamian anti-trafficking law, trafficking indicators, victim referral and assistance, and trafficking investigations and prosecutions, and shared best practices on multi-disciplinary response to trafficking with regional colleagues.

PROTECTION

The government increased efforts to protect victims. Authorities continued to implement a formal victim-centered protocol to guide front-line responders in identifying trafficking victims and referring them to services. The government worked with an outside consultant to develop guidelines for identifying and interviewing labor trafficking victims and for providing medical and mental services. The national trafficking commission funded and trained member agencies and ministries in their roles in identifying and protecting victims and making referrals. During the reporting period, the government screened 37 potential trafficking victims and identified five victims—three sex trafficking victims, one labor and sex trafficking victim, and one labor trafficking victim. The government screened 35 foreign nationals from seven foreign countries for trafficking indicators, resulting in the identification of three foreign national victims. Five of the victims received some form of assistance, including housing, medical, psychological, educational, legal, immigration, translation, and reintegration assistance.

The government reported spending approximately 59,450 Bahamian dollars (\$59,450) on trafficking victims' care, compared to 42,000 Bahamian dollars (\$42,000) in the previous period. The government also provided subsidies of 180,000 Bahamian dollars (\$180,000) to NGOs that provide services to trafficking victims, among other vulnerable groups. The government granted one foreign victim relief from deportation. The government developed, but has not finalized, a refugee/asylee certificate for those in need of protection and legal residency in the country. Authorities encouraged trafficking victims to assist in prosecutions by providing lodging, food, a stipend, clothing and other basic necessities, medical assistance and psychological counseling, immigration relief, legal assistance, support during court proceedings, and witness protection, which may include police protection as needed. Bahamian law permits victim testimony via live television links and for the reading of written statements into evidence. Despite these protections, the government noted foreign victims were reluctant to testify largely out of fear of reprisal against them or their family in their home countries. In addition, the criminal procedure code allowed trafficking victims to submit statements to the court to inform judges of the harm inflicted by their traffickers prior to sentencing of convicted traffickers. The 2008 anti-trafficking act provides victims with immunity from prosecution for unlawful acts committed as a direct result of being subjected to trafficking, which the government effectively implemented for the confirmed trafficking victims during the reporting period. The anti-trafficking act also authorizes the court to order convicted defendants to pay restitution to victims; however, such restitution was not ordered in 2016.

PREVENTION

The government increased prevention efforts, taking steps

to inform the public and potential victims about trafficking. The government's inter-ministerial committee to coordinate anti-trafficking policy met regularly, as did the government's anti-trafficking taskforce, which was charged with ensuring operational coordination on trafficking cases. The government continued to conduct a nationwide public awareness campaign to educate students, vulnerable populations, faith communities, the public, and government officials about human trafficking through the use of pamphlets in English and Creole to inform potential victims of their rights and available resources, public service announcements on television and radio throughout the country, and a museum exhibit. The government partnered with NGOs to implement its 2014-2018 national anti-trafficking strategy and detailed action plan that outlined efforts related to government infrastructure, prevention, victim and witness protection, investigation and prosecution, and partnerships. The government dedicated resources to implement the plan, but noted that the officials responsible for trafficking matters also have other areas of responsibilities and are, therefore, not solely dedicated to trafficking cases. NGOs reported the government partnered to engage vulnerable communities in more than ten community outreach sessions to discuss trafficking. The Bahamas actively participated in the Caribbean Trafficking in Persons working group with Jamaica, Trinidad and Tobago, Barbados, St. Lucia, and Antigua and Barbuda by developing a shared social media campaign to raise awareness about trafficking in the region.

The government formalized its policy in the Department of Labor's 2017-2019 Strategic Plan to raise awareness and advise foreign nationals of their labor rights, limits on recruitment fees, and prohibition against document retention, in addition to the current practice of sending letters to foreign nationals with work permits, which explain the definition of trafficking and advise employers of the prohibition against document retention. The Department of Labor raised awareness in the business community, distributed pamphlets about labor trafficking and workers' rights, advised potential job seekers about potential fraud in the cruise ship industry, screened for indicators of trafficking when inspecting work sites, and identified a foreign national as a labor trafficking victim during the reporting period. The government provided anti-trafficking training for immigration and labor officials, and its diplomatic personnel, including a rotation in the legal affairs office of the Ministry of Foreign Affairs and Immigration where officials participate in inter-ministerial anti-trafficking committee meetings. The government distributed trafficking awareness-raising materials in consular reception areas. The government conducted awareness efforts targeted at potential clients of the sex trade, closed some sex trade establishments, and conducted random inspections of businesses, including strip clubs and bars, to identify and hold accountable owners of such establishments. Authorities did not consider child sex tourism to be a problem in The Bahamas and reported no child sex tourism investigations, although it developed a special pamphlet on child trafficking, trained tourism officials, and placed anti-trafficking pamphlets in tourism information booths. The government has developed general standard operating procedures for victim identification, protection and referral, and specific procedures for data collection and victim care, including referrals for medical or mental health care, and terms of reference for research, and case management.

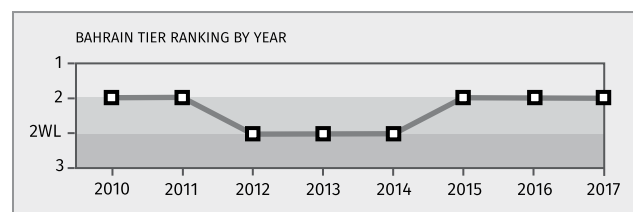
TRAFFICKING PROFILE

As reported over the past five years, The Bahamas is a source, destination, and transit country for men, women, and children

from other Caribbean countries, South and Central America, and Asia subjected to sex trafficking and forced labor, including in domestic servitude and in sectors with low-skilled laborers. Vulnerable populations include migrant workers—especially from Haiti, Jamaica, the Dominican Republic, Costa Rica, Cuba, Colombia, Venezuela, and the Philippines—who arrive voluntarily to work as domestic employees and laborers, but may be recruited or deceived by traffickers who lure victims with fraudulent recruitment practices, such as false promises of employment through advertisements in foreign newspapers. Children born in The Bahamas to foreign-born parents who do not automatically receive Bahamian citizenship, and individuals involved in prostitution and exotic dancing may also be vulnerable. Traffickers previously confiscated victims' passports, but currently often allow victims to retain their documents in case they are questioned by law enforcement.

BAHRAIN: TIER 2

The Government of Bahrain does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Bahrain remained on Tier 2. The government demonstrated increasing efforts by developing a national referral mechanism and disseminating the strategy to relevant government and civil society stakeholders. It investigated potential trafficking cases and continued its anti-trafficking training for various officials during the year. It took some concrete steps to amend elements of the sponsorship system that increase workers' vulnerability to forced labor and debt bondage. However, the government did not meet the minimum standards in several key areas. It convicted fewer traffickers and made minimal efforts to proactively identify potential forced labor victims. Reports of official complicity persisted, and enforcement of curbing the "free visa" scheme—laborers who work for a non-sponsor employer and subsequently have illegal working status—remained weak throughout the reporting period.



RECOMMENDATIONS FOR BAHRAIN

Increase efforts to investigate, prosecute, and convict traffickers, particularly cases involving forced labor or allegedly complicit officials; abolish or significantly amend provisions of the sponsorship system, and strengthen efforts to eliminate the "free visa" scheme; vigorously investigate potential trafficking cases involving passport retention and non-payment of wages; systematically implement formal procedures to identify trafficking victims among vulnerable groups, such as domestic workers and women in prostitution; fully implement the national referral mechanism for law enforcement and other officials to refer identified victims to protection services; expand the flexible work permit pilot program to a broader range of eligible beneficiaries beyond workers with terminated or expired work permits; extend to and actively enforce labor

law protections for domestic workers; make efforts to ensure identified trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking, such as illegal migration or prostitution; broaden training for officials on the anti-trafficking law and victim identification; conduct a national anti-trafficking awareness campaign on trafficking issues, strategically targeting migrant and domestic workers.

PROSECUTION

The government demonstrated uneven law enforcement efforts. Bahrain's anti-trafficking law, Law No.1 of 2008, prohibits all forms of trafficking and prescribes penalties ranging from three to 15 years imprisonment, plus a fine of between 2,000 and 10,000 Bahraini dinar (\$5,310-\$26,530) and the cost of repatriating the victim(s), which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Article 325 prescribes imprisonment of two to seven years for forced prostitution and three to ten years if the victim is a child. Passport retention is a crime punishable under article (395) of the Bahraini penal code. Additionally, it is a crime to limit or otherwise control any persons' freedom of movement in accordance with article (19) (b) of the constitution of Bahrain. In order to enforce this prohibition, laborers may file a grievance for passport withholding with the police or Labor Market Regulatory Authority (LMRA); a worker may also register a complaint to the court directly if the employer refuses to return the passport.

The Ministry of Interior (MOI) reported investigating 29 potential trafficking cases during the reporting period, of which five were for forced labor, 19 for sexual exploitation, and five involved domestic workers, compared to 18 investigations the previous reporting period. Of the 29 investigations, Justice officials received 25 for consideration, one of which involved a domestic worker. The government referred four domestic worker cases to criminal courts as labor disputes rather than trafficking cases due to insufficient evidence. It convicted and sentenced three traffickers to five years imprisonment; in 2015, the government convicted 17 sex traffickers and imposed 10-year prison terms plus fines and deportation. At the close of the reporting period, five trafficking cases, and four from the previous year, remained ongoing. Officials reported three government employees were allegedly complicit in potential trafficking crimes. Two of these cases remained under investigation and one was in the trial phase at the conclusion of the reporting period. The media reported the arrest of two police officers—one former and one current—for their role in the sex trafficking of foreign women; however, it was unclear if the government and media were reporting the same two cases.

Cases of unpaid or withheld wages, passport retention, and analogous abuses that are indicators of forced labor were typically treated administratively as labor law violations and resolved through arbitration; however, if arbitration was unsuccessful a worker could file a grievance against the employer in a labor court. These cases were not often investigated for trafficking crimes despite exhibiting indicators of the crime. In 2016, the government reported closure of 39 recruitment offices and revocation of their licenses, and canceled an additional 25 licenses for non-compliance with Bahraini labor law. The public prosecutor received referrals from the LMRA of 13 recruitment offices allegedly involved in forced labor, compared to four such cases in 2015. The LMRA's Enforcement and Inspection Department employed 70 inspectors in enforcement

of employment contraventions under its purview such as worksite inspections. The MOI continued to fund periodic training for all 59 members of the MOI Anti-Trafficking Division in various programs at the Royal Police Academy, and in other training programs by an international organization. Six prosecutorial personnel received anti-trafficking training via the Judicial and Legal Studies Institute.

PROTECTION

The government made modest efforts to protect victims, but did not report how many victims it identified; in 2015, it identified 90 trafficking victims. The government used standard procedures to identify potential trafficking victims. The government reported 1,523 individuals of various nationalities and professions—predominantly women—received assistance from the LMRA's Expatriate Protection Unit (EPU), which provided shelter to 392 for an average of 39 days; among this population, 25 were trafficking victims. Other protective provisions included food, clothing, medical care, religious and psycho-social support, transportation, legal counsel, familial reunification, translation assistance, and information on labor rights. The EPU maintained onsite offices for medical and mental health professionals and a representative from the police anti-trafficking unit, and provided a training room for training shelter residents and a conference space for the national anti-trafficking committee. Several embassies of labor-sending countries reported they temporarily housed some victims who refused to go to the EPU or were unable to reach it. The EPU received referrals from diverse sources, including the police, government offices, NGOs, health services, and embassies. During the reporting period, the government, in cooperation with two international organizations, developed a national referral mechanism to streamline the proactive identification of potential trafficking victims, ensure proper documentation of cases, accurately refer cases to the MOI anti-trafficking division and public prosecutor's office for an official determination as a trafficking case, and provide sufficient protections to victims until case resolution or voluntary return to their respective countries of origin. The government disseminated the 30-page, dual English-Arabic mechanism to relevant civil society and government stakeholders.

Labor Law No. 36 of 2012 provides some protections for domestic workers, requiring employers to provide a labor contract specifying working hours, annual leave, and bonuses, and to pay workers at least monthly; the government did not report any efforts to implement the law. The LMRA was responsible for coordinating with other relevant ministries, referring trafficking cases for prosecution, and conducting interviews to officially identify victims in collaboration with respective embassies. Upon receiving claims of abuse from domestic workers who fled employers, some police stations reportedly investigated immediately, while others sometimes delayed launching an investigation. Inspection agencies cited difficulties conducting unannounced inspections of domestic worker accommodations and investigating allegations of abuse in the absence of an official complaint, which may have left some victims at risk of exploitation and without protective provisions. According to a local NGO, police referred some victims to its shelter; however, police implementation of standardized procedures to identify victims remained inconsistent across different stations. Many law enforcement officials in Bahrain did not systematically or proactively identify victims among vulnerable groups, such as domestic workers who fled abusive employers or women arrested for prostitution. There were no reports victims were punished for crimes committed as a direct

result of their being subjected to trafficking; nonetheless, victims likely remained unidentified in the law enforcement system.

NGOs reported workers who entered the country illegally or under pretenses often did not benefit from Bahraini legal protections. Some migrant workers who fled abusive situations chose not to contact police to report the abuse due to being a "free visa" holder. Cases could be complex or expensive to resolve, and workers who could not do so were sometimes deported. Bahraini officials provided full assistance to trafficking victims regardless of their willingness to participate in investigations and court proceedings of their traffickers. The government reported it informed all victims of full evaluation of the case and their legal right to restitution in the event of a conviction. Victims were permitted to testify in person, via written correspondence, video recording, a closed-circuit live video, or in private. The labor law allows foreign workers to change sponsors during investigations and court proceedings; however, among individuals residing temporarily at the shelter only five domestic workers transferred employment during the year. Workers rarely filed complaints against employers due to distrust of the legal system, protracted court processes, inability to afford legal representation, lack of interpretation and translation services, concern over potential loss of residence permits during proceedings, and fear of additional maltreatment due to employer reprisal. The government funded the repatriation of an unknown number of third country nationals to their countries of origin during the reporting period.

PREVENTION

The government maintained efforts to prevent trafficking. Despite historical pledges, the government did not take concrete steps to abolish the sponsorship system, which increased workers' vulnerability to forced labor and debt bondage. During the reporting period, the national committee maintained its focus on expanding victim assistance, broadening training for government personnel, and raising awareness among Bahraini society and labor-sending communities. The national committee reported its budget was roughly 528,300 Bahraini dinar (\$1.4 million) for daily operations and 265,000 Bahraini dinar (\$702,920) for awareness and outreach programs. The LMRA continued to provide booklets outlining labor rights in 13 languages common among expatriate and migrant worker populations and provided mobile phones with SIM cards and the hotline number to each foreign worker upon arrival at Bahrain International Airport. The hotline was active and served as a resource to educate workers about their rights and available services in Hindi, Telugu, Sinhalese, Tamil, Urdu, Malay, Arabic, and English. During the reporting year, the hotline received an average of 677 calls per month, of which an average of 39 per month were directly related to the EPU's services; it was unclear how many calls constituted instances or indicators of trafficking. The EPU provided information and services for potential and identified trafficking victims. During the year, officials ratified the "Arab Convention against Transnational Organized Crime" and signed an agreement with India on bilateral cooperation related to combating trafficking. The government had MOUs with several labor exporting countries, including Nepal, Sri Lanka, and India, which focused on oversight of recruitment agencies and protection of migrant workers in Bahrain. A 2014 royal decree prohibiting and penalizing the falsification of immigration documents enables authorities to prosecute Bahraini companies that illegally obtain work permits; however, the government did not report efforts to implement the decree during the reporting period. The government did not make

discernable efforts to reduce the demand for commercial sex. The government provided anti-trafficking training for its diplomatic personnel.

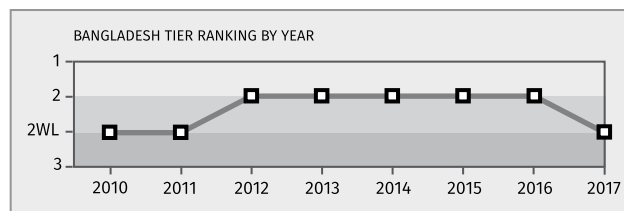
TRAFFICKING PROFILE

As reported over the past five years, Bahrain is a destination country for men and women subjected to forced labor and sex trafficking. Men and women, primarily from Bangladesh, India, Pakistan, Philippines, Nepal, Egypt, Jordan, Yemen, Thailand, Syria, and Kenya, migrate voluntarily to Bahrain to work as domestic workers or as laborers in the construction and service industries. The greatest influx of workers during the current reporting year came from Bangladesh. A significant percentage of foreign workers borrowed money or sold property in their home countries to secure their jobs, increasing their vulnerability to debt bondage. Some foreign workers are subjected to forced labor in Bahrain; indicators of forced labor include passport retention, strict confinement, contract substitution, non-payment of wages, threats or intimidation, and physical or sexual abuse, which preclude employees from reporting instances of abuse and exploitation. Nationals of countries without diplomatic presence in Bahrain are particularly vulnerable to trafficking, as are domestic workers, who are only partially protected under Bahraini labor law and cultural norms and existing legal infrastructure avert private home inspection. Government and NGO officials report physical abuse and sexual assault of female domestic workers are significant problems in Bahrain. Bangladeshi unskilled workers are reportedly considered by employers to be exploitable as they typically refrain from contesting hazardous work environs or low pay. Some unscrupulous employers continue to lure migrant workers into the labor market under the “free visa” scheme—laborers who work for a non-sponsor employer after leaving the employment of the employer who sponsored their entry into the country—thereby rendering them vulnerable to exploitation. Some migrant workers do not possess their employment contracts and are generally unaware of the terms of employment. Women from Asia, the Middle East, and Eastern European countries are subjected to forced prostitution in Bahrain.

BANGLADESH: TIER 2 WATCH LIST

The Government of Bangladesh does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by finalizing and adopting the implementing rules for the 2012 Prevention and Suppression of Human Trafficking Act (PSHTA) in January 2017 and drafting an implementation roadmap for the 2015-2017 national action plan. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government’s investigations, prosecutions, and convictions of trafficking crimes decreased. Official complicity in trafficking crimes remained a serious problem, yet the government did not make efforts to investigate, prosecute, and convict allegedly complicit law enforcement, border, and manpower officials. The number of victims identified by the government decreased. The government remained without a formal mechanism to refer trafficking victims to protective services and, protection services, when acquired, did not provide rehabilitation services designed for trafficking victims’ specific needs nor were they provided for adult male victims. NGOs reported victims were frequently

re-trafficked due to insufficient care. While the government maintained labor export agreements with several countries that aim to tackle recruitment fees, the government’s continued allowance of high recruitment fees combined with insufficient efforts to address illegally operating recruitment sub-agents left workers vulnerable to trafficking. Therefore, Bangladesh was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR BANGLADESH

Take steps to eliminate all recruitment fees charged to workers by licensed labor recruiters and instead ensure they are paid by employers; increase prosecutions and convictions, particularly of labor traffickers and fraudulent labor recruiters, while strictly respecting due process; establish guidelines for provision of adequate victim care and standard operating procedures for the referral of victims to such services; thoroughly investigate credible allegations of government complicity in trafficking and prosecute officials who are suspected of being complicit; enhance the training provided to officials, including law enforcement, labor inspectors, and immigration officers, on methods to identify trafficking cases and refer victims to protection services; expand the support services available to victims, including adult male victims, within Bangladesh and at Bangladesh’s embassies abroad; expand the Ministry of Expatriate Welfare and Overseas Employment’s (MEWOE) mandate to include the regulation of sub-agents; improve quality of pre-departure trainings, including sessions on labor rights, labor laws, and methods to access justice and assistance in destination countries and Bangladesh; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government decreased investigations, prosecutions, and convictions but finalized implementing rules for its anti-trafficking law. The 2012 PSHTA generally prohibits and punishes all forms of human trafficking. Prescribed penalties for labor trafficking offenses are five to 12 years imprisonment and a fine of not less than 50,000 Bangladeshi Taka (BDT) (\$633); and prescribed penalties for sex trafficking offenses range from five years imprisonment to the death sentence. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government finalized and in January 2017 officially released the implementing rules for the PSHTA; the government disseminated these rules but planned training sessions for relevant officials had not yet started.

The government investigated 122 sex and 168 labor trafficking cases in 2016 a decrease from 181 sex and 265 labor trafficking cases in 2015. Of the forced labor cases, 31 cases were specifically investigated for bonded labor. Authorities prosecuted 302 alleged traffickers in 2016, compared with 481 in 2015, under the PSHTA. The government convicted three traffickers in 2016, compared with four in 2015 and 15 in 2014. The courts sentenced the convicted traffickers to 14 years imprisonment and a fine of 25,000 BDT (\$316). Observers stated convictions

remained rare because the government had not dedicated adequate resources to pre-trial investigations and short timelines for the completion of cases led to inadequately prepared and subsequently unsuccessful prosecutions. The government's tribunal on human trafficking, proposed in the previous reporting period to specialize in trying trafficking cases, was not yet functional. An established tribunal, the Woman and Children Violence Protection Tribunal, heard trafficking cases in the interim; however observers commented the prosecutors were overburdened and lacked expertise in trafficking cases. In 2016, the government trained 29,889 police officers 186 training programs on anti-trafficking, funded through the government, NGOs, and international organizations. Some NGOs reported information about the PSHTA had not been circulated widely among district and local officials.

Complicity of officials in trafficking offenses remained a serious problem. Observers reported police took bribes and sexual favors to ignore potential trafficking crimes at brothels. Observers accused officials from district employment and manpower government offices of facilitating trafficking and border guards of ignoring potential trafficking crimes at maritime embarkation points. Observers stated some traffickers in rural areas were politically-connected and therefore operated with impunity. In September 2016, a federal court in New York entered a default judgment against a former Bangladeshi consular officer and his wife and ordered them to pay approximately \$920,000 to a Bangladeshi citizen in a suit in which the plaintiff alleged violations of the TVPA as well as federal and state labor laws. The consular officer appealed the case, judgment has not been paid and the consular official, who left the United States, remains in the Bangladeshi foreign service. During the reporting period, the government investigated, prosecuted, and convicted a Bangladeshi official on a peacekeeping mission of sexually exploiting a child; he was dismissed from service and sentenced to one year imprisonment. The government did not report any additional investigations, prosecutions, or convictions of government officials allegedly complicit in human trafficking offenses in 2016.

PROTECTION

The government identified a decreased number of victims and its victim services were not comprehensive or specific to trafficking. The Ministry of Home Affairs (MHA), the government's lead agency for combating trafficking, had standard operating procedures for the proactive identification of trafficking victims; however, it is unclear how widely they were disseminated or used. The government reported the identification of 355 victims in 2016; of those identified, 212 were men, 138 women, and five children. This was a significant decrease from the 1,815 and 2,899 victims identified in 2015 and 2014, respectively; experts commented the decrease may be due in part to the application of a more accurate definition of trafficking. Police directly recovered from exploitation 204 of the 355 victims identified in 2016. The government did not provide services specifically designed for trafficking victims, but children and adult female victims could access support services for vulnerable people through nine multipurpose shelters, drop-in centers, and safe homes administered by the Ministry of Social Welfare (MSW). The government placed an unknown number of female and child victims in these shelters in 2016; however, NGOs stated government services at these centers did not meet minimum standards of care and insufficient rehabilitation resources contributed to victims being re-trafficked. The government did not provide shelter or rehabilitation services to adult male victims; NGOs provided male victims with some services,

although shelter was not available. The government continued to lack a formal mechanism for authorities to refer victims to care. Police referred victims to NGO-provided shelter and services specifically for trafficking victims on an ad hoc basis.

The government continued to operate safe houses for female Bangladeshi workers fleeing abusive employers in Jordan, Saudi Arabia, and United Arab Emirates. The government maintained 29 labor offices in embassies and consulates overseas to provide welfare services to Bangladeshi migrant workers, including legal and interpretation services; however, observers reported one Bangladeshi labor attaché in the Middle East told migrant workers to return to work without addressing their complaints, suggesting that not all complaints were addressed. NGOs reported not all victims were aware of available opportunities for restitution. The arbitration process provided victims with restitution, but there was no parallel criminal process to address illegal activities, including alleged fraud by licensed recruitment agencies.

The Governments of Bangladesh and India reportedly continued to implement their 2015 MOU on human trafficking, which included coordination on the rescue and repatriation of Bangladeshi victims. The PSHTA provides for victim protection during judicial proceedings, including police security and the ability to testify via video, but it is unclear how frequently officials employed such protections. NGOs noted insufficient protection resulted in traffickers threatening victims not to pursue cases against them. NGOs reported some Bangladeshi trafficking victims being moved on land and sea routes, instead of being detected as victims, were instead detained and fined for failure to carry a passport. Unregistered Rohingya refugees, including potential trafficking victims, may have been at risk of indefinite detention because of their lack of documentation. The government did not provide legal alternatives to the removal of foreign victims of trafficking to countries where they might face hardship or retribution.

PREVENTION

The government maintained some efforts to prevent trafficking, but did not adequately address the issue of high recruitment fees. The government continued to allow the Bangladesh Association of International Recruiting Agencies (BAIRA) to set recruitment fees sufficiently high to render many migrant workers indebted and vulnerable to trafficking. The 2013 Overseas Employment and Migrants Act prohibits fraudulent recruitment and unlawful recruitment fees, and outlines procedures through which Bangladeshi migrant workers, originally hired through the Bureau for Manpower, Education, and Training, could lodge complaints with MEWOE upon their return to Bangladesh and seek government arbitration for labor and recruitment violations, including allegations of forced labor. MEWOE reported 165 complaints were settled during 2016; it is unknown if any of these complaints involved forced labor. MEWOE suspended 13 recruitment agencies' licenses in 2016 for false advertising and charging fees above the legal maximum and referred three cases to the police for prosecution. The government initiated 229 cases against illegally operating *dalals*, unregulated sub-agents who operate in rural locations and connect prospective migrant workers to licensed employment agencies.

The government continued to use a number of bilateral labor agreements, in part intended to try to protect Bangladeshi workers abroad. For example, the government continued to use a bilateral labor agreement with Saudi Arabia for female migrant workers that mandated employers cover travel costs

and domestic workers be employed by a third party rather than the private households in which they work, but the agreement did not stipulate the maximum cost or eliminate the processing fee charged to the migrant by recruitment agencies. During the reporting period, Saudi Arabia lifted its seven-year ban on male Bangladeshi migrant workers and Bangladeshi females performing any job other than domestic work; MEWOE set the maximum recruitment cost for migrant workers to Saudi Arabia at 165,000 BDT (\$2,090), although media reported *dalals* charged intending migrant workers three to four times that amount. In February 2017, the governments of Bangladesh and Malaysia began to implement an inter-governmental agreement signed in the previous reporting period to facilitate the migration of Bangladeshi workers to Malaysia. The agreement aimed to mitigate the impact of private recruitment agencies' high fees and sometimes unscrupulous practices for an initial 5,300 Bangladeshi workers by removing agents from the migration process. The government continued to require pre-departure training, including safe migration and anti-trafficking components, for some migrant workers, including a 30-day pre-departure training course for female domestic workers which focused on learning practical skills and included modules on trafficking awareness and self-protection.

In June 2016, the MHA, along with other agencies and NGOs, created an implementation roadmap for the 2015-2017 national action plan, launched in the previous reporting period. MHA published its annual report on human trafficking. Some district- and sub-district level counter-trafficking committees allocated funding for coordination and victim support while others were not functioning. The government continued to conduct awareness campaigns, at times in partnership with NGOs. In October 2016, the government passed the Foreign Donations (Voluntary Activities) Regulation Act, placing stricter control over the foreign funding of NGOs and enacting punitive provisions for those NGOs that make "derogatory" comments regarding the constitution of the country, its founding history, or constitutional bodies (i.e., government institutions and leaders). International NGOs that assist Rohingya refugees and work with organized labor reported difficulties in meeting stringent government administrative requirements in order to carry out programs protecting vulnerable populations from various forms of exploitation. In May 2016, the government initiated a census of undocumented Rohingya and stated its intent to distribute information cards to participants that would provide protection and improve access to basic services and work opportunities; at the end of the reporting period, the government had not yet released the results of the census and had since re-initiated the census to include the Rohingya who fled Burma towards the end of 2016. The government trained military personnel to recognize and prevent trafficking in persons prior to their deployment abroad on international peacekeeping missions and provided anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Bangladesh is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

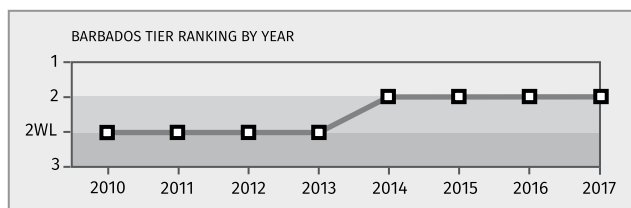
As reported over the past five years, Bangladesh is primarily a source and, to a lesser extent, a transit and destination country for men, women, and children subjected to forced labor and sex trafficking. Some Bangladeshi men and women who migrate willingly to work in the Middle East, Southern and East Africa, South and Southeast Asia, Europe, and the United States face conditions indicative of forced labor. Before their departure, many migrant workers assume debt to pay high recruitment

fees, imposed legally by recruitment agencies belonging to BAIRA and illegally by unlicensed sub-agents; this places migrant workers at risk of debt bondage. Some recruitment agencies and agents also commit recruitment fraud, including contract switching, in which they promise one type of job and conditions but then change the job, employer, conditions, or salary after arrival. Bangladesh is host to an estimated 32,000 registered Rohingya refugees and up to 500,000 undocumented Rohingya, whose stateless status and inability to receive aid and work legally increases their vulnerability to human trafficking. Though numbers of such migrants were significantly fewer than in previous years, some Rohingya and Bangladeshi migrants who travel by boat to Southeast Asian countries are subject to exploitation when they are unable to pay ransoms and are instead sold into forced labor. Women and girls who migrate for domestic work are particularly vulnerable to abuse. Some women who migrate through Bangladeshi recruitment agencies to Lebanon or Jordan for domestic work are subsequently sold and transported to Syria and subjected to forced labor and sex trafficking. Some women and children are subjected to sex trafficking and forced labor in India and Pakistan.

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

BARBADOS: TIER 2

The Government of Barbados does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Barbados remained on Tier 2. The government demonstrated increasing efforts by creating a new anti-trafficking law, which includes stringent penalties commensurate with other serious crimes and allows for victim restitution. The government also increased training for officers in the Ministry of Foreign Affairs and Foreign Trade and employees in the hotel and tourism industries. However, the government did not meet the minimum standards in several key areas. The government did not initiate new prosecutions, had difficulty obtaining victim cooperation to prosecute traffickers, did not provide adequate resources to government agencies or relevant NGOs for training or furthering anti-trafficking efforts, and did not provide sufficient resources for victim care.



RECOMMENDATIONS FOR BARBADOS

Provide adequate funding to train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence to reduce dependence on victim testimony; while respecting due process, investigate, prosecute, and convict traffickers, including complicit officials, and apply stringent sentences that deter future trafficking crimes; provide resources for training relevant government agencies to proactively identify labor and sex trafficking victims among vulnerable populations; provide adequate funding to organizations that assist trafficking victims; enact a national action plan to combat trafficking; complete the government-wide anti-trafficking manual; codify provisions for victims' legal alternatives to their removal to countries in which they would face retribution or hardship; and make efforts to reduce the demand for commercial sex acts or forced labor.

PROSECUTION

The government maintained efforts to prosecute traffickers in 2016. During the reporting period, the government repealed the Transactional Organized Crime (TOC) Act of 2011, which did not prohibit all forms of human trafficking and did not prescribe penalties for trafficking that were sufficiently stringent. In June, the Trafficking In Persons Prevention Act (TIPPA) was enacted. The TIPPA criminalizes all forms of human trafficking and is generally in line with the definition of international law, defining "exploitation" broadly to include slavery, practices similar to slavery, forced labor, domestic and sexual servitude, and the exploitation of the prostitution of another or other forms of commercial sexual exploitation. It also requires "means" of force, fraud or coercion, except with regard to the exploitation of children. The TIPPA covers transnational as well as domestic trafficking crimes, makes evidence of past sexual behavior inadmissible, disallows the defense of consent, and makes withholding or destroying travel documents a crime. The punishment for labor or sex trafficking of adults is the same: 25 years in prison, a fine of one million Barbados dollars (BDS) (\$495,050), or both penalties. Labor or sex trafficking of children is punished by a fine of two million BDS (\$990,099), life imprisonment, or both penalties. The maximum sentences prescribe punishment that is sufficiently stringent to deter, and the penalties for sex trafficking are commensurate with those for rape. However, by allowing for a fine in lieu of imprisonment, the prescribed punishment is not commensurate with those for other serious crimes, such as rape.

Authorities conducted two raids on nightclubs in 2016. Police identified eight victims in the two raids; all were immigrant women, seven Jamaicans and one Guyanese. As in 2015 and 2014, all of the victims refused to cooperate with law enforcement and requested to be returned to their home countries. Outside of the two raids, the police investigated one additional sex trafficking case involving a woman who came to Barbados under the guise of a modeling job. After further investigation, the director of public prosecutions chose not to bring charges under the TIPPA, and instead charged the

perpetrator with unlawful confinement, rape, assault, and theft; the prosecution was pending at the close of the reporting period. The 2016 investigation record compared with six trafficking investigations in 2015, eight in 2014, and three in 2013. There were no new prosecutions initiated under the TIPPA during the reporting period, as there were none in 2015 and 2014. A prosecution that was ongoing in 2014 against two suspected traffickers is scheduled for a hearing in April 2017. A 2013 case involving an immigration official charged with complicity and misconduct in public office was cleared of charges; the individual was moved to another unit. To date, the government has not convicted any traffickers under the TIPPA.

The government did not report any new investigations or prosecutions of government employees complicit in human trafficking offenses and has never reported any convictions of government employees complicit in such offenses. The government supported training sessions for law enforcement and judicial personnel. A police officer and an attorney from the director of public prosecutor's office attended a seminar in El Salvador on the prosecution of human traffickers. An additional 12 officers attended training on victim identification and prosecution of cases in Jamaica, Trinidad and Tobago, Barbados, and Turks and Caicos. The government provided per diem allowances for attendees; an international organization covered the cost of travel. The government continued to train and re-train law enforcement officers in 2016 at levels consistent with last year's reporting period.

PROTECTION

The government maintained efforts to protect victims. Officials identified eight foreign adult female potential sex trafficking victims, compared with 12 in the previous reporting period. Authorities did not refer any of the eight victims to care facilities, reportedly because they chose to leave the country. The gender affairs bureau was designated to coordinate assistance with local NGOs. The government provided some funding to an NGO crisis center that provided shelter and psychological, medical, and reintegration services to female and child victims of violence, including potential trafficking victims; the government had a separate agreement with an NGO to shelter male victims. This organization and the government's gender affairs bureau cooperated with other NGOs to offer additional services, although some experts noted that the referral process could be improved to make sure that relevant NGOs are contacted and involved for specialized services. Experts reported that some victims self-identify to NGOs, but those who are foreign nationals were afraid to go to law enforcement or receive government-funded services for fear of being deported. The government maintained an informal policy allowing foreign victims to receive temporary legal status as an alternative to their removal to countries where they would face hardship or retribution; the minister of national security can authorize victims to remain and work in the country for the duration of the criminal prosecution against traffickers.

The government stated that it has encouraged victim participation in the prosecution of traffickers by speaking with victims and by providing safeguards for their identities and those of their families, providing authorizations for work permits, as well as transportation and security during legal proceedings. Over the past three years, however, all foreign victims have refused to cooperate with law enforcement. According to government policy, victims are allowed to leave the country and return for hearings. The government cooperated with the countries of origin of the eight foreign victims identified in order to facilitate

repatriation. The government acknowledged having insufficient funding to support multiple victims for long periods of time. Although the new TIPPA law provides victims with the right to pursue restitution from a trafficker after a conviction, there were no restitution cases in 2016. The government did not detain, jail, incarcerate, fine or deport, or otherwise penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government provided sensitization training to 40 members of the national hotel and tourism association. Experts, however, noted a need for more resources to support training across relevant government agencies and NGOs.

PREVENTION

The government maintained efforts to prevent trafficking. The attorney general led the government's anti-trafficking taskforce, which met monthly and included permanent secretaries from several ministries. The government developed its national anti-trafficking action plan, covering 2016 through 2020, in collaboration with various government agencies and NGOs; the plan was pending formal adoption by the Cabinet at the close of the reporting period. Relevant government agencies and NGOs were already implementing activities within the action plan. No formal monitoring or data collection efforts were conducted during 2016. A sensitization campaign on human trafficking was conducted for 15 employees of the Ministry of Foreign Affairs and Foreign Trade. The government did not make efforts to reduce the demand for forced labor or commercial sex acts.

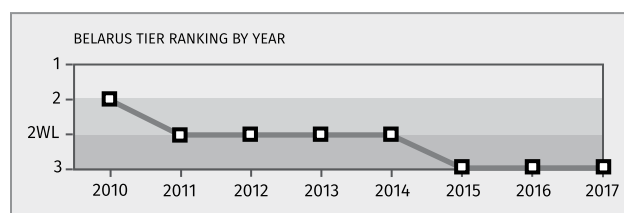
TRAFFICKING PROFILE

As reported over the past five years, Barbados is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Authorities and NGOs report foreign women have been forced into prostitution in Barbados. Foreigners have been subjected to forced labor in Barbados, most notably in domestic service, agriculture, and construction. Legal and undocumented immigrants from Jamaica and Guyana are especially vulnerable to trafficking. Child sex trafficking occurs in Barbados. There are anecdotal reports by authorities and NGOs that children are subjected to sex trafficking, including by parents and caregivers. Previously, traffickers operated as part of an organization; more recently they appear to operate individually. Authorities have noted an increased use of social media as a means of trolling for victims.

BELARUS: TIER 3

The Government of Belarus does not fully meet the minimum standard for the elimination of trafficking and is not making significant efforts to do so; therefore, Belarus remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including actively engaging in multilateral efforts to combat trafficking, making efforts to protect Belarussian victims exploited abroad, and repealing a decree in June 2016 that prevented state workers in wood processing from leaving their jobs. However, the government maintained policies that actively compelled the forced labor of its citizens, including civil servants, students, part-time workers and the unemployed, citizens suffering from drug or alcohol dependency, and, at times, critics of the government, among others. For the fourth consecutive year, authorities did not

convict any traffickers under the trafficking statute.



RECOMMENDATIONS FOR BELARUS

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

PROSECUTION

The government maintained weak law enforcement efforts. Article 181 of the criminal code prohibits both sex and labor trafficking and prescribes penalties ranging from five to 15 years imprisonment in addition to the forfeiture of offenders' assets, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Contrary to the definition of trafficking under international law, article 181 does not consider exploiting children under 18 to engage in commercial sex a trafficking crime unless there is evidence of coercion. The government reported one sex trafficking investigation in 2016 under article 181, compared with one in 2015, one in 2014, and six in 2013. Authorities did not initiate any investigations under article 181-1, which criminalizes the use of forced labor, a decrease from one investigation in the prior year. The government did not convict any traffickers under article 181 in 2013, 2014, 2015, or 2016. Authorities prosecuted at least four individuals for potential child sex trafficking offenses under other articles in the criminal code in 2016, compared with six individuals in 2015, and three individuals in 2014. The interior ministry's law enforcement academy continued to provide trafficking-specific training to Belarussian law enforcement and NGO officials.

PROTECTION

The government maintained its victim protection efforts. The government identified one confirmed and 183 potential trafficking victims during law enforcement investigations, compared with 121 confirmed and potential victims in 2015 and 113 in 2014. The government reported law enforcement officials referred 55 victims to international organizations and NGOs for care, compared with 27 in 2015 and 32 in 2014.

NGOs reported assisting 279 trafficking victims in 2016, 27 of whom were children. The government reported providing medical care and information to 70 individuals who may have been, but were not identified as, trafficking victims. The government reported screening individuals arrested for prostitution for trafficking indicators and exempting them from any legal liability; as a result, the government reported that of the 1,420 individuals convicted on prostitution charges in 2016, none were trafficking victims. The government reported training designated police officers and diplomats on victim identification and referral procedures.

The government provided in-kind assistance to anti-trafficking NGOs in the form of facilities for seminars, conferences, and training; expedited approval of projects and grants; and tax-exempt status. The government did not have trafficking-specific facilities available to care for victims, but local authorities operated 124 “crisis rooms” that offered temporary shelter, including beds, meals, and personal hygiene products to vulnerable adults, including victims of natural and manmade disasters, domestic violence, and human trafficking. Of the 124 facilities, 15 were newly opened in 2016. The Ministry of Labor and Social Welfare conducted monitoring of the “crisis rooms” operations and, with assistance from NGOs, drafted a list of measures to improve services for implementation in 2017. The Ministry of Labor and Social Affairs also dropped limits on the amount of time vulnerable individuals could stay in the facilities. The government did not report the use of these facilities by any identified trafficking victims.

In previous years, observers reported most victims sought assistance at private shelters because the government’s centers were poorly equipped and lacked qualified caregivers. The education ministry maintained centers that could provide vulnerable children with shelter and basic provisions; however, similar to past years, no child trafficking victims have received services at these facilities, despite the government identifying child sex trafficking victims.

PREVENTION

The government maintained efforts to prevent trafficking. The government conducted public awareness campaigns through television, radio, and print media, and provided in-kind assistance to anti-trafficking NGOs in the form of advertising hotlines, production assistance, and placement of awareness-raising materials on state-owned television, radio, and billboards. The interior ministry continued to operate a hotline for safe travel abroad to inform potential labor migrants and identify illegal recruitment practices; the hotline received 1,157 calls for consultations in 2016. Although authorities charged 50 companies with administrative offenses related to illegal recruitment, forced labor regulations were seldom enforced, and resources and inspections dedicated to preventing forced and compulsory labor were minimal and inadequate to deter violations. A national Human rights action plan, adopted in October 2016, includes five points on trafficking, including increased prevention efforts via information and awareness campaigns, prosecution of traffickers, training of police officers and other government employees on victim identification, and the promotion of Belarus’s anti-trafficking efforts in international fora. A draft action plan, the 2016-2018 State Program on Countering Crime and Corruption, which included anti-trafficking activities, remained pending approval for a second year and had not been adopted by the close of the reporting period. The government did not report efforts to reduce the demand for commercial sex.

TRAFFICKING PROFILE

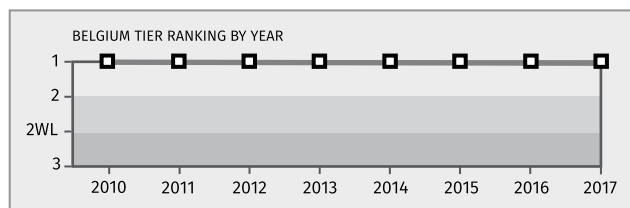
As reported over the past five years, Belarus is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Belarusian victims are primarily subjected to trafficking in Russia and Belarus, as well as in Poland, Turkey, and other countries in Eurasia and the Middle East. Some Belarusian women traveling for foreign employment in the adult entertainment and hotel industries are subjected to sex trafficking. The government has identified Belarusian, Moldovan, Russian, Ukrainian, and Vietnamese victims exploited in Belarus.

State-sponsored forced labor continues to be an area of concern, and the UNHRC adopted a resolution in July 2015 expressing deep concern at the government’s “violations of labor rights amounting to forced labor,” among other human rights issues. The European Parliament condemned an April 2015 Belarusian presidential decree that requires unemployed persons to pay a fee to the state or potentially face compulsory community service. In June 2016, the government repealed a 2012 decree preventing state workers in wood processing from leaving their jobs without employer approval and subjecting them to significant fines; failure to pay those fines placed employees at risk of having to work under law enforcement supervision. The ILO Committee of Experts reported that a 2010 law allows for Belarusians suffering from alcoholism or drug dependencies to be “interned in ‘medical labor centers’ for a period of 12 to 18 months and have an obligation to work; refusing to work results in punishment, such as solitary confinement, for up to ten days.” As of June 2015, an estimated 6,700 people were held at these centers. The government continued the practice of *subbotniks*, which requires employees of the government, state enterprises, and many private businesses to work on occasional Saturdays and donate their earnings to finance government projects. The UN Special Rapporteur on the situation of human rights in Belarus reported repercussions for non-participation in *subbotniks*, including non-renewal of employment contracts and the revocation of monthly bonuses. State employers and authorities also intimidate and fine some workers who refused to participate. Authorities require university and high school students to help farmers during the harvesting season without paying them for their labors, in addition to other forced community service projects. Authorities reportedly force military conscripts to perform work unrelated to military service. Per a 2006 presidential decree, parents who have had their parental rights removed are subjected to compulsory labor, and the government retains 70 percent of their wages. The ILO Committee of Experts noted its deep concern in 2016 that some provisions of the Belarusian criminal code, which included forced labor as possible punishment, are worded broadly enough to lend themselves to application as a means of punishment for the expression of views opposed to the government. The ILO Committee of Experts cited reports that the government used or threatened to use arbitrary detention involving compulsory labor for apparently political motives.

BELGIUM: TIER 1

The Government of Belgium fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Belgium remained on Tier 1. The government demonstrated serious and sustained efforts by prosecuting and convicting more traffickers and training police, lawyers, and

judges on advanced techniques for investigating trafficking cases and collecting and preserving evidence. The government developed new training programs to assist financial institutions in identifying transactions related to trafficking, and maintained strong prevention efforts. The government trained staff at asylum centers on identifying and assisting trafficking victims in migrant populations and circulated administrative notices on referral procedures to prosecutors, police, health care workers, migration staff, and other stakeholders. Although the government meets the minimum standards, it did not allocate a regular budget to NGO-run shelters despite complete reliance on these shelters for the majority of victims' services. Sentences for convicted traffickers continued to be suspended, with most traffickers receiving little to no prison time.



RECOMMENDATIONS FOR BELGIUM

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

PROSECUTION

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

The government prosecuted 324 defendants, compared to 299 in 2015, including 184 defendants for sex trafficking offenses, 126 for labor trafficking, and 14 for forced criminality (151 for

sex trafficking and 124 for forced labor in 2015). Authorities convicted and sentenced 125 individuals under the trafficking statute, including 231 counts of aggravating circumstances, compared with 93 in 2015. Most who were convicted received no prison time or a partially or fully suspended prison sentence. The government sentenced 113 convicted under the trafficking statute to prison terms (of which 79 were suspended or partially suspended), compared to 88 prison sentences (52 of which were suspended or partially suspended) in 2015. Prison sentences ranged from one to five years imprisonment; 11 offenders were sentenced to one year, 55 were sentenced to one to three years, 33 were sentenced to three to five years, and 14 were sentenced to five years or more. The government continued efforts to prosecute eight members of the Abu Dhabi royal family for allegedly subjecting 17 girls to forced servitude while staying at a Brussels hotel in 2008. The government trained police, lawyers, and judges who handled trafficking cases on advanced investigations and collection and preservation of evidence. The government provided basic training to all local and federal police officers, as well as advanced training for officers specializing in cases of labor and sexual exploitation. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. In 2016, the government cooperated on three extraditions requests, including the extradition and conviction of a Belgian citizen for offenses related to child sex tourism in Cambodia.

PROTECTION

The government maintained efforts to protect victims. The government identified and assisted 144 victims (including 69 victims of labor trafficking, 56 victims of sex trafficking, seven victims of forced criminality, and 12 victims of other forms of exploitation), compared to 152 victims in 2015 (93 victims of sex trafficking and 43 labor trafficking). First responders followed formal written procedures on proactive victim identification; however, observers reported challenges in accurately identifying victims. The government trained staff at asylum centers on identifying and assisting trafficking victims in migrant populations. The government circulated administrative notices on referral procedures to prosecutors, police, health care workers, migration staff, and other stakeholders and updated regulations to improve referral procedures for Belgian trafficking victims and victims of forced begging. While NGOs referred many victims to the shelters, most victims were identified by law enforcement, social workers, and medical professionals. To qualify for victim status, victims must have broken off all contact with traffickers and agreed to counseling at a specialized trafficking shelter.

The government allocated approximately €430,000 (\$453,109) to each of the three specialized NGO-run shelters. NGO-run shelters also received various amounts of funding from regional governments. Despite complete reliance on these three NGO-run shelters for the majority of victims' services, the government provided ad hoc rather than dedicated funding. NGO-run shelters carried the administrative burden of requesting funding each year from different levels of government (region, community, federal). NGO-run shelters provided specialized, comprehensive assistance to trafficking victims, including psycho-social, medical, and legal care. The shelters were open to all victims regardless of gender, immigration status, or nationality. The government also funded two shelters for children; child trafficking victims shared these facilities with victims of other crimes. Adult victims could leave the shelter unchaperoned. The government reportedly did not penalize

identified victims for unlawful acts committed as a direct result of being subjected to trafficking; however, victims who were not properly identified, particularly child sex trafficking victims, were vulnerable to such penalization. The government granted most identified foreign victims residence and employment permits and protective services; however, full protection status and the residence permit were conditional on the victim assisting in the prosecution of their trafficker. Victims who were not citizens of EU member states could only obtain permanent residency upon the successful prosecution and sentencing of traffickers, although residence permits for indefinite periods of time were available without conviction if authorities established a formal charge of trafficking. During the year, the government issued or renewed 216 residence permits to trafficking victims. Although government-supported NGOs provided some legal representation to victims, such support was limited due to a lack of steady funding. Victims can claim compensation through the same mechanism that allows any victim of crime to claim compensation at local courts; however, observers reported victims faced expensive legal fees.

PREVENTION

The government maintained strong efforts to prevent trafficking. The Inter-Departmental Coordination Unit (ICU) continued to coordinate government-wide anti-trafficking efforts and monitored the implementation of national action plan for 2015-2019. The government continued awareness campaigns targeting businesses and vulnerable populations. The government developed new training programs to assist financial institutions in identifying transactions related to trafficking and coordinated with the Netherlands and Luxembourg to produce common awareness-raising materials. ICU integrated trafficking awareness trainings into programs in schools and juvenile justice institutions. Awareness-raising flyers were available in the consular sections of Belgian embassies and consulates abroad. The national rapporteur produced its own report on Belgian trafficking efforts. The government did not make efforts to reduce the demand for commercial sex acts during the year; however, the government continued to implement programs to reduce the demand for forced labor, such as a widely-used program that subsidizes the wages of maids and domestic assistants. Belgian law permits the prosecution of Belgian citizens who sexually abuse children outside of Belgium. The government convicted offenders under this law; however, observers reported Belgium nationals engaging in child sex tourism in many countries, including Guinea-Bissau, Cambodia, Brazil, and Romania. In response to the dramatic increase in asylum-seekers in the country, authorities took measures to identify and reduce exploitation at reception centers, including training for reception center staff and awareness-raising among the migrant population; however, authorities and the national rapporteur identified vulnerabilities in securing these centers during the reporting period. The government trained diplomatic personnel on trafficking issues and disseminated trafficking pamphlets to staff at Belgian diplomatic posts.

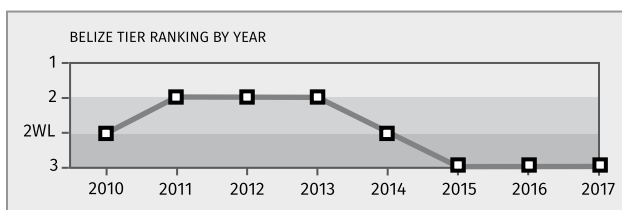
TRAFFICKING PROFILE

As reported over the past five years, Belgium is a destination, transit, and limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims come primarily from countries in Eastern Europe, North and sub-Saharan Africa, among them Romania, Morocco, India, Nigeria, Albania, Hungary, and Thailand. Male victims are subjected to forced labor in restaurants, bars, sweatshops, horticulture sites, fruit farms, construction sites, cleaning

businesses, and retail shops. Belgian girls, some of whom are recruited by local pimps, and foreign children—including Roma—are subjected to sex trafficking within the country. Forced begging within the Romani community in Belgium also occurs. Foreign workers are subjected to forced domestic servitude, including in the diplomatic community assigned to Belgium. In 2015 and 2016, approximately 63,000 people applied for asylum in Belgium, a dramatic increase over previous years. Experts anticipate migrants whose asylum applications are denied will be highly vulnerable to trafficking, but very few such migrants were confirmed trafficking victims during the reporting period. Individuals pose as family visitors to recruit asylum-seekers waiting in reception centers for low-paid work and prostitution and potentially subjected to trafficking.

BELIZE: TIER 3

The Government of Belize does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Belize remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including the identification of two trafficking victims; and the investigations of 10 trafficking cases and two continued prosecutions initiated in a previous year. However, the government did not begin any new prosecutions or convict any traffickers. The government did not investigate or prosecute any public officials for alleged complicity in human trafficking-related offenses, despite reports of a significant level of official complicity. Despite the government's raids on commercial sex establishments, few trafficking crimes were uncovered due to limited intelligence-gathering, inconsistent application of formal victim identification procedures, and suspected complicity among some law enforcement officials.



RECOMMENDATIONS FOR BELIZE

Consistently implement formal procedures to identify and refer to care victims of sex and labor trafficking among vulnerable groups, and involve Spanish-speaking social workers, NGOs, or victim advocates in the process to ensure trafficking victims are not penalized for crimes committed as a direct result of trafficking; implement victim-centered procedures during raids, including conducting interviews in a safe and neutral location and separately from immigration inquiries; implement the anti-trafficking law by vigorously investigating and prosecuting suspected sex and labor traffickers, including complicit officials, and imposing adequate penalties on convicted traffickers; consider implementing measures to expedite trafficking prosecutions; continue to provide specialized victim care, in partnership with NGOs, and increase efforts to reintegrate victims; update and implement the national anti-trafficking plan; investigate and prosecute child sex tourists; amend laws to ensure penalties are commensurate with those prescribed for rape or kidnapping; and develop and implement a targeted campaign to raise awareness among clients of Belize's legal sex trade about the links between prostitution and trafficking.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. The Trafficking in Persons (Prohibition) Act 2013 prohibits all forms of trafficking and prescribes penalties of one to eight years imprisonment for the trafficking of adults and up to 12 years imprisonment for the trafficking of children or a fine in lieu of imprisonment. When allowing for a fine in lieu of imprisonment, the prescribed punishment is not commensurate with those for other serious crimes, such as rape. The 2013 Commercial Sexual Exploitation of Children (Prohibition) Act criminalizes the facilitation of prostitution of children younger than 18. This law, however, does not prohibit adults from engaging in sexual activity with 16- and 17-year-old children in exchange for remuneration, gifts, goods, food, or other benefits if there is no third party involved—leaving children of this age group vulnerable to sex trafficking.

The government reportedly investigated 10 trafficking cases compared to seven in 2015, but for the second consecutive year did not initiate any new prosecutions. Authorities continued two prosecutions from 2015. The government did not convict any traffickers in the reporting period. Observers reported that a lack of communication and coordination between law enforcement and prosecutors hindered law enforcement efforts. The government did not provide detailed information on the pending investigations or prosecutions.

The government's enforcement activity against suspected trafficking consisted of referrals from other government agencies and NGOs as well as raids on venues in Belize's sex trade. Few trafficking crimes were uncovered during these raids due to limited intelligence-gathering, inconsistent application of formal victim identification procedures, and suspected complicity among some law enforcement officials. Many off-duty police officers provided security for sex trade establishments, which may have inhibited police from investigating allegations of trafficking in the sex trade and may have dissuaded victims from reporting trafficking. The government did not investigate, prosecute, or convict any officials for complicity in trafficking crimes despite reports of complicity. The government provided anti-trafficking training to new law enforcement officers, and prosecutors attended workshops financed and delivered by an international organization.

PROTECTION

The government decreased efforts to protect trafficking victims. Authorities identified two victims in 2016 compared to seven sex trafficking victims in 2015 and 10 victims in 2014. The government identified 10 additional potential child sex trafficking victims, who were offered protection services. Although the government had formal written procedures to guide officials in identifying victims, in practice, officials did not consistently follow these procedures. The government did not report screening for indicators of trafficking of women and girls apprehended in raids on commercial sex establishments. There were anecdotal reports of women and girls, potentially including trafficking victims, arrested, jailed, or deported for immigration violations following raids. Victims' fear of detention or deportation may have contributed to their reluctance to report trafficking to law enforcement officers. The government partnered with NGOs and international organizations to provide training to teachers, national utility workers, social security board inspectors, and private employers in the tourism sector on human trafficking, victim identification, and reporting.

Identified victims could be referred to the Department of Human Services, although officials made decisions for protection on a case-by-case basis. In past years, adult victims were typically referred to an NGO shelter, while children were placed in foster homes. Experts questioned the appropriateness of placing victims in foster homes because of a lack of education about human trafficking for some foster parents, uneven coordination and communication between government agencies and foster parents, and limited availability of psycho-social care for victims. NGOs were the main providers of limited medical care and psychological counseling for victims. The government encouraged victims to assist in investigations by providing witness protection and coordinating lodging; court delays and fear of retaliation by traffickers may have led foreign national victims to decline or withdraw cooperation with law enforcement and return to their home countries. The government had a policy to grant temporary residency status to victims willing to cooperate in investigations or prosecutions, seven potential trafficking victims received this benefit in 2016; one foreign victim identified in 2014 remained in the country and participated in a prosecution. Victims could apply for work permits, but the cost of 500 Belizean dollars (\$250) to obtain such permits imposed a significant barrier. Belize's anti-trafficking law exempts victims from punishment for crimes committed as a result of being subjected to trafficking; however, NGOs reported that victims not formally identified by the government were commonly arrested, jailed, and deported.

PREVENTION

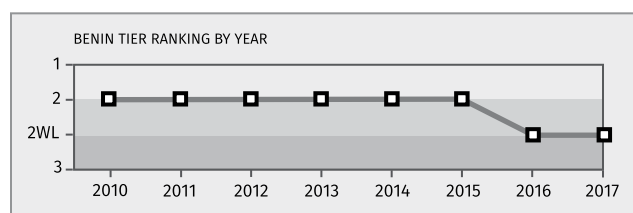
The government maintained minimal prevention efforts. Its anti-trafficking council met quarterly and reportedly began work on a new national action plan; the 2012-2014 anti-trafficking national strategic plan remained largely unimplemented. The government, in partnership with an NGO, expanded its awareness campaign through television, posters, and billboards in English, Spanish, and Mandarin. Authorities continued to disseminate public service announcements on child sexual exploitation and the links between tourism and the demand for commercial sex, but did not investigate, prosecute, or convict any child sex tourists. The government did not make efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

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

BENIN: TIER 2 WATCH LIST

The Government of Benin does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying more victims, establishing an ad hoc inter-ministerial committee to coordinate trafficking efforts, and increasing training for law enforcement officials. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government decreased the number of reported prosecutions; did not report conviction of any traffickers; and did not systematically investigate allegations of trafficking of adults or provide protective services to adult victims. Anti-trafficking legislation—including provisions to prohibit and penalize the trafficking of adults—remained pending review by the Ministry of Justice (MOJ) for the fifth consecutive year. Inadequate funding and staffing for the Ministry of Interior's Office for the Protection of Minors (OCPM), the Ministry of Family (MOF), and the Ministry of Labor (MOL), now merged as the Ministry of Labor, Civil Service and Social Affairs (MLCSSA), continued to hinder anti-trafficking efforts. Therefore, Benin remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR BENIN

Finalize and enact legislation to criminalize all forms of trafficking consistent with the 2000 UN TIP Protocol; increase efforts to investigate, prosecute, convict, and adequately sentence offenders of sex and labor trafficking of adults and children, including illegal recruitment agencies; develop systematic procedures for proactive victim identification—including of adults and victims of forced labor—and their subsequent referral to care; train law enforcement officials on identification and referral procedures; increase funding to OCPM and MLCSSA to provide adequate support to victims; establish measures to assist adult trafficking victims; reinvestigate the efforts of the national anti-trafficking coordinating committee; improve efforts to collect law enforcement data on trafficking offenses and make it publicly available; and launch a nationwide anti-trafficking awareness campaign.

PROSECUTION

The government decreased its anti-trafficking law enforcement efforts. Existing laws do not prohibit all forms of trafficking. The 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking (act 2006-04) criminalizes child trafficking but focuses on movement of children rather than their ultimate exploitation and prescribes penalties of six months to two years imprisonment or fines if children are moved for the purpose of labor exploitation; these penalties are not sufficiently stringent. The penal code outlaws procuring or offering a person for prostitution and the facilitation of prostitution with punishments of six months to two years imprisonment. The

labor code prohibits forced labor and prescribes punishments of two months to one years imprisonment or a fine. None of these punishments are sufficiently stringent or commensurate with punishments prescribed for other serious crimes, such as rape. Comprehensive anti-trafficking legislation that would criminalize all forms of trafficking, including the trafficking of adults, has been pending MOJ review since September 2012.

During the year, OCPM—a specialized unit responsible for all criminal cases involving children—investigated 48 child abuse cases, although the government did not specify how many were child trafficking cases, compared with 49 cases of child trafficking and 12 cases of exploitative child labor in the previous reporting period. The government intercepted 19 adult female victims at the Cotonou airport en route to Lebanon and Kuwait, reportedly for domestic servitude; the government arrested one suspect in connection with these cases, but a judge released him, unable to charge him under existing trafficking prohibitions. The government did not systematically investigate the trafficking of adults or take action against potential illegal recruitment agencies. OCPM referred six suspects, five of child trafficking and one of adult trafficking, to the courts for prosecution, compared with 12 suspects in the previous reporting period, though the adult trafficking case was ultimately dismissed. The government did not report the conviction of any traffickers, compared with four offenders convicted for child trafficking during the previous reporting period. Lack of a specific law to prosecute adult trafficking cases has led judges to reduce adult trafficking cases to misdemeanors in previous years. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. With assistance from a foreign donor, OCPM and the MLCSSA Office of Childhood and Adolescence trained four judges and 26 police officers on child trafficking, including the trafficking legal framework and addressing challenges in the field. Senior police officers received training in child trafficking law enforcement techniques as part of the police academy's training curriculum.

PROTECTION

The government increased efforts to protect victims. OCPM identified 223 potential trafficking victims, including 201 children and 22 adults, in 2016, compared with 131 in 2015. OCPM provided temporary shelter and legal, medical, and psychological services to all identified potential victims before their transfer to long-term NGO shelters; however, the government failed to provide financial or in-kind support to NGOs providing care. The government did not have formal written procedures to guide officials in proactive identification of trafficking victims or a formal mechanism for screening trafficking victims among vulnerable populations, including persons in commercial sex.

The MLCSSA and ministries of justice and interior worked with an international organization and NGOs to coordinate placement of child trafficking victims with host families, who provided additional care to children prior to reintegration into their home communities. Government social workers provided counseling for such children, while an NGO provided financial support to cover their basic needs. Through their general support for victims of crime and vulnerable groups, 85 centers for social promotion under the MLCSSA offered basic social services, food, and temporary shelter to trafficking victims throughout the country, particularly in rural areas where such services were scarce, and assisted with reintegration of victims into their home communities. These centers reunited

an unknown number of Beninese child trafficking victims with their families or placed them in long-term shelters if their families could not be identified. During the reporting period, the government provided in-kind donations of 19 million West African Franc (CFA) (\$30,390) to OCPM to assist in providing care for all victims of crime, including trafficking victims. The government, with support from an international organization and an NGO, established two counseling and leisure centers (barques) in the markets of Zakpota and Abomey in central Benin. These centers offered counseling and education to 106 children during the reporting period, including children exposed to labor exploitation. Officials and NGO stakeholders in destination countries noted re-trafficking was an issue once victims returned to Benin, with parents often sending child victims or their siblings back to the trafficker to uphold an initial agreement. A draft cooperation agreement between Benin and Gabon on child trafficking remained pending for the third consecutive year. Benin did not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship.

The government did not make systematic efforts to identify adult trafficking victims. The government intercepted 19 potential adult victims at the Cotonou airport en route to Lebanon and Kuwait and identified three other adult victims, but did not report on protections provided to adult victims. The government acknowledged that adult sex trafficking exists in the country, but did not screen individuals in commercial sex for trafficking, which may have left victims unidentified in the law enforcement system.

PREVENTION

The government increased efforts to prevent trafficking in persons. In October 2016, the Ministry of Foreign Affairs and cooperation established an ad hoc inter ministerial committee to discuss ways to better combat trafficking and coordinate anti-trafficking efforts in Benin; the committee began meeting during the reporting period. However, the existing anti-trafficking coordinating body—the Trafficking and Exploitation Technical Working Group of the National Monitoring and Coordination Working Group for Child Protection—did not meet during the year. The government worked to finalize an action plan to support the implementation of the National Policy of Child Protection.

The MLCSSA conducted several prevention activities with support from an international organization. It conducted a survey in two cities on the extent of child sex trafficking. The government held a workshop to train 50 labor inspectors and child protection agents on prevention of child labor, including on how to address child labor at the community level. The MOL conducted a number of awareness raising activities on child labor including targeting religious leaders to decrease the practice of exploiting *talibes*, or Quranic school children, in forced begging. Additionally, the government began establishing civil registration centers (offices of vital records) in smaller towns and neighborhoods to encourage registration of births. The MOL's general directorate of labor conducted labor inspections in three markets during the reporting period to assess the working conditions of children and found that 1,278 children under the age of 14 were victims of exploitative labor in the markets—a population that likely included many trafficking victims. However, it did not take law enforcement action to investigate or penalize labor law violations. The government made no efforts to reduce the demand for commercial sex acts or forced labor. It provided its troops with anti-trafficking training,

conducted by a foreign donor, prior to their deployment abroad on international peacekeeping missions. The Ministry of Foreign Affairs has a code of conduct for diplomats that prohibits Beninese nationals deployed abroad to engage in or facilitate trafficking in persons; however, the government did not report providing anti-trafficking training for its diplomatic personnel.

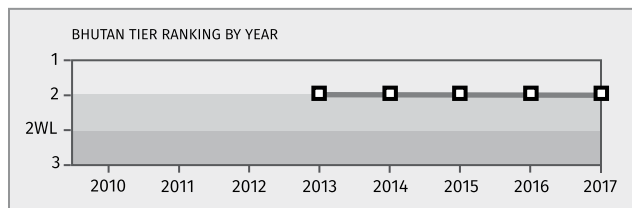
TRAFFICKING PROFILE

As reported over the past five years, Benin is a source, transit, and destination country for women, children, and men subjected to forced labor and sex trafficking. Most identified victims are Beninese girls subjected to domestic servitude or sex trafficking in Cotonou and across Benin's southern corridor. Some families send children to wealthier families for educational or vocational opportunities, a practice called *vidomegon*; some of these children are subjected to domestic servitude. Children from Benin and neighboring countries are forced to labor on farms, in commercial agriculture (particularly in the cotton sector), in artisanal mines, at construction sites, or as street or market vendors. A 2013 study cited more than 7,800 children subjected to labor exploitation in the markets of Cotonou, Porto-Novo, and Parakou. Togolese girls are exploited in commercial sex in Benin. Cases of child sex tourism involving both boys and girls along the coast and within the department of Mono have been reported in previous years. A 2016 survey conducted in the cities of Cotonou in southern Benin and Malanville in northern Benin indicated that girls are subjected to sexual exploitation, including potential sex trafficking, in these two cities. In northern Benin, as in other countries in the region, some unscrupulous *marabouts*, Quranic teachers, exploit Beninese Quranic school children in forced begging. Most Beninese child trafficking victims are from rural areas in the northern regions; many are recruited and transported to neighboring countries, where they are forced to labor in homes, mines, quarries, restaurants, markets, and on cocoa farms. The department of Oueme in southeast Benin was reportedly a primary area of recruitment for child trafficking victims subsequently exploited in the Republic of the Congo. Most child victims intercepted in Benin, either from Benin or other West African countries, are exploited or en route to exploitation within the country. Benin is the largest source country for trafficking victims in the Republic of the Congo; Beninese victims are also subjected to trafficking in Nigeria, Gabon, and Lebanon. West African women are exploited in domestic servitude and forced commercial sex in Benin. Young Beninese women are recruited from Benin by unlicensed Beninese and Lebanese recruiters for domestic work in Lebanon and Kuwait; reportedly, some are subjected to domestic servitude or forced into commercial sex. OCPM reports that traffickers no longer travel with child victims being moved internally or to nearby countries. Victims now travel alone and are met by traffickers or their accomplices once they reach their destination. This tactic makes investigations more difficult.

BHUTAN: TIER 2

The Government of Bhutan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Bhutan remained on Tier 2. The government demonstrated increasing efforts by identifying its first potential trafficking victims and investigating and prosecuting the first case under its trafficking law. However, the government did

not meet the minimum standards in several key areas. The government's laws do not prohibit all forms of trafficking, and while the government continued to work with an international organization to draft standard operating procedures (SOPs) on victim identification and referral, it had not finalized the SOPs by the end of the reporting period. Understanding of trafficking crimes remained low and it was unclear if identified victims received protection services.



RECOMMENDATIONS FOR BHUTAN

Amend section 154 of the penal code to refine the definition of human trafficking to conform with the 2000 UN TIP Protocol such that the purpose of the crime is "exploitation" rather than "any illegal purpose"; finalize and disseminate SOPs for proactive victim identification and referral to protection services; vigorously investigate and prosecute trafficking cases; train officials on the implementation of anti-trafficking laws and victim identification and referral procedures; take steps to eliminate all recruitment fees charged to workers by recruitment agents; undertake and publish a comprehensive assessment of all forms of human trafficking, including labor trafficking of men; continue to fund NGOs that provide protective services to trafficking victims; continue to conduct human trafficking awareness events and disseminate awareness materials among vulnerable populations; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. Article 154 of the penal code criminalizes a person who "recruits, transports, sells or buys, harbors or receives a person through the use of threat or force or deception within, into, or outside of Bhutan for any illegal purpose." This definition departs from the 2000 UN TIP Protocol definition because it requires the purpose be otherwise "illegal" rather than "exploitation," such as forced labor or sex trafficking. Bhutan also defines trafficking to include buying, selling, or transporting a child for any illegal purpose, and engaging a person in prostitution if the defendant transports, sells or buys the person within, into, or outside of Bhutan, in articles 227 and 379 of the penal code, respectively. Bhutanese law also prohibits all forms of child trafficking "for the purpose of exploitation" in article 224 of the Child Care and Protection Act of 2011. The punishments for these offenses range from three years to life imprisonment. The Labor and Employment Act of 2007 prohibits most forms of forced labor with penalties from three to five years imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. For the first time, the government investigated and prosecuted one defendant under article 154. Authorities apprehended the alleged trafficker before the victims could be sent to a foreign country to work. The verdict remained pending at the end of the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking.

While the government participated in efforts to train officials

and increase their awareness of trafficking, its response to human trafficking remained limited by a general lack of understanding of the crime. In partnership with an international organization, the National Commission for Women and Children (NCWC), an autonomous agency funded by the government, held an event with officials, including parliamentarians, to launch and disseminate a report on Bhutan's laws and policies related to human trafficking. The Royal Bhutan Police maintained three women and child protection units and eight women and child desks, responsible for coordination with other agencies on matters relating to women and children and ensuring acts related to their protection are implemented. Through coordination with NCWC, an international organization held a multi-day training on an anti-trafficking toolkit for 25 officials, including prosecutors, police, and immigration officers. Attendees acknowledged the continued need for training.

PROTECTION

The government increased efforts to identify victims while maintaining modest efforts to provide protective services. For the first time, the government reported identifying two potential trafficking victims, intercepted before being subjected to exploitation abroad. In partnership with an international organization, NCWC continued to draft SOPs on victim identification and referral, which it shared with 10 government agencies and an NGO for final review at the end of the reporting period. The government continued to fund an NGO to provide shelter to women and child victims of crime, including human trafficking, and rehabilitation and reintegration services to men, women, and children. It is unclear whether trafficking victims utilized these services during the year. There was no shelter facility for men. The immigration department mandated the reporting of suspected cases of trafficking of foreign women and children to NCWC before initiating deportation for immigration violations; it is unclear if similar policies existed for potential foreign male victims. The law did not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship.

PREVENTION

The government maintained efforts to prevent human trafficking. The government did not have a national action plan to combat trafficking. NCWC functioned as the government's main anti-trafficking coordination body. NCWC's mission, however, encompassed only women and children, which was recognized as a hindrance to combating adult male trafficking. The government continued to actively collaborate with an international organization on a project designed to enhance government and civil society responses to trafficking. The Bhutan Labor and Employment Act of 2007 required labor recruitment agencies to be licensed and abide by the same labor laws as employers. The government registered migrant workers, monitored working conditions, and produced and disseminated pamphlets advising migrant workers of their rights in Bhutan, including employer-paid medical exams, full and prompt payment of wages, and entitlement to retain personal identity documents. The labor ministry licensed and monitored five employment agencies to assist Bhutanese citizens over age 21 seeking work overseas and produced a pamphlet on their rights. Government regulations on overseas employment agents allow agents to charge Bhutanese migrant workers a recruitment fee of one month's salary and most recruitment expenses, except for costs associated with a visa or work permit; reportedly these fees may only be collected after successful placement with an employer. During the reporting period, the

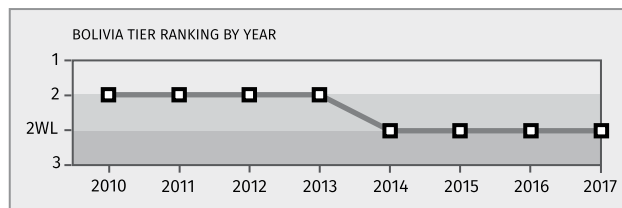
government terminated the license of one agency for violating the regulations. An international organization designed public awareness materials in cooperation with NCWC, though the materials had not been finalized and approved at the end of the reporting period. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. Bhutan is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the last five years, Bhutan is a source and destination country for men, women, and children vulnerable to forced labor and sex trafficking. Bhutanese girls—working as domestic servants and entertainers in *drayungs* or karaoke bars—may be subjected to sex trafficking and labor trafficking coerced by debt and threats of physical abuse. Rural Bhutanese are transported to urban areas, generally by relatives, for employment in domestic work, which at times involves forced labor. While most domestic workers in Bhutan are young girls from poor, rural areas of the country, Indian women and girls also seek employment in this sector. An expanding construction sector continues to increase demand for low-skilled foreign labor, primarily men from India who are vulnerable to trafficking. Bhutanese who migrate overseas for work are vulnerable to human trafficking by unlicensed or unscrupulous recruitment agents.

BOLIVIA: TIER 2 WATCH LIST

The Government of Bolivia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by dedicating more police investigators to a provincial human trafficking crimes unit, launching several awareness campaigns in collaboration with civil society, prosecuting traffickers, and investigating a trafficking ring that resulted in the prosecution of three officials suspected of complicity. The government also launched a pilot program in the capital to improve the ability of police to detect trafficking cases. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not report investigating, prosecuting, or convicting any traffickers during the reporting period. It also did not report identifying or assisting any victims and lacked formal screening mechanisms by which to identify trafficking victims, despite efforts to develop such protocols. The government slightly decreased the funding it dedicated to anti-trafficking efforts and relied heavily on donations from NGOs and foreign donors to conduct law enforcement operations and provide victim services. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Bolivia was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore, Bolivia remained on Tier 2 Watch List for the fourth consecutive year.



RECOMMENDATIONS FOR BOLIVIA

Implement established protocols for the proactive identification of trafficking victims among vulnerable populations, and for the referral of victims to care services; investigate, prosecute, and convict traffickers, including complicit officials; provide adequate resources to law enforcement agencies to conduct anti-trafficking operations; increase availability for specialized victim services, including long-term housing; train police, prosecutors, judges, and social workers on a victim-centered approach to investigations and prosecutions; devote resources to implement the 2016-2020 national action plan; strengthen engagement and coordination with civil society on technical, budgetary, and policy matters related to trafficking; improve data collection and sharing on anti-trafficking efforts, distinguishing human trafficking from other crimes; and expedite and fund repatriation and reintegration services to returning Bolivian trafficking victims.

PROSECUTION

The government did not report prosecution efforts and the lack of comprehensive data on investigations, prosecutions, and convictions made overall law enforcement efforts against human trafficking difficult to assess. Law 263 of 2012—the Comprehensive Law against Trafficking and Smuggling of Persons—prohibits all forms of trafficking and establishes penalties of 10 to 20 years imprisonment. These penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. Law 263 diverges from the international definition of trafficking in persons by classifying non-trafficking crimes, such as illegal adoption and the removal or sale of organs without the purpose of exploitation, as human trafficking. While law 263 creates separate criminal offenses for trafficking in persons and smuggling of persons, one government agency is responsible for both crimes, possibly leading to confusion in collection of data and in the response to perpetrators and potential victims of trafficking. Some police and prosecutors charged trafficking cases as non-trafficking crimes, such as pimping; this was sometimes due to a belief that trafficking cases were difficult to prove in court.

The government did not provide comprehensive data on the number of trafficking investigations or convictions in 2016. Trafficking and smuggling crimes reported to the Bolivian police increased to 526 in 2016, compared to 247 in 2015 and 380 in 2014. However, the government did not report any convictions during the reporting period, compared to the reported five convictions in 2015 and 12 in 2014. Media reported a government investigation of a case that resulted in the prosecution of six individuals under law 263. Three of those prosecuted were government officials—two members of the Santa Cruz state police and a municipal councilman. They were investigated in connection to an alleged trafficking ring based out of two popular nightclubs located in La Paz and Santa Cruz. At the end of the reporting period, the investigation and prosecutions were ongoing. While law 263 imposes a serious penalty for trafficking crimes, sources reported traffickers

could bribe prosecutors to avoid being charged. For the fourth consecutive year, no information was available regarding any government response to a 2013 report from the ombudsman's office that two police officers allegedly forced female inmates into prostitution. The La Paz police department's specialized anti-trafficking and anti-smuggling unit increased the number of police investigators to 25, whereas other departments' anti-trafficking and anti-smuggling units allotted three to five investigators. The government operated two national anti-trafficking and anti-smuggling police units, one focused on internal law enforcement efforts and the other on border security. Because of limited funding, police relied significantly on donations from NGOs and civil society to conduct operations, including anti-trafficking operations. The government and an international organization held a two-day training to familiarize public officials with the legal protocols relating to trafficking and smuggling; 120 individuals participated, including law enforcement, prosecutors, and judges.

PROTECTION

The government did not report protection efforts. Authorities did not provide information on the total number of victims identified, referred, assisted or the kinds of services these victims received. The government approved a protocol for the proactive identification of trafficking and smuggling cases, but implementation remained pending. An international organization reported assisting with the repatriation of six Bolivian victims with minimal assistance from the government. The Ministry of Health administered periodic medical tests to individuals in the legal commercial sex trade, but did not screen for trafficking indicators. The Ministry of Labor had 12 inspectors to investigate child and forced labor. Law 263 requires the Ministry of Labor to create a national registry of employment agencies with the intent to monitor for trafficking activity; however, authorities did not establish this mechanism during the reporting period, and NGOs expressed concern the registry would not address the many employment agencies that operate transiently and informally. NGOs reported the early prevention unit of the La Paz police department began coordinating with the anti-trafficking and anti-smuggling unit to provide psychologists and social workers for the early stages of investigation to provide immediate mental health services to victims.

The government relied on foreign donors and NGOs to fund and provide most victim services. Law 263 requires regional governments to build shelters for trafficking victims in each of Bolivia's nine departments; in 2016, there were no shelters, and only one department began construction of a shelter. Law 263 also requires the government to provide free access to services for victims, but the government did not provide adequate funding for such services. Police were often unable to secure safe accommodation for trafficking victims identified in raids and reportedly used personal funds at times to assist victims. The government did not provide any services to adult male victims. The government detained and housed boy trafficking victims with juvenile criminals due to a lack of alternative accommodations. Four departmental governments operated a total of five special victims units, which focused on providing legal and psychological services to victims of gender-based violence, but did not report whether they assisted any trafficking victims in 2016. Victims may provide written testimony rather than testifying in a court proceeding; most cases did not advance far enough for this to be an option, and the government did not report whether victims assisted in trials in 2016. Bolivian law allowed victims to seek civil damages, but there were no

reports of trafficking victims doing so in 2016. The government can legally provide foreign victims with humanitarian visas to remain in Bolivia temporarily and, if granted, enable victims to apply for a work permit; authorities did not report the number of humanitarian visas granted for 2016.

PREVENTION

The government maintained prevention efforts. During the reporting period, the government restructured its 2015-2019 smuggling and trafficking national action plan for 2016-2020, including allocating funding for this revised plan in the budget. In 2016, the government committed an estimated 14 million bolivianos (\$2.0 million), a decrease from the 18 million bolivianos (\$2.6 million) committed in 2015. According to the budget plan, an additional 17 million bolivianos (\$2.5 million) from international partners were committed to the plan. The Plurinational Council against Human Trafficking and Smuggling published a national policy to implement law 263 that required each department to develop anti-trafficking plans; two of nine departments developed and implemented a plan, and a third began drafting during the reporting period. Two sub-ministerial units were responsible for coordinating anti-trafficking efforts—the directorate of trafficking and smuggling in persons mandated by law 263 and the Office of Trafficking in Persons in the Ministry of Justice. Observers noted a lack of interagency coordination, in part due to overlapping mandates.

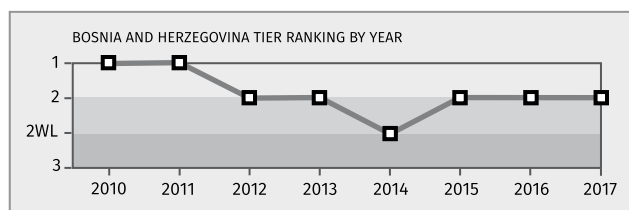
In 2016, an NGO headed the network of government officials and civil society organizations, previously organized by the human rights ombudsman, responsible for prevention efforts. The network coordinated efforts in four border cities to train municipal officials on trafficking issues and the implementation of policies to mitigate trafficking in their regions; further, it worked closely with schools to teach children how to avoid becoming victims of trafficking. Despite this platform for engagement, NGOs reported not having significant impact on policy and budgeting decisions or being involved in a significant way. Law 263 required media outlets to run public service announcements on trafficking; an estimated 38 percent of outlets complied, according to sources. The government created an observatory of trafficking crimes to collect information on trends, and law 263 mandated the Plurinational Council submit an annual report to Congress on its work; the report was not published by the end of the reporting period. Bolivia signed trilateral and bilateral agreements with Brazil and Peru on cooperation to reduce border related crimes, including trafficking. During the reporting period, Bolivia and Peru created a joint plan to advance their accord and an estimated 300 Bolivians and Peruvians officials participated in anti-trafficking training. Authorities conducted some anti-trafficking awareness events. In July, the government collaborated with an NGO to inaugurate a film festival, attended by 3,000 people, highlighting the realities of trafficking; several organized flash mobs accompanied the festival. In November, the police organized a "marathon for security" in La Paz to educate society on smuggling and trafficking. The Institute for Normalization of Quality, a semi-autonomous government agency, operated a "triple seal" certification program for sugar producers whose final products are certified to be free of child and forced labor, which could reduce the demand for forced labor. As of 2016, two companies had obtained the seal. The government did not report efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Bolivia is principally a source country for men, women, and children exploited in sex trafficking and forced labor within the country and abroad. To a more limited extent, women from neighboring countries, including Brazil, Colombia, and Paraguay, have been subjected to sex trafficking in Bolivia. Bolivia serves as a transit and destination country for migrants from Africa, Chile, and the Caribbean, some of whom become victims of forced labor and sex trafficking. Rural and poor Bolivians, most of whom are indigenous, and LGBTI youth are particularly vulnerable to sex and labor trafficking. Bolivian women and girls are found in sex trafficking within Bolivia and in neighboring countries such as Argentina, Brazil, Panama, Peru, and Chile. Within the country, Bolivian men, women, and children are found in forced labor in domestic work, mining, ranching, and agriculture. Media report cases of children forced to commit crimes, such as robbery and drug production, and others exploited in forced begging. A significant number of Bolivians are subjected to forced labor in Argentina, Brazil, and Chile in sweatshops, agriculture, domestic work, textile factories, and the informal sector. Traffickers exploit the absence of a national registry of employment agencies to establish informal temporary employment agencies, through which they identify and recruit potential victims. Some suspected traffickers reportedly bribe officials to avoid facing justice.

BOSNIA AND HERZEGOVINA: TIER 2

The Government of Bosnia and Herzegovina does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Bosnia and Herzegovina remained on Tier 2. The government demonstrated increasing efforts by the Federation Parliament's adoption of a human trafficking law consistent with the laws of the state, Republika Srpska, and Brcko District. The state and Brcko District courts sentenced officials complicit in human trafficking offenses and continued law enforcement cooperation with foreign governments. However, the government did not meet the minimum standards in several key areas. The victim referral mechanism lacked formal procedures and did not establish roles and responsibilities for relevant actors. Victims required official recognition from authorities to access support and assistance.



RECOMMENDATIONS FOR BOSNIA AND HERZEGOVINA

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose sentences that reflect the serious nature of the crime; formalize a multidisciplinary national referral mechanism with established roles, procedures, and responsibilities for relevant actors, including NGOs; provide assistance to all victims regardless of whether their traffickers are prosecuted; standardize victim assistance throughout the country and provide specialized assistance for male victims;

develop financial policies that effectively allocate funding for victim assistance; train judicial authorities on a victim-centered approach to prosecution; train first responders on victim identification and referral, particularly for those subjected to forced labor and forced begging; and integrate Romani groups into decision-making processes regarding victim protection.

PROSECUTION

The government increased law enforcement efforts. Bosnia consists of two entities within the state, the Federation of Bosnia and Herzegovina and the Republika Srpska (RS). Each entity has political, legislative, and judicial authority. The Brcko District (BD) is a self-governing unit under the jurisdiction of the state. Entity-level authorities address domestic trafficking offenses internal to their territories and state-level authorities address cases with international aspects. During the reporting period, the Federation Parliament adopted articles 210a and 210b, making the trafficking laws consistent with the state, RS, and BD. Article 210a criminalizes sex trafficking, forced labor, and trafficking of a child with a minimum prescribed penalty of five years and a minimum of 10 years for trafficking of children. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 210a also criminalizes the use of services from a trafficking victim with imprisonment for six months to five years. Article 186 of the state-level criminal code prohibits sex trafficking and forced labor if the victim is exploited in a country in which he or she does not reside or have citizenship; the law punishes these crimes with a minimum of five years imprisonment. Article 186 also prescribes a mandatory minimum of 10 years imprisonment for offenses committed involving a child. RS and BD prohibit sex trafficking and forced labor with minimum prescribed penalties of three and five years respectively. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The State Prosecutor's Office launched an investigation against one suspect, the same number as in 2015, issued no indictments, and suspended two separate investigations of two suspects. This was a decrease from one person indicted in 2015 and 13 persons indicted in 2014 for subjecting 672 persons to labor trafficking; the latter case—Bosnia's largest indictment for trafficking in the country's history—remained ongoing during the reporting period. The state convicted two persons, compared to zero convictions in 2015 and 2014; both traffickers received sentences of three years imprisonment. RS, BD, and Federation authorities increased law enforcement efforts overall. Federation authorities investigated 25 trafficking suspects prior to the adoption of Article 210a and 210b and investigated four suspects under the new article, compared to 10 suspects investigated in 2015. Federation prosecutors indicted 21 persons, an increase from four in 2015. Federation courts convicted six persons, compared to eight in 2015. One person received four months imprisonment, two persons received three years, and three persons received a two-year suspended sentence. RS authorities investigated 12 trafficking suspects but issued no indictments, compared to investigating five trafficking suspects and indicting two persons in 2015. RS did not report statistics on convictions. BD courts convicted two persons to eight months of imprisonment and acquitted one person, compared to 0 convictions in 2015. Cases in which perpetrators received sentences less than those for other serious crimes undermined the government's record of vigorously investigating and prosecuting traffickers.

All three police academies maintained basic and advanced

courses on trafficking and the national state government continued to provide basic training for prosecutors and judges on trafficking cases. The state, in partnership with OSCE, trained prosecutors and judges on labor trafficking and on interviewing techniques for child trafficking victims. However, the government reported the low understanding of forced labor and forced begging among relevant actors remained an issue. Corruption and official complicity in trafficking crimes remained significant concerns. During the reporting period, the state court and a Bosnian consular official entered a plea bargain for involvement in trafficking-related crimes and was sentenced to 11 months imprisonment; the Bosnian consular official, based in Paris, was charged with sustained abuse of position for issuing travel documents to facilitate the movement of potential labor trafficking victims in exchange for money. In another case, Federation courts convicted a Federation police officer and sentenced the officer to three years and three months of imprisonment for enticement to prostitution for coercing his partner to provide sexual services to clients in exchange for money.

The government increased law enforcement cooperation with foreign governments; however, the lack of bilateral agreements regarding witness protection created obstacles for witnesses and victims to participate effectively in international investigations. During the reporting period, state authorities in coordination with law enforcement in Serbia and Germany conducted synchronized raids and arrested 11 members of an organized crime group in Serbia and Bosnia and Herzegovina for trafficking and recruiting young women and girls from Bosnia and Herzegovina and Serbia for exploitation in Germany. State prosecutors assisted the Netherlands and Austria in a joint investigation of a Bosnian and Croatian married couple forcing six Roma children to pickpocket in the Netherlands. Bosnian and French law enforcement officials, with the support of the EU's Judicial Cooperation Unit, maintained a joint investigative team.

PROTECTION

The government maintained victim protection efforts. The government identified 44 trafficking victims in 2016, an increase from 31 victims in 2015. Of these, six were victims of sex trafficking, 32 of forced labor, and six of both sex trafficking and forced labor, compared to seven of sex trafficking and 24 of forced labor in 2015; 26 were female and 18 were male, compared to 23 and 8, respectively, in 2015; 10 were children, compared to 14 in 2015; and there were four foreign victims compared to zero in 2015. The state coordinator acknowledged there were additional victims who likely did not come to the attention of authorities.

The Ministry of Human Rights and Refugees allocated 60,000 marks (\$32,327) for assistance to domestic trafficking victims, the same amount as in 2015. Domestic victims did not have to stay at the shelters to receive reintegration assistance. The Ministry of Security allocated 70,000 marks (\$37,716) for assistance to foreign victims, a significant decrease from 120,000 marks (\$64,655) in 2015. Funding for victim assistance was disproportionately lower for domestic victims, although they constituted the majority of identified victims. The funds to assist foreign victims were returned to the state budget when no foreign victims were identified and were not reallocated for domestic victim assistance. An international organization reported the victim's ability to access assistance and support were contingent on law enforcement initiating an investigation and a prosecutor providing official victim status. Observers

reported the victim referral mechanism lacked formalized procedures, roles, and responsibilities for relevant actors. Authorities referred 13 victims to NGO-run shelters; officials provided assistance to victims only if they proactively requested it. The state amended regulations allowing foreign victims to voluntarily leave shelters without a chaperone. Shelters accommodated male trafficking victims but did not offer them specialized services. Seven government-run social welfare centers provided assistance to children involved in begging or working on the streets and identified 28 potential child trafficking victims. Law enforcement identified most trafficking victims, but other identification channels included drop-in centers operated by NGOs for street children, mobile teams, hotlines, and interaction with officials from schools and clinics. Labor inspectors were newly included in the referral process.

Observers reported law enforcement and prosecutors were often unwilling to pursue investigations and prosecutions against a child's parents, particularly with Roma families, even if they were involved in subjecting the child to trafficking; shelters would subsequently return the child to their parents. Furthermore, GRETA documented child victims were intimidated during trials and authorities did not use available legal protections to shield them from threats and re-victimization. Sub-state laws against enticement to prostitution permitted law enforcement to treat children 14 years and older as juveniles willingly engaged in prostitution instead of victims of rape or sex trafficking crimes; however, during the reporting period, there were no reports of victims detained, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Criminal codes of the state, BD, and Federation contain provisions exempting trafficking victims from prosecution for such acts. Foreign victims were eligible for a humanitarian visa allowing them to temporarily live and work in Bosnia and victims were permitted a 30-day reflection period to determine whether they wanted to request a visa. Trafficking victims could seek restitution through criminal or civil suits. During the reporting period, a district court upheld an appeal made by an NGO that filed the first lawsuit for non-material compensation on behalf of four trafficking victims and returned the case before the district court.

PREVENTION

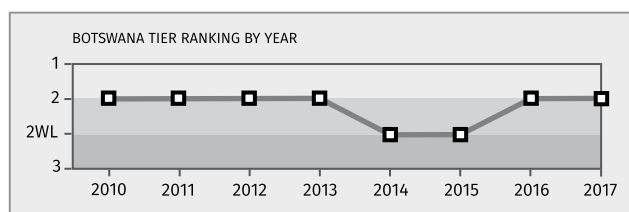
The government maintained efforts to prevent trafficking. The government continued to implement the 2016-2019 national anti-trafficking action plan, including specific efforts, in partnership with OSCE and NGOs, to improve identification and protection of trafficking victims. A nationwide interagency taskforce met monthly to monitor the progress of trafficking investigations and prosecutions. Regional monitoring teams also met regularly to monitor the referral process. The government incorporated labor inspectors, mental health centers, and representatives of daily centers for children into the regional monitoring teams. State and entity-level governments, in partnership with OSCE and NGOs, organized two multidisciplinary trainings with a human trafficking component for 85 labor inspectors. The government allocated \$5,500 to 16 NGOs for activities associated with the 2016 European Anti-Trafficking Day. The Ministry of Defense continued to provide training on identifying and reporting trafficking to peacekeepers in the country. The government continued public prevention campaigns targeting the demand for commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Bosnia and Herzegovina is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. In 2016, victims from Cuba, Gambia, and Serbia were subject to trafficking in Bosnia. Bosnia is a transit country for Ukrainians subjected to trafficking in Germany. Bosnian women and girls are subjected to sex trafficking within the country in private residences, motels, and gas stations. Economically marginalized Romani children are subjected to forced begging and involuntary domestic servitude in forced marriages. Foreign women and girls from European countries are vulnerable to sex trafficking within the country. Bosnian victims are subjected to sex trafficking and forced labor in construction and other sectors in countries across Europe including Croatia, France, Serbia, Slovenia, and Austria. Corruption creates an environment enabling some trafficking crimes.

BOTSWANA: TIER 2

The Government of Botswana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Botswana remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting more trafficking cases than in the previous reporting period and obtaining its first trafficking conviction under the 2014 Anti-Human Trafficking Act. The government also identified more victims of trafficking, established a specialized anti-trafficking unit, and appointed two officials, trained on human trafficking, to monitor the investigation and prosecution of trafficking cases. However, the government did not meet the minimum standards in several key areas. The government did not amend the 2009 Children's Act to include in the definition of child trafficking, the commercial sexual exploitation of children without requiring the means of force, coercion, or movement. The government's efforts to protect victims were uneven. In the government's first trafficking conviction, the trafficker served only eight months of an 18-month sentence in prison, although the government's appeal of that sentence was pending at the end of the reporting period.



RECOMMENDATIONS FOR BOTSWANA

Formalize the system to refer victims to social services and ensure all victims receive protective services; amend the anti-trafficking laws to ensure penalties are sufficiently stringent by eliminating fines in lieu of prison time and disallow suspended sentences when sentencing convicted traffickers; increase efforts to investigate, prosecute, and convict traffickers; implement formal victim identification procedures for all stakeholders, including law enforcement and immigration officials, and train officials on the procedures; continue to encourage victims to participate in the investigation and prosecution of traffickers through formal procedures; develop guidelines for specific

protective services for trafficking victims, to be provided either directly or in partnership with NGOs; continue to conduct awareness campaigns, particularly in rural areas; and provide anti-trafficking training to diplomatic personnel.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2014 Anti-Human Trafficking Act criminalizes all forms of trafficking, essentially tracking international law and making it a crime to use force, fraud or coercion for the purpose of exploitation. The 2014 Act defines "exploitation" broadly to include not only forced labor and prostitution, but also forced or child marriage and child labor. The Act prescribes penalties for sex and labor trafficking of up to 25 years imprisonment or a fine of 500,000 pula (\$46,852), which are sufficiently stringent; however, allowing for a fine in lieu of imprisonment for sex trafficking is not commensurate with the penalties for other serious crime, such as rape. Similarly, provisions of the Children's Act criminalize various forms of child trafficking, subject to fines or imprisonment of both. Sections 57 of the 2009 Children's Act makes it a crime to induce, coerce or encourage a child to engage in prostitution, subject to two to five years imprisonment and/or a fine of 50,000 pula (\$4,685). Section 114 of the Children's Act makes it a crime to abduct or sell any child or to use any child to beg, subject to a fine of between 30,000 (\$2,811) and 50,000 pula (\$4,685), imprisonment of five to 15 years, or both.

The government investigated 12 trafficking cases and prosecuted 18 defendants under the 2014 Act, compared with five investigations and seven prosecutions in the previous reporting period. The government secured its first ever trafficking conviction, which was under the Anti-Human Trafficking Act. The High Court sentenced the trafficker, a South African woman, to 18-months imprisonment, nine of which were suspended. The Directorate of Public Prosecutions (DPP) appealed the sentence to seek a more stringent penalty; the appeal was pending at the close of the reporting period. The DPP established a specialized anti-trafficking unit and appointed two trained focal points, one law enforcement officer and one prosecutor, to monitor the investigation and prosecution of trafficking cases. The government did not report any investigations, prosecutions, or convictions of officials complicit in human trafficking offenses.

In June 2016, the Ministry of Defense, Justice, and Security (MDJS) and a consortium of international organizations and donors hosted a course for trainers of criminal justice practitioners and law enforcement on employing a victim-centered approach in investigations and prosecutions. The government provided transportation for law enforcement officers stationed countrywide to participate in the training. In December 2016, the DPP conducted a one-day workshop on the Anti-Human Trafficking Act for judges of the Industrial Court responsible for labor disputes. Additionally, the police service included in its curriculum a section on human trafficking to educate recruits on the anti-trafficking law, victim identification, and investigation of human trafficking cases. The government requested mutual legal assistance and completed joint investigations with Zimbabwe, Zambia, and Kenya on trafficking cases.

PROTECTION

The government maintained uneven efforts to identify and protect trafficking victims. The government identified 27 victims during the reporting period—four child sex trafficking victims,

three child victims of forced labor, and 20 adult victims of forced labor—an increase from six victims identified during the previous year. However, the government’s referrals of victims for assistance were limited. It referred four girls to an NGO-run shelter to receive protective services. The government did not provide formal written procedures to guide social service, law enforcement, or immigration officials in proactively identifying victims of trafficking among vulnerable populations. The NGO-run shelter used its own assessment process for victim eligibility for admission to the shelter and access to care services. The government had not fully operationalized the victim referral measures detailed in the 2014 Act. The government paid for legal expenses and repatriation of a Motswana child trafficking victim exploited in Canada during the reporting period. The government was not known to have penalized trafficking victims for crimes committed in relation to being subjected to trafficking. The government encouraged victims to assist in the investigation and prosecution of traffickers by providing housing and food throughout the period of investigation. All trafficking victims voluntarily provided written testimony as evidence. However, due to a slow judicial process, one foreign child victim had to remain in Botswana for a prolonged period of time to testify during the lengthy trial process.

PREVENTION

The government increased prevention efforts. In December 2016, the MDJS conducted a workshop for recruitment agencies to raise awareness of human trafficking and highlight potential vulnerabilities in liaising with international recruitment agencies. The ministry also issued a press release following the training to advise citizens and agencies to consult with government officials if they encountered a dubious employment offer. In January 2017, MDJS, in collaboration with an international organization, hosted training for civil society, which included a session on law enforcement and civil society cooperation on anti-trafficking advocacy and awareness raising. MDJS officials also held awareness and capacity building sessions on human trafficking with social workers, district council members, and students throughout the country. The DPP trained nationals of Zambia, Zimbabwe, and Swaziland on anti-trafficking. The Anti-Human Trafficking Committee, established under MDJS in the previous reporting period in accordance with the 2014 act, met four times during the reporting period. The committee and MDJS did not complete a national action plan, which it began drafting during the previous reporting period. The government did not make efforts to reduce the demand for commercial sex acts or forced labor during the reporting period. It did not provide anti-trafficking training for its diplomatic personnel.

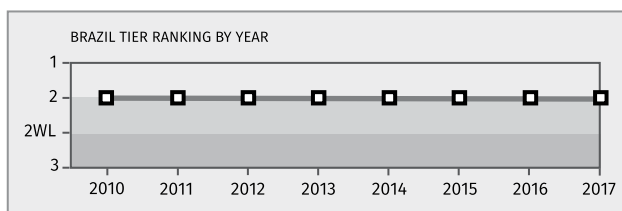
TRAFFICKING PROFILE

As reported over the past five years, Botswana is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Residents of Botswana most vulnerable to trafficking are unemployed women, the rural poor, agricultural workers, and children. Some parents in poor rural communities send their children to work for wealthier families as domestic servants in cities or in agriculture and cattle farming in remote areas, increasing their vulnerability to forced labor. Young Botswana serving as domestic workers for extended family may be denied access to education and basic necessities or subjected to confinement or verbal, physical, or sexual abuse—conditions indicative of forced labor. Botswana girls and women are possibly exploited in prostitution within the country, including in bars and by truck drivers along major highways. Some women may be subjected to trafficking

internally or transported from neighboring countries and subjected to sexual exploitation. Officials confirmed adults and children of the San ethnic minority group are subjected to labor conditions on private farms and cattle posts in Botswana’s rural west that might rise to the level of forced labor. Undocumented migrant Zimbabwean children might be vulnerable to trafficking in Botswana. There has been no comprehensive international or domestic study of trafficking trends within the country.

BRAZIL: TIER 2

The Government of Brazil does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Brazil remained on Tier 2. The government demonstrated increasing efforts by passing a comprehensive anti-trafficking law, investigating and prosecuting suspected traffickers under the new law, conducting more prevention campaigns, beginning the development of a centralized judicial database to track trafficking cases, and making efforts to reduce demand for forced labor. However, the government did not meet the minimum standards in several key areas. The government did not report the total number of final convictions its courts issued during the year or the number of victims that received assistance in the latter part of 2016. Further, the government did not provide specialized shelters for victims of trafficking or adequate long-term care. The lack of adequate care left victims vulnerable to re-trafficking.



RECOMMENDATIONS FOR BRAZIL

Vigorously investigate and prosecute trafficking cases and convict and punish traffickers, including complicit officials; prosecute labor traffickers in criminal courts; increase funding for specialized services, including housing for victims of sex trafficking and forced labor; improve federal and state law enforcement cooperation and communication on trafficking cases; enhance efforts to identify child victims in domestic servitude and sex trafficking; robustly implement the anti-trafficking law and make full use of institutions and mechanisms already in place; train federal, state, and municipal law enforcement officials on proactive identification of victims; amend the 2016 anti-trafficking law to criminalize child sex trafficking without elements of force, fraud, or coercion; update referral mechanism guidance to reflect the provisions covered under the new law; increase specialized services for child trafficking victims, including case management assistance and oversight of local guardianship councils; collect judicial case data from all states to improve and better understand the response to trafficking cases; increase efforts to investigate cases of labor trafficking and add more labor inspectors trained to recognize and report indicia of forced labor; and finalize and begin implementing the third national action plan for the elimination of trafficking.

PROSECUTION

The government maintained law enforcement efforts. In October 2016, the government passed law 13.344, a comprehensive anti-trafficking law that criminalizes all forms of trafficking in persons and updated existing statutes to generally harmonize the definition of trafficking with international law. Article 149a of the new anti-trafficking law criminalizes brokering, enticing, recruiting, transporting, transferring, buying, harboring, or receiving a person by grave threat, violence, coercion, fraud, or abuse for the purpose of organ removal, forced labor (any kind of servitude or conditions analogous to slavery), illegal adoption, or sexual exploitation. Although article 149a does not appear to include an exemption from force, fraud, or coercion for the sex trafficking of children, article 244A of the child and adolescent statute criminalizes inducing a child to engage in sexual exploitation, without the need to prove that means of force, fraud, or coercion were used. Article 149 prohibits *trabalho escravo*, or reducing a person to a condition analogous to slavery, defining forced labor to include degrading work conditions and exhausting work hours, going beyond situations in which people are held in service through force, fraud, or coercion. While not all individuals in *trabalho escravo* are forced labor victims, many are. In 2016, Brazilian lawmakers introduced legislation to redefine *trabalho escravo* to only include instances of forced labor. The new anti-trafficking law increases prescribed penalties to four to eight years imprisonment and a fine, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The sentence can be reduced by one- to two-thirds if the defendant is a first-time offender, acted alone and not as part of a criminal organization. Penalties can be increased by one-third to one-half if the crime was committed by a public official; the victim is a minor or a disabled person; there is a personal or familial relationship with the victim; or if the victim was removed from the country.

Contrary to previous years when law enforcement data might have included state and federal efforts, the 2016 investigation and prosecution data only includes information under federal jurisdiction. In 2016, authorities reported 103 new and ongoing investigations under articles 231 and 231a, 22 new and 20 ongoing investigations under article 149, and 22 investigations under article 149a of the new anti-trafficking law (compared with 374 ongoing and 97 new investigations under articles 231 and 231a, and 296 investigations under article 149 in 2015). The government reported 104 new or ongoing prosecutions under articles 231 and 231a; 31 ongoing prosecutions under article 149; and six new prosecutions under the new anti-trafficking law, three under article 149 and three under article 149a (compared with 97 new or ongoing prosecutions under articles 231 and 231a, and 65 under article 149 in 2015). Authorities reported one final trafficking conviction in a higher court and 22 convictions by lower courts, compared with 12 convicted traffickers in lower courts in 2015. The government did not report the number of investigations and prosecutions in the lower courts. Most sex and labor traffickers convicted by lower courts appealed their convictions; there were 29 appeals related to trafficking cases in federal court system in 2016 (compared with 43 in 2015). The appeals process lasted years and hampered Brazil's overall law enforcement efforts. Authorities estimated 102 million cases were pending review in the Brazilian court system in 2015 and rulings in eight of every 10 cases were not enforced due to recurring appeals. The government did not report the length of sentences given; however, most convicted traffickers served these sentences under house arrest or by spending only nights in prison while being free during the day. The government treated forced labor as a distinct crime

from sex trafficking. The Ministry of Labor's (MOL) inspectors, prosecutors, and courts handled cases of *trabalho escravo*. This resulted in uneven interagency coordination of anti-trafficking efforts. Labor inspectors and labor prosecutors could apply only civil penalties, and the government did not report criminal prosecution of any *trabalho escravo* cases. The MOL conducted 5,376 inspections in 2016, a decrease from 7,263 inspections in 2015, following eight months of strikes by labor inspectors.

The Brazilian Federal Police (DPF) had a unit in every state and was involved in the investigation of most trafficking crimes. In some states, the DPF worked efficiently with state and municipal law enforcement entities; however, law enforcement cooperation and communication among the DPF and state and municipal entities was generally insufficient. Law enforcement units at all levels had insufficient funding, expertise, and staff to investigate trafficking. NGOs indicated that, for the most part, the DPF competently handled identified trafficking cases; however, specialized training for all law enforcement entities on trafficking indicators was lacking. In Sao Paulo, the municipal government trained the police to detect signs of trafficking. During the reporting period, the government collaborated with an international organization to provide a five-day training for several judges and prosecutors on the implementation of the new anti-trafficking law. In 2016, the National Justice Council (CNJ) launched FONTET—a national forum tasked with increasing judicial efficiency in the handling of trafficking cases and ensuring that victims are not penalized for crimes committed as a result of being subjected to human trafficking. CNJ and FONTET jointly began centralizing judicial case information into a database where the status of all cases pending in Brazilian courts, including trafficking cases, would be available; however, the database did not include data from all states. In December 2016, the Inter-American Court for Human Rights ruled against Brazil in a historic case where for the first time it fined a country for failing to prevent slavery within its borders and ordered the government to pay \$5 million to 128 farm workers who were enslaved from 1988 to 2000 and to reopen the investigation. Some cases of official complicity remained open. The investigation of an elected official, who in October 2016 was removed from his position in Parana state after allegations of involvement in a child sex trafficking ring, remained ongoing. An appeal by the prosecution of an inadequate sentence given to a civil police investigator for his involvement in a prostitution ring involving children remained ongoing. After filing a habeas corpus petition, courts released a former state legislator sentenced to 12 years imprisonment for trafficking crimes after four months.

PROTECTION

The government maintained efforts to protect victims, although it was difficult to assess victim identification and assistance efforts as government entities used different definitions of trafficking. Authorities continued to use guidance provided by the Ministry of Justice (MOJ) for all federal, state, and local governments on victim identification and assistance, but the government did not report updating the guidance to reflect requirements and provisions of the new legislation. Law 13.344 mandates the government to provide victims with temporary shelter, legal, social, and health assistance, and protection against re-victimization. In 2016, the government, in conjunction with an international organization, developed specific guidance for assistance to migrants, refugees, returned Brazilians, and trafficking victims in border areas. Sixteen of 27 state governments operated state-level anti-trafficking offices (NETPs) that referred victims to social assistance centers

(CREAs). NETPs varied in effectiveness and generally only referred victims of sex trafficking crimes. CREAs also worked with victims of sexual abuse, exploitation, and domestic violence. Specialized MOL divisions provided victims of forced labor job training services, three months of unemployment pay, and limited counseling services. Observers indicated some of the NETPs had effective assistance and coordination teams comprised of police offices, prosecutors, and mental health professionals, whereas other state offices were not as well equipped to assist victims. The anti-trafficking offices that are located in major points of transport, like airports and bus stations, and NETPs released their semester report for the first half of 2016 and reported monitoring 237 trafficking cases, providing services to 383 individuals, including 233 children and adolescents, and reaching 10,183 individuals through seminars, lectures, and trainings. For the same period in 2015, the government reported providing services to 528 potential sex trafficking and 176 potential labor trafficking victims. MOL mobile inspection units identified 885 laborers in situations of *trabalho escravo* in 2016, (1,010 in 2015 and 1,509 in 2014) more than 50 percent in agriculture and ranching. Officials did not report the number of victims of domestic servitude or commercial sexual exploitation of children identified in 2016.

The federal government did not fund specialized or long-term shelters for trafficking victims; instead, it often placed them in shelters for victims of domestic violence or centers for migrant assistance. There were no specialized services for male and transgender sex trafficking victims. Specialized shelters for child sex trafficking victims were lacking, and guardianship councils often did not have the expertise or resources to identify child victims correctly and refer them to services. General victim services and shelters varied in quality from state to state and generally remained underfunded and inadequate. The state of Sao Paulo maintained a shelter where female victims of trafficking and their children could receive health benefits, education, food, and housing for three to six months. Another shelter in the same state provided temporary assistance for refugees and trafficking victims, but the government did not report how many victims stayed at the shelter. In 2016, there were 2,521 specialized social assistance centers across the country where psychologists and social workers assisted vulnerable people (compared with 2,374 centers in 2015.) In 2016, many centers remained underfunded; however, 988 centers were certified to assist trafficking victims an increase from 675 centers in 2015. Authorities reported assisting 843 trafficking victims (598 men, 182 women, 33 boys, and 30 girls) in 2016, compared with 673 trafficking victims assisted in 2015 (363 men, 185 women, 55 boys, and 70 girls.)

Most identified victims of *trabalho escravo* remained vulnerable to re-trafficking due to lack of adequate assistance and limited employment options; however, the government sought to address this issue by offering vocational training. State governments in Mato Grosso, Bahia, Rio de Janeiro, and the “Bico do Papagaio” region continued to offer vocational training to victims of *trabalho escravo*. The ministries of labor and social development continued to provide *trabalho escravo* victims access to public services by including the victims in the registry for social programs, granting them priority access to a cash transfer program, unemployment insurance, subsidized low-income housing, a 60 percent discount on energy bills, and technical assistance—all implemented at municipal-level centers for social assistance.

During the reporting period, the MOJ reported the judicial system began incorporating live video testimony into trials to

encourage victims of crimes to testify against their perpetrators and do so from the location of their choice. Authorities indicated video testimony had not been used in a trafficking trial yet. Sex trafficking victims serving as witnesses were eligible for a short-term protection program, although authorities did not report how many victims received protection in 2016, compared with two trafficking victims who received protection in 2015. Foreign sex trafficking victims were entitled to permanent visa status, but authorities did not report how many victims received it in 2016, compared to one victim in 2015. The government provided repatriation assistance for Brazilian nationals subjected to trafficking abroad, as well as for foreign nationals who were subjected to trafficking in Brazil who wish to return to their country of origin. It was unclear how many victims received repatriation assistance in 2016. There were no reports of victims penalized for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government increased prevention efforts. The 2013-2016 second national action plan for the elimination of trafficking expired in December 2016. The anti-trafficking inter-ministerial group held consultations with civil society to discuss lessons learned and met to analyze progress made on the second national action plan. In coordination with civil society, the government began planning a third national action plan. Coordination among agencies working on anti-trafficking initiatives at the national and state level was uneven and varied in efficacy. State and federal authorities reported reduced budgets and other pressing government priorities limited, and will continue to limit, their ability to implement anti-trafficking efforts. Federal, state, and municipal entities undertook anti-trafficking initiatives and awareness efforts. The government continued to participate in the Blue Heart campaign focused on raising awareness on the plight of trafficking victims and gaining political support for the prosecution of traffickers. Municipal and state governments hosted workshops, trainings, performances, and roundtable discussions to commemorate World Day Against Trafficking. In Rio de Janeiro, the state government, in collaboration with an NGO, conducted awareness campaigns to educate the public on the dangers of false employment opportunities. In March 2017, the MOL resumed publication of the *lista suja*, or dirty list, after a nearly three-year legal dispute over its release. The list identified individuals and businesses responsible for *trabalho escravo*. Businesses listed were denied access to credit by public and private financial institutions. In 2017, the list included 68 businesses, compared with 609 businesses listed in May 2014, when it was last released. Authorities continued efforts against child sex tourism by enhancing law enforcement cooperation and information sharing with foreign governments; however, the government did not report any new investigations, prosecutions, or convictions of child sex tourists in 2016. In collaboration with a network of religious leaders in 26 states, the government launched a campaign to promote general awareness of trafficking in persons and preventing sex tourism. Military troops received anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

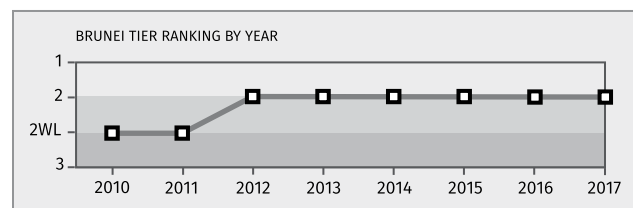
TRAFFICKING PROFILE

As reported over the past five years, Brazil is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Brazilian women and children are exploited in sex trafficking within the country; federal police

report higher rates of children exploited in sex trafficking in the north and northeast regions. Brazilian women are subjected to sex trafficking abroad, especially in Western Europe and China. Women and girls from other South American countries, including Paraguay, are exploited in sex trafficking in Brazil. Transgender Brazilians are forced into prostitution in Brazil. Brazilian men and transgender Brazilians have been exploited in sex trafficking in Spain and Italy. Child sex tourism remains a problem, particularly in resort and coastal areas; many child sex tourists are from Europe, and to a lesser extent, the United States. Some Brazilian men, and to lesser extent women and children, are subjected to *trabalho escravo* and debt bondage in rural areas, including in ranching, agriculture, charcoal production, logging, and mining. Exploitation of workers is sometimes linked to environmental damage and deforestation, particularly in the Amazon region. Brazilians are also found in *trabalho escravo* in urban areas in construction, factories, and the restaurant and hospitality industries. Brazilian women and children, as well as girls from other countries in the region, are exploited in domestic servitude; approximately 213,000 children are employed as domestic workers in Brazil. Some Brazilian trafficking victims are forced to engage in criminal activity, including drug trafficking, in Brazil and neighboring countries. Brazilian forced labor victims have been identified in other countries, including in Europe. Men, women, and children from other countries—including Bolivia, Paraguay, Haiti, and China—are subjected to forced labor and debt bondage in many sectors, including construction; the textile industry, particularly in Sao Paulo; and small businesses. NGOs and officials report some police officers ignore the exploitation of children in sex trafficking, patronize brothels, and rob and assault women in prostitution, impeding identification of sex trafficking victims. Government officials and former officials have been investigated and prosecuted for *trabalho escravo*.

BRUNEI: TIER 2

The Government of Brunei does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Brunei remained on Tier 2. Increased efforts included convicting its first trafficker in four years; expanding victim protection measures during judicial proceedings; and carrying out victim screening procedures while strengthening investigations into alleged labor abuses that may amount to trafficking. However, the government did not meet the minimum standards in several key areas. Authorities leveled criminal charges against some foreign victims and deported or fined others for unlawful acts committed as a direct result of having been subjected to trafficking. Courts issued lighter sentences for trafficking crimes than those prescribed by law.



RECOMMENDATIONS FOR BRUNEI

Increase efforts to investigate, prosecute, convict, and punish

both sex and labor traffickers, including complicit government officials, and ensure the imposition of sufficiently stringent penalties; increase protective services to provide incentives for victims to participate in investigations and prosecutions, including by allowing adult victims in government shelters to move freely and by issuing work permits to all victims; cease the arrest, deportation, and punishment of trafficking victims for crimes committed as a direct result of their being subjected to trafficking; allocate resources for the completion of the pending dedicated trafficking victims' shelter and expand existing shelter services to accommodate adult male trafficking victims; train officials on implementation of proactive procedures to identify trafficking victims among vulnerable groups; train judges on accurate and effective implementation of anti-trafficking laws; allocate government resources to the victims' fund established under the 2004 law and allow those funds to be paid directly to victims as restitution; strengthen efforts to enforce laws prohibiting acts that facilitate trafficking, such as retention or confiscation of migrant workers' identity documents; offer foreign victims long-term alternatives to removal from the country; expand comprehensive and visible anti-trafficking awareness campaigns directed at employers of foreign workers and clients of commercial sex; approve and implement the national action plan; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. The 2004 Trafficking and Smuggling of Persons Order prohibits both sex and labor trafficking and prescribes punishments of up to 30 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. The penal code prohibits travel outside the country for commercial sex with children, prescribing a punishment of up to 10 years imprisonment. Upon referral by other agencies, the Human Trafficking Unit (HTU) of the Royal Brunei Police Force screened for trafficking indicators in cases involving prostitution, unpaid wages, workers fleeing their place of employment, or physical abuse of workers. It is unclear how many cases of potential trafficking the government investigated in 2016, compared with 66 cases in 2015. Referrals to HTU led to one investigation into a suspected forced labor case involving an unregistered employment agency, which was ongoing at the end of the reporting period, and prosecutions against three Thai nationals for sex trafficking. Authorities convicted the three Thai nationals—the first convictions under trafficking provisions since 2012. Courts sentenced all three individuals to four years in prison and fines of USD \$22,250, USD \$14,836, and USD \$7,418, respectively, but all three accepted added time to their prison sentences ranging from 10 to 30 months in lieu of paying the fines. Other HTU investigations resulted in prosecutions for non-trafficking offenses, such as human smuggling or labor violations. Courts also convicted and fined a Malaysian national for engaging in a sex act with a Bruneian minor forced into prostitution, but it was unclear if the courts also imposed a prison sentence on that defendant in accordance with the prescribed penalty. One additional sex trafficking prosecution from 2012 remained pending. During the reporting period, the HTU worked with domestic law enforcement and Philippine officials to investigate an alleged debt bondage and sex trafficking case in Malaysia, culminating in the victim's rescue and repatriation. In previous years, government officials have been investigated for complicity in trafficking offenses, including domestic servitude, although no such investigations, prosecutions, or convictions took place during the reporting period.

PROTECTION

The government increased efforts to protect victims. To reduce the risk of victim re-traumatization, the Attorney General's Chambers (AGC) enacted a legislative amendment allowing victims who are unwilling to testify in court to provide evidence via video link; it was unclear if this provision was implemented during the reporting period. The HTU continued to employ standardized interview questionnaires to screen and identify potential trafficking victims when apprehending persons in prostitution or when accompanying immigration and labor officials on operations with suspected trafficking elements. However, authorities only employed identification measures after detaining these victims during law enforcement operations and charging them with prostitution. Officials apprehended foreign women and children during brothel raids and detained and deported many for labor or immigration violations. According to one NGO, this practice perpetuated victims' fear of communicating with law enforcement officers, culminating in significant identification and service provision gaps. The government maintained a secured, general-purpose shelter that was available to female trafficking victims and male trafficking victims under the age of 18, but required victims to apply to leave the shelter, and only with a chaperone; no facilities were available for adult male trafficking victims. During the reporting period, one individual received assistance at the shelter, and authorities referred four Indian nationals to their local embassy for protective services. The government was in the process of renovating a dedicated shelter for trafficking victims at the end of the reporting period.

The 2004 law established a fund to compensate victims and cover repatriation costs. However, convicted traffickers' ability to elect additional prison time in lieu of paying fines resulted in the fund's continued lack of resources. Negotiations were ongoing between relevant ministries regarding government contributions to the fund at the end of the reporting period; as such, the government did not allocate funding for this mechanism. By law, foreign trafficking victims can acquire a temporary stay while the government works with relevant local embassies to obtain new travel documents or repatriation assistance, and victims are eligible for temporary work passes on an ad hoc basis; it was unclear how many victims benefited from these provisions. The government offered no long-term alternatives to removal for victims who may face hardship or retribution upon return to their home countries.

PREVENTION

The government maintained limited efforts to prevent trafficking. During the reporting period, the government conducted training for labor and immigration officials and NGOs, and it carried out targeted public awareness-raising campaigns. In 2016, the immigration department conducted nine roadshows to educate businesses and employees on employment laws, recruitment, and labor rights; the campaign reached 555 companies around the country, compared to 1,200 in the previous year. The government disseminated information to the public making it clear employers should not withhold workers' passports, but it did not initiate any prosecutions against employers or agencies for passport retention; the practice remained widespread. The government did not complete its draft national action plan to combat trafficking, but authorities reported implementing its provisions during anti-trafficking efforts. Government-influenced media continued to publish articles related to trafficking—particularly regarding investigations and legal proceedings against employers suspected of labor violations—as well as the list of registered employment agencies in both English

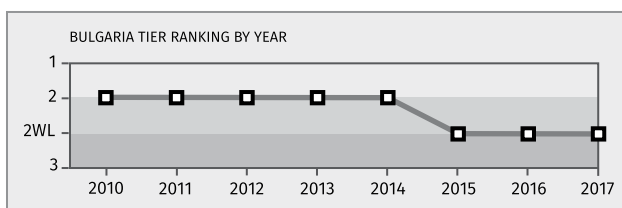
and Malay. The government increased public messaging on the consequences of violating workers' rights and labor laws, but did not make efforts to decrease the demand for commercial sex acts. Unlike in prior years, the government trained diplomatic personnel departing for posts overseas on trafficking indicators. It did not accede to the 2000 UN TIP Protocol, but took some legislative steps to do so.

TRAFFICKING PROFILE

As reported in the last five years, Brunei is a destination and transit country for men, women, and children subjected to forced labor and sex trafficking. Men and women from Indonesia, Bangladesh, China, the Philippines, Thailand, and Malaysia migrate to Brunei primarily for domestic work, or on social visit passes or tourist visas. Upon arrival, some are subjected to involuntary servitude, debt bondage, non-payment of wages, passport confiscation, physical abuse, or confinement. Some migrants who transit Brunei become victims of sex or labor trafficking upon arrival in Malaysia or Indonesia. Some Bruneian women and girls are subjected to sex trafficking domestically. Although it is illegal for employers to withhold wages of domestic workers for more than 10 days, some employers withhold wages to recoup labor broker or recruitment fees, or to compel the continued service of workers. Retention of migrant workers' travel documents by employers or agencies remains a widespread practice, although the law prohibits it.

BULGARIA: TIER 2 WATCH LIST

The Government of Bulgaria does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by investigating more labor trafficking cases, providing shelters with specialized services for adult trafficking victims, updating the national mechanism referring and providing support to trafficking victims and making it compulsory for all government institutions, and approving a national anti-trafficking strategy for 2017-2021. Law enforcement continued to take action against public officials and police officers complicit in trafficking offenses. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Although the total number of investigations and prosecutions of traffickers increased slightly, courts convicted fewer traffickers and issued suspended sentences for most of those convicted. The government's capacity to shelter victims and provide specialized services remained low relative to the number of victims identified, and it did not provide specialized services for child trafficking victims. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Bulgaria was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore, Bulgaria remained on Tier 2 Watch List for the third consecutive year.



RECOMMENDATIONS FOR BULGARIA

Enhance efforts to investigate, prosecute, and convict traffickers, particularly for labor trafficking, and hold convicted traffickers accountable with prison terms; increase the capacity of assistance available to women subjected to trafficking and provide specialized assistance to child victims; proactively investigate, prosecute, and convict government officials complicit in trafficking, and hold convicted officials accountable with prison terms; increase funding for anti-trafficking activities; provide sensitivity training to prosecutors and judges working with sex trafficking victims; provide knowledgeable legal counsel and courtroom protections for victims assisting prosecutions; and increase the number of traffickers subjected to fines, in addition to prison sentences, and the number of victims receiving compensation.

PROSECUTION

The government maintained inadequate law enforcement efforts, as the number of convictions continued to fall and the majority of convicted traffickers avoided time in prison. Article 159 of the criminal code prohibits all forms of trafficking and prescribes penalties of between two and 15 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities launched 66 sex trafficking and 19 labor trafficking investigations in 2016, compared with 71 sex trafficking and seven labor trafficking investigations in 2015. Authorities prosecuted 72 defendants with sex trafficking and one with labor trafficking in 2016 (55 and 10, respectively, in 2015). The government convicted 34 sex traffickers and one labor trafficker in 2016 (47 sex traffickers and no labor traffickers convicted in 2015). Only 12 of the 35 convicted traffickers—34 percent—received a prison sentence that was not suspended, a similarly low rate as in the previous three years. As in 2015, the government was unable to report the range of sentences imposed on convicted traffickers who were sentenced to prison. Courts issued fines to eight convicted traffickers in 2016, compared with 23 in 2015. Observers reported judges prescribed lesser penalties to sex traffickers if their victims had initially entered prostitution willingly, despite Bulgarian and international law deeming past experience in prostitution irrelevant when there is subsequent exploitation.

The specialized court for organized crime continued to have jurisdiction over trafficking cases. Observers noted police rarely launched operations against internal trafficking and investigations were lengthy, giving suspected traffickers time to conceal assets and relocate operations. Authorities cooperated with nine foreign governments on transnational investigations. The government provided specialized training for police officers, investigators, prosecutors, and judges.

The government demonstrated efforts to combat trafficking-related complicity of public officials. In 2016, the prosecution service opened proceedings in a case involving two police officers who allegedly supported criminals involved in prostitution and human trafficking. In March 2016, prosecutors issued an arrest warrant for two police officers accused of forcing a university student to sell drugs and recruit his female classmates to engage in prostitution and sell drugs. Subsequently, the two officers' supervisors were also charged and currently five police officers are facing trial. In August 2015, authorities charged seven police officers with bribery and blackmail, due in part to their alleged soliciting of bribes from pimps. Four of them were indicted, and a trial was ongoing at the specialized court for organized crime. Investigations of other police officers in

recent years included allegations of recruiting victims, forcing a woman into prostitution, and warning traffickers of planned police raids. Observers alleged police and prosecutors rarely pursued high-profile traffickers and some prosecutors arbitrarily dropped charges against defendants.

PROTECTION

The government maintained efforts to identify victims, but increased efforts to counsel and shelter victims. The prosecution service, based on open pre-trial investigations in 2016, identified 329 victims of sex trafficking, 31 victims of labor trafficking, and five victims of both sex and labor trafficking, compared with 298 sex trafficking and 32 labor trafficking victims identified in 2015. Twenty-one of the identified victims were children (30 in 2015). One victim identified during the year was from Burkina Faso, whereas no foreign victims were identified in 2015. Observers alleged law enforcement could not effectively identify victims, particularly foreign victims. Reports indicated police did not proactively search for signs of trafficking among women detained for prostitution, and prosecutors and judges lacked sensitivity when interacting with sex trafficking victims. The government updated its written procedures for referring victims to care facilities, making it compulsory for all government institutions. Local authorities in one region trained more than 130 police and government officials on victim identification and assistance. Throughout the reporting period, the government jointly conducted training on identification, protection, assistance, and prosecution for judiciary officials, law enforcement, and social workers, holding more than 30 events with more than 1,000 attendees. The law accords victims anonymity during the pre-trial and trial phases, but authorities rarely implemented this provision, resulting in victims changing their statements out of fear, intimidation, and bribery. Observers noted many victims did not cooperate with law enforcement because they did not believe the judicial system would effectively administer justice and perpetrators would serve meaningful sentences. Authorities did not consistently inform victims of their rights, including the right to legal aid. Observers reported police investigators interviewed victims three to four times during the pre-trial stage, a practice that could re-traumatize victims. Observers also reported victims lacked support during criminal cases, as the state reportedly did not provide knowledgeable legal counsel during trials. Victims were often required to give testimony in the presence of the alleged trafficker, and it was common practice for alleged traffickers to confront their victims in court and question them through the judge, including inquiries into victims' previous sexual relationships.

The government spent approximately 83,100 lev (\$44,774) for services and implementation of the annual national anti-trafficking and victim protection program. Observers urged more state funding for anti-trafficking activities, reporting most of the funding came from NGOs and international donors. The government provided two NGO-operated centers offering consultative services for trafficking victims, and three NGO-operated shelters offering residential-type services to female victims with a total capacity of up to 16 people. None of the shelters were located in Sofia, the largest city and most common repatriation point for victims exploited abroad. In 2016, 22 crisis centers offered social services to children and women victims of violence, including trafficking, up from 16 in 2015. The centers provided support, counseling, and accommodations to nearly 60 trafficking victims, including 36 minors. Several NGOs asserted, however, child trafficking victims did not receive support separately from victims of violence at the centers, despite their different needs. The national commission drafted mandatory

social services standards for protecting and assisting trafficking victims, and adopted guidelines for crisis center workers caring for minors. The government provided crisis centers a fixed sum per victim assisted which, according to the state agency for child protection, was insufficient to cover victims' needs, maintain the centers' premises, and attract qualified staff. In 2016, an international organization and the commission provided humanitarian, healthcare, social, counseling, and legal services to 44 adult male trafficking victims. Foreign partner organizations referred three of the victims to authorities; eight received accommodations in specialized protected healthcare facilities, private lodgings, or hotels. The commission noted male trafficking victims mainly benefited from and applied for counseling services and were reluctant to make use of residential accommodation services. The law allows foreign victims who cooperate with law enforcement to stay and work in Bulgaria for the duration of criminal proceedings before deportation, although no foreign victims had applied for this status. Foreign victims who choose not to assist in trafficking investigations are permitted to remain in Bulgaria for 40 days for recovery before repatriation; the recovery period for foreign child victims is 70 days. The government did not penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. No victims received compensation during the reporting period; observers reported the process for seeking compensation continued to be overly bureaucratic and discouraged victims from making claims.

PREVENTION

The government maintained efforts to prevent trafficking. The commission approved a national anti-trafficking strategy for 2017-2021. The national commission and its nine local commissions implemented nation-wide awareness campaigns, focusing on labor trafficking, third-country nationals, trafficking trends, and improving investigation coordination. Observers reported labor regulation and oversight improved in 2016. The government conducted 585 inspections of labor recruitment firms and identified various violations; it referred to law enforcement one case concerning a Czech company that left employees without personal documents and forced them to work for inadequate payment. The government continued to adopt annual national action plans accounting for individual activities to occur during the year; the government approved its 2016 and 2017 plans during the reporting period. The commission continued to publish an annual report of the government's anti-trafficking activities. Civil society called for more information sharing on government anti-trafficking efforts, especially non-commission activities. The government provided anti-trafficking training to its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex and forced labor.

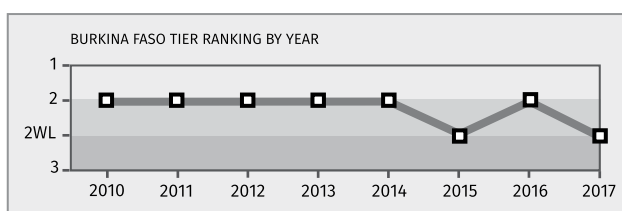
TRAFFICKING PROFILE

As reported over the past five years, Bulgaria is a source and, to a lesser extent, transit and destination country for men, women, and children subjected to sex trafficking and forced labor. Bulgaria remains one of the primary source countries of human trafficking in the EU. The government and NGOs report a steady rise in Bulgarian men subjected to labor trafficking. Bulgarian women and children are subjected to sex trafficking within the country, as well as in Europe, and the Middle East. Several NGOs assert internal trafficking is increasing. Bulgarian men, women, and children are subjected to forced labor in other European states and Israel, predominantly in agriculture, construction, and the service sector. Bulgarian children and

adults with disabilities are forced into street begging and petty theft within Bulgaria and in Greece, Italy, Slovenia, Sweden, and the United Kingdom. Romanian girls are subjected to sex trafficking in Bulgaria. Government corruption creates an environment enabling some trafficking crimes, and officials have been investigated for suspected involvement in trafficking.

BURKINA FASO: TIER 2 WATCH LIST

The Government of Burkina Faso does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by initiating an increased number of trafficking investigations, identifying significantly more potential trafficking victims, and providing some assistance to 20,000 freed child miners to reduce their vulnerability to trafficking. The government began drafting a new trafficking case management guide to facilitate the referral of victims to care and trained law enforcement, immigration, and social services personnel on proactive identification of trafficking victims. However, the government did not demonstrate increasing efforts compared to the previous reporting period; The government did not address child forced begging by unscrupulous *marabouts* (religious instructors) in Quranic schools, did not report prosecuting or convicting any traffickers, and did not report allocating funding for victim protection activities, including for victim centers that cared for potential trafficking victims. Therefore, Burkina Faso was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR BURKINA FASO

Increase efforts to investigate, prosecute, and convict traffickers—including corrupt *marabouts* or traffickers posing as *marabouts* who exploit children in forced begging—and apply penalties prescribed by the 2008 anti-trafficking law; increase funding for police and security force units charged with investigating trafficking crimes; increase funding and in-kind support for victim services, including long-term services and social reintegration, to prevent re-trafficking among identified victims; increase the availability of shelter and services for all victims, including adults; train law enforcement to identify victims among vulnerable populations, including women in prostitution and children in agriculture and mining, and refer them to protective services; train law enforcement, prosecutors, and judicial officials on investigating, prosecuting, and trying trafficking cases, including cases that do not involve movement; strengthen the system for collecting anti-trafficking law enforcement and victim identification data, and ensure authorities responsible receive sufficient resources; work with NGOs to raise awareness of trafficking among citizens, especially forced begging in Quranic schools and trafficking that does not involve movement; develop a national action plan to combat trafficking; and improve coordination among the national, regional, and provincial anti-trafficking committees by funding and convening them regularly.

PROSECUTION

The government reported decreased anti-trafficking law enforcement efforts. The 2008 anti-trafficking law criminalizes all forms of trafficking and prescribes penalties of five to 10 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Law No. 11-2014/AN criminalizes “child prostitution” and the sale of children—including the sale of children for crimes not considered trafficking in the 2000 UN TIP Protocol—and prescribes penalties of five to 10 years imprisonment and/or a fine of 1.5 million to three million West African CFA francs (FCFA) (\$2,399-\$4,799), or both; these penalties are sufficiently stringent. However, when allowing for a fine in lieu of imprisonment, the prescribed punishment is not commensurate with those for other serious crimes, such as rape. The 2015 law on violence against women and girls prescribes punishments of two to five years imprisonment and a fine of one to two million FCFA (\$1,600-\$3,199) for sexual slavery, punishments that are sufficiently stringent but not commensurate with penalties for other serious crimes such as rape.

The government investigated 78 suspected traffickers in 2016 but did not report any prosecutions or convictions, an increase from 38 investigations but a decrease from 16 prosecutions and nine convictions in 2015. In one investigation, officials discovered an alleged trafficker held five Nigerian girls in sex trafficking through debt bondage. Several investigations remained pending from previous reporting periods, including the investigation of seven unregistered *marabouts* transporting 43 children to Mali and Cote d’Ivoire, allegedly for forced labor in cotton fields; a Burkinabe woman who allegedly subjected to trafficking more than 30 women in Lebanon, Qatar, and Saudi Arabia; and three suspects transporting 17 Ivoirian women and girls to Saudi Arabia, allegedly for domestic servitude. In all of these cases, the government did not report if it continued to investigate or prosecute the suspects or if the cases had been dismissed. The government did not report any investigations, prosecutions, or convictions for forced begging in Quranic schools, despite the prevalence of this form of trafficking in the country. It did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, general corruption in the judiciary and among law enforcement impeded anti-trafficking efforts. The government did not provide funding to police specifically for anti-trafficking activities, which impeded law enforcement and security forces’ investigation of trafficking offenses.

PROTECTION

The government increased efforts to identify potential trafficking victims but did not report information on government funding for victims services. With data from 40 of the country’s 45 provinces, the government reported identifying 1,407 potential trafficking victims in 2016, a three-fold increase from 400 potential victims identified and assisted the previous reporting period. Due to data collection constraints and lack of disaggregated trafficking and smuggling statistics, it is unclear how many of these were trafficking victims. The majority of these victims were children intercepted while being transported, sometimes in large numbers on trucks or buses, to destinations where they could have faced exploitation, typically in gold mines or in city centers as domestic servants or street beggars. The government did not report how many victims it referred to its 23 multipurpose transit centers in 2016 for psychological, social, and food assistance. These centers provided short-term care to both foreign and domestic victims of crime.

The government did not report allocating any funding to its multipurpose centers in 2016, compared with 21.2 million FCFA (\$33,912) allocated in the previous reporting period for health care, education, vocational training, family reunification, and social workers; the centers relied heavily on local NGOs and international organizations for support. Of the 1,407 victims, 102 received educational support and 99 received assistance to launch small businesses; it was unclear if this support came from the government or NGOs. An international organization identified and provided assistance to 17 additional trafficking victims from Sri Lanka, Burkina Faso, Cote d’Ivoire, and Niger. There were no shelters or services for adults, and long-term care for all victims remained inadequate. The government acknowledged victim services were insufficient and service providers lacked the funding and resources to support victim protection, rehabilitation and reintegration, which resulted in many victims being subjected to re-trafficking. The 2015 law on the prevention and repression of violence against women and girls mandates measures for victim support, including the establishment of free emergency integrated support centers to offer comprehensive support services for women and girl victims of violence, including sexual slavery, and the creation of a government support fund for victims. The government did not provide information on the provision of such services during the reporting period.

The government and NGOs trained government employees, police, *gendarmerie*, and judicial officials on how to interact with and remove child trafficking victims from situations of exploitation. It also trained members of its anti-trafficking committees—including law enforcement, immigration, and social services personnel—on proactive identification of trafficking victims. The government had standard victim identification and referral procedures, but authorities and front-line responders did not employ them uniformly. The government began drafting a new trafficking case management guide for law enforcement and social services personnel to facilitate the uniform referral of victims to care. The government did not have a formal policy to encourage victims to participate in trials against their traffickers. It was unclear if victims could legally file civil suits against their traffickers or otherwise obtain restitution. Foreign victims may apply for asylum if they fear they will face hardship or retribution in their country of origin; there were no reports trafficking victims applied for asylum during the reporting period. The government did not report assisting with the repatriation of Burkinabe victims identified abroad, but in practice the Ministry of Women, National Solidarity, and Family would help such victims upon return develop personalized plans for reintegration into local communities. There were no reports of trafficking victims penalized for unlawful acts committed as a direct result of being subjected to trafficking; however, without uniform implementation of victim identification measures, including among vulnerable populations, victims are likely to have been left unidentified in the law enforcement system.

PREVENTION

The government maintained efforts to prevent trafficking. The Ministry of Women, National Solidarity, and Family led the national anti-trafficking committee, which coordinated government anti-trafficking efforts, including implementing previous anti-trafficking national action plans and providing guidance and recommendations on improving anti-trafficking efforts. Unlike in previous years, the national committee met during the reporting period. The national committee, comprised of government ministries and NGOs, also had sub-

committees at the regional, provincial, and departmental levels to coordinate anti-trafficking action locally. The subcommittees were composed of police, social workers, transit companies, NGOs, and other regional stakeholders; they coordinated administrative efforts to support anti-trafficking law enforcement activities and victim protection and collected anti-trafficking data for the national committee's annual report. The groups lacked resources to continue day-to-day operations, and the government did not report how many met during the reporting period. The government did not have or begin drafting an anti-trafficking action plan. Some regional and provincial directorates of the Ministry of Women, National Solidarity, and Family organized awareness-raising campaigns on the signs and dangers of trafficking and child labor. The government also had child protection networks composed of law enforcement, judicial officials, health workers, and NGO representatives in 24 of the country's 45 provinces to coordinate child victim referral to care, including for trafficking victims. The government allocated 300,000 FCFA (\$480) to each of the 24 networks to facilitate meetings and communication among members. Despite the existence of the anti-trafficking committees and child protection networks, inter-governmental communication on anti-trafficking issues remained a challenge. The Council of Ministers adopted a 2016-2020 national project to combat child labor in artisanal mines, including forced child labor, but the government had not devoted any funding or resources to implement the plan by the end of the reporting period. The Ministry of Women, National Solidarity, and Family continued to provide monitoring services and assistance to 20,000 freed child miners to reduce their vulnerability to additional child or forced child labor. The government operated a toll-free number to report cases of violence against children and violations of child rights, including trafficking. The government provided a new building and purchased and installed new equipment for the hotline's command center; it did not report how many trafficking-related calls it received during the reporting period. Unlike in previous years, the government did not allocate any funding for vocational training for the social reintegration of young street children vulnerable to trafficking.

It was unclear if the government's intermediary body to monitor new Quranic schools and *marabouts* and to identify unregistered schools and instructors who subject children to forced begging, established in 2015, was operational during the reporting period. The government did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. The government, in partnership with foreign donors, provided Burkinabe troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government investigated allegations from the previous reporting period of Burkinabe peacekeepers accused of committing sexual exploitation while deployed to the UN mission in Mali and did not find evidence of trafficking. The government did not provide anti-trafficking training for its diplomatic personnel.

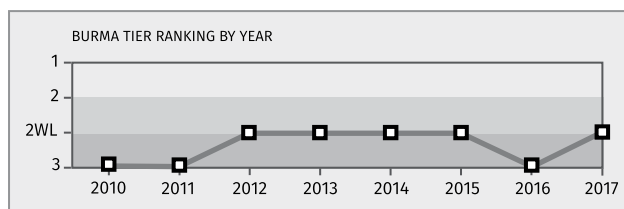
TRAFFICKING PROFILE

As reported over the past five years, Burkina Faso is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Burkinabe children are subjected to forced labor as farm hands, gold panners and washers in artisanal mines, street vendors, domestic servants, and in forced begging by unscrupulous *marabouts*; girls are exploited in sex trafficking. Burkinabe children are transported to Cote d'Ivoire, Mali, and Niger for forced labor or sex trafficking. To a lesser extent, traffickers recruit women for ostensibly

legitimate employment in Lebanon, Qatar, Saudi Arabia, and various European countries and subsequently subject them to forced prostitution. Media reports indicate Burkinabe women are subjected to domestic servitude in the Middle East. Burkina Faso is a transit country for traffickers transporting children from Mali to Cote d'Ivoire and women and girls from Cote d'Ivoire to Saudi Arabia. It is a destination for children subjected to trafficking from neighboring countries, including Cote d'Ivoire, Ghana, Guinea, Mali, Niger, and Nigeria. Women from other West African countries are fraudulently recruited for employment in Burkina Faso and subsequently subjected to forced prostitution, forced labor in restaurants, or domestic servitude in private homes. Nigerian girls are exploited in sex trafficking in Burkina Faso. During the reporting period, authorities identified Sri Lankan citizens transiting Burkina Faso allegedly en route to forced labor in a third country. Nepalese traffickers have subjected Tibetan women to sex trafficking in Burkina Faso.

BURMA: TIER 2 WATCH LIST

The Government of Burma does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore, Burma was upgraded to Tier 2 Watch List. These achievements included continued progress to eliminate the recruitment and use of child soldiers, an increased number of personnel dedicated to anti-trafficking law enforcement units, and the first trafficking prosecutions of government officials since the enactment of the 2005 Anti-Trafficking in Persons Law. The government strengthened efforts to identify victims in vulnerable border areas, reached its goal of appointing trafficking case workers to all social welfare offices throughout the country, and continued cooperation with international partners to identify and demobilize children recruited into the military's ranks, culminating in the release of 112 individuals recruited as children. Despite these achievements, the government continued to require troops to source their own labor and supplies from local communities, thereby increasing the prevalence of forced labor; failed to sufficiently penalize military officials who engaged in child soldier recruitment; and prevented the UN from playing a constructive role in bringing to an end the recruitment and use of children by ethnic armed groups. Throughout the reporting period, victim identification and protection measures remained insufficient as a result of limited resources and a general lack of coordination and awareness among key government agencies and law enforcement entities; authorities continued to arrest trafficking victims for acts they were forced to commit as a result of being subjected to human trafficking.



RECOMMENDATIONS FOR BURMA

Strengthen efforts to prosecute and convict individuals complicit in forced labor and child soldiering offenses, including military

and other government officials and civilian brokers, and apply stringent penalties, including jail time; make efforts to end the recruitment and use of children or forced labor by members of ethnic armed groups and prioritize these issues during peace negotiations; cease all recruitment of children into the armed forces and actively identify and demobilize all individuals recruited as children currently serving in the military's ranks; increase investigations, prosecutions, and convictions of internal trafficking offenses; cease official involvement in compelling civilians to perform any type of forced labor, including civilian portering; reform military policies—including the “self-reliance” policy—that drive the demand for forced labor and child soldier conscription, and support the UN's efforts to sign action plans with ethnic armed groups to end their recruitment and use of children; amend the law so that all penalties prescribed for forced labor are sufficiently stringent to deter the crime; implement formal procedures for proactive victim identification among vulnerable groups and their referral to service providers; continue to strengthen age verification procedures for new military recruits; cease arresting, detaining, or otherwise punishing victims for acts committed while subjected to trafficking or those fleeing trafficking situations, including through conducting age assessments of any potential minors before making an arrest for desertion; provide legal status to stateless persons in Burma to decrease their vulnerability to exploitation; increase funding for specialized anti-trafficking police units and enhance their coordination with general police units and prosecutors; strengthen efforts to prioritize and significantly increase funding for victim protection efforts, including victim shelters, provision of services for male victims, and reintegration support for former child soldiers; and appoint a case manager to facilitate victims' involvement in criminal proceedings and maintain a victim-centered approach to investigations and prosecutions, including through establishment of robust witness protection protocols and provision of language interpreters.

PROSECUTION

The government increased some law enforcement efforts, particularly in taking steps to hold complicit officials criminally accountable. The 2005 Anti-Trafficking in Persons Law criminalizes all forms of sex and labor trafficking using definitions that are generally consistent with international law; however, it does not appear to contain provisions establishing that, when children are the victims of a trafficking offense, the use of force, fraud and coercion is not a required element of the offense. The law provides for penalties ranging from a minimum of five years to a maximum of imprisonment for life, depending on the identity of the victim and other factors. These punishments are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Forced labor, including the recruitment of children into the military, is a criminal offense under the 2005 Anti-Trafficking Law, the 2012 Wards and Village Tracts Administration Act, and penal code section 374, for which the maximum sentence is one year or fine or both—an insufficiently stringent penalty. The military reportedly pursues its own punitive measures for child recruitment cases through unknown provisions in military law, although the penalties it applies are disproportionately low compared to the seriousness of the crime. During the reporting period, the government continued a legal review to redraft and strengthen the 2005 law.

In 2016, the government reported investigating 95 cases, leading to the prosecution and conviction of 145 traffickers, compared with 119 cases investigated and 168 traffickers

prosecuted and convicted in 2015, and 98 investigations and 143 prosecutions and convictions in 2014. As in previous years, most of the government's law enforcement efforts focused on sex trafficking or the involuntary domestic servitude of Burmese women through forced marriages to Chinese men. However, of the 95 cases investigated, 46 were cases of forced labor, including 23 cases of domestic servitude and 26 cases involving labor trafficking in the fishing, manufacturing, and other such industries, compared with 54 labor cases in 2015 and 54 labor cases in 2014. The government identified seven instances of forced labor in Burma's fishing industry in 2016, triggering an ongoing interagency process led by the Central Body for Suppression of Trafficking in Persons (CBTIP) to institute new preventative protocols in the fishing sector. Courts convicted 26 individuals under the 2005 anti-trafficking law for subjecting Bangladeshi and Rohingya migrants to trafficking, although it was unclear if these constituted instances of smuggling; the lead offender, a Thai national, received a 27-year prison sentence.

The Anti-Trafficking in Persons Division (ATIPD) maintained dedicated anti-trafficking taskforce (ATTF) police throughout the country, the roster of which increased to 471 during the reporting period, compared to 371 in 2015. However, a lack of clarity between the roles and responsibilities of ATTF officers and general police investigators, coupled with poor police-prosecutor cooperation, continued to hamper the success of investigations and prosecutions. Local experts reported non-ATTF police perceived they did not have the authority to pursue investigations proactively, and primarily opened investigations only in response to complaints. An acute lack of basic policing equipment and resources remained a major obstacle for police to proactively undertake investigations into trafficking crimes. During the year, the government changed its policies to facilitate greater efficiency in trafficking cases by granting decentralized authority for sentencing traffickers, eliminating the previous requirement for such sentencing decisions to be made in the capital city. The ATIPD provided both basic introductory and on-the-job training for police, and international organizations funded additional anti-trafficking training for Burmese officials. During the reporting period, the Myanmar Police Force hosted the Thai Department of Special Investigators and the Thai Royal Police for discussions on enhancing bilateral anti-trafficking efforts, culminating in increased access by Burmese law enforcement and social welfare personnel to victims in Thai custody.

Some military and civilian officials reportedly facilitated the smuggling and exploitation of Rohingya migrants and subjected civilians, particularly members of ethnic minority groups, to forced labor within Burma. There are reports that corruption and impunity continued to hinder the enforcement of trafficking laws; individuals claiming to have ties to high-level officials may have pressured victims not to seek legal redress against their traffickers. The power and influence of the Burmese military limited the ability of civilian police and courts to address cases of forced labor and the recruitment of child soldiers by the armed forces; there is no evidence any soldiers accused of trafficking crimes have ever been prosecuted in civilian courts, nor has the government ever prosecuted a civilian for child soldier recruitment. The Ministry of Defense undertook independent efforts to investigate and punish military personnel for child soldier recruitment; it reported punishing 13 officers and 23 noncommissioned personnel in 2016, compared to 11 officers and 14 noncommissioned personnel in 2015. It did not report punitive measures for military personnel guilty of subjecting children or adults to forced labor. Imposed punishments were significantly less than those prescribed

by criminal laws, with most receiving reprimands, fines, or a decrease in pension, and NGOs assessed these penalties to be insufficient. For the first time, the government investigated and initiated prosecutions against government officials suspected of complicity in trafficking crimes; in one case, authorities charged a police constable with transporting a 16-year-old girl from Rangoon to Muse for the purpose of subjecting her to forced marriage in China, where she would have been at a high risk of other forms of exploitation. The second case involved a police lance corporal suspected of complicity in subjecting six men to debt bondage in Mon State. Both prosecutions were initiated in November and were ongoing at the end of the reporting period.

In one high-profile forced labor case, three children were physically abused and forced to work in a tailor shop in Rangoon over the course of five years with little to no pay. Two police commanders dismissed initial reports of the abuse, prompting a local journalist to file a complaint with the National Human Rights Commission (NHRC). The NHRC brokered a financial settlement with perpetrators rather than referring the case to prosecution under the anti-trafficking laws. Following public outcry over the NHRC's inadequate response to the case, four commissioners stepped down, the police chiefs who had ignored the initial reports were investigated, and demoted to auxiliary positions, and the ATTF police initiated the prosecution of six tailor shop perpetrators. Their trial date was pending at the close of the reporting period.

PROTECTION

The government maintained inadequate victim protection efforts, and some officials reportedly continued to subject men, women, and children to trafficking in Burma. More victims were identified by authorities in other countries than within Burma. Police and border officials identified 163 victims at Thai and Chinese border crossings (118 in 2015 and 68 in 2014). The government did not report how many additional victims it identified within Burma. In 2016, the government released 112 individuals originally recruited as children from the military through implementation of its UN-backed action plan on child soldiers (146 the previous year and 322 in 2014). Local observers reported once individuals were identified as possible child soldiers, the military made progress in providing immediate protections, including removal from combat, before formal verification procedures concluded. The government expanded the deployment of three full-time case managers to each of 42 Department of Social Welfare (DSW) offices—up from 27 offices in 2015—to provide healthcare, reintegration, psycho-social, and legal services to trafficking victims, including child soldiers. Despite this improvement, DSW continued to lack the resources necessary to adequately provide intended services to trafficking victims, and relied on civil society organizations to provide most services to victims. The government worked with Thailand to finalize and begin implementing bilateral standard operating procedures on repatriation, reintegration, and rehabilitation in March 2017. While law enforcement officials continued to proactively identify suspected victims en route to China for forced marriages likely to result in sex or labor exploitation, or to Thailand for potential sex trafficking, authorities did not follow standardized, nationwide procedures for the proactive identification of trafficking victims. Despite some progress, front-line officers largely lacked adequate training to identify potential victims.

The military continued to subject civilians to forced labor. In one case, the military forcibly removed 12 elderly men from

their mosque during prayer and beat them, forced them to carry any personal belongings deemed useful in a conflict setting—including heavy car batteries—to another village, and then confiscated these belongings. Ethnic minority groups in Burma—particularly internally displaced Rohingya, Rakhine, Shan, and Kachin communities—continued to be at elevated risk of forced labor as a result of ongoing military incursions, and the government remained largely inactive on this long-standing issue. For the second year, the military granted within 72 hours all requests from UN monitors to access military installations to inspect for the presence of children, although the UN reported the military may have carefully controlled these visits and possibly cleared problematic indicators in advance. An uptick in violence in Rakhine and Shan states may have constrained monitoring efforts.

The government continued to operate five centers for women and children who were victims of violent crime; all five could shelter trafficking victims, and one was dedicated to female trafficking victims. In addition, the government operated three facilities funded by a foreign donor that could serve both men and women. It did not report the total number of victims receiving services in these facilities, or whether shelters housed any men. In previous years, repatriated victims of trafficking abroad could stay in transit centers prior to their reintegration, but it was unclear how many victims benefitted from this provision in 2016. Services in government facilities remained rudimentary, but the government increased its funding allocation to trafficking victim protection, and some victims received psycho-social counseling, travel allowances, support for obtaining official documents, and assistance in returning to home communities. Overall government support to demobilized children remained minimal, with most services provided by civil society partners. NGOs and foreign donors funded and facilitated delivery of most services available to trafficking victims. Longer-term support was limited to vocational training for some former child soldiers and women in major city centers and border areas; the lack of adequate protective measures for victims—particularly males—left them vulnerable to re-trafficking. The government did not have adequate procedures for assisting victims identified abroad, and diplomatic missions overseas largely lacked adequate funding or capacity to provide basic assistance or repatriate victims. However, the government maintained labor attachés in Thailand, Malaysia, and South Korea, whose responsibilities included assisting trafficking victims. It provided anti-trafficking training for its diplomatic personnel and worked with an international organization to establish victim identification reference materials for consular officers, although the latter process was ongoing at the end of the reporting period. In 2016, the ATIPD sent a delegation of law enforcement officials to South Korea for a workshop on victim identification, support, and sustainable protection.

Victims frequently declined to cooperate with authorities due to the lack of adequate victim protection or compensation programs, language barriers, a lengthy and opaque trial process, fear of repercussions from their traffickers, and general mistrust of the legal system. A cumbersome investigative process required victims to give statements multiple times to different officials, increasing the likelihood of re-traumatization. Further, restrictions on contact between victims and prosecutors impeded case-relevant communication and further obfuscated the court process for some victims. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. The government made efforts to include victims' perspectives in training sessions with police and during government meetings. Authorities

reportedly arrested sex trafficking victims for prostitution due to inadequate efforts to screen for indicators of trafficking in thousands of anti-prostitution interventions. Authorities continued to arrest and imprison children who fled military service or were demobilized by civil society organizations on charges of desertion. In most cases where these individuals were identified as minors, authorities subsequently processed their release, although some remained in civilian detention for several months; one detention of a minor on charges of desertion remained under review at the end of the reporting period.

PREVENTION

The government maintained prevention efforts. During the reporting period, Parliament approved ratification of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children. CBTIP continued to coordinate anti-trafficking programs and policies; it worked with the ATIPD and an international organization to draft a new five-year comprehensive trafficking prevention strategy, which was pending presidential review at the end of the reporting period. A 2014 directive prohibiting the use of children by the military remained in place. The government interfered with progress on a significant trafficking problem in the country by not allowing the UN to sign action plans with ethnic armed groups to end their recruitment and use of children. Although oversight and monitoring of recruitment procedures remained insufficient to prevent child recruitment in the military, international observers reported age verification procedures continued to improve the military's ability to identify and prevent most child recruitment, and the military continued to provide enlisted personnel, training centers, and recruitment officials with age assessment and child soldier prevention trainings. The government did not reform the military's "self-reliance" policy, which continued to make adults and children—particularly members of stateless ethnic minority groups—vulnerable to forced labor.

The government has to date been unsuccessful in providing citizenship and identity documents for an estimated 810,000 men, women, and children in Burma—most of whom self-identify as Rohingya and live in Rakhine State. The lack of legal status and identity documents significantly increased the vulnerability of this population to trafficking in Burma and in other countries. The government began distribution of national verification cards (NVCs) to undocumented individuals, but low participation prevented significant progress. Government policies limiting freedom of movement in some jurisdictions—including a new ban on Rohingya individuals' use of fishing vessels if they do not have NVCs, which many Rohingya do not accept—have hindered access to employment for some communities, further aggravating economic conditions that may have contributed to more Rohingya men pursuing informal employment channels known to engender severe forms of abuse, including forced labor. The government continued to conduct awareness campaigns in print, television, radio, billboards, and other media—particularly in high-vulnerability states—and to train members of community-based watch groups and students on trafficking. However, it did not launch its second national campaign, initially scheduled for January 2016, to raise awareness about the recruitment and use of child soldiers and educate the public on reporting such cases. Authorities continued to release information on the prosecution of traffickers via government-supported and private media throughout the country. The ATIPD maintained a hotline and social media account with information on trafficking, including updated law enforcement statistics, but did not report the extent

to which the public employed either of these mechanisms.

The government did not make efforts to punish labor recruiters or brokers for illegal practices that increase migrants' vulnerability to exploitation abroad. The government maintained a tourism police unit, which it reported to have played a central role in combating child sex tourism. There were no reports of child sex tourism during the reporting period. Authorities partnered with an NGO to raise awareness about child sex tourism among some hotel industry personnel, but no related investigations or prosecutions were reported. The government did not take steps to reduce the demand for commercial sex acts or forced labor, nor did it finalize curricula necessary to conduct anti-trafficking training for its diplomats prior to their deployment overseas.

TRAFFICKING PROFILE

As reported over the past five years, Burma is a source country for men, women, and children subjected to forced labor and for women and children subjected to sex trafficking, both in Burma and abroad. Some Burmese men, women, and children who migrate for work abroad—particularly to Thailand and China, as well as other countries in Asia, the Middle East, and the United States—are subjected to forced labor or sex trafficking. Men are subjected to forced labor in fishing, manufacturing, forestry, agriculture, and construction abroad, while women and girls are primarily subjected to sex trafficking, domestic servitude, or forced labor in garment manufacturing. NGOs continued to report instances of Burmese males transiting Thailand en route to Indonesia and Malaysia, where they are subjected to forced labor, primarily in fishing and other labor intensive industries. Some Burmese men in the Thai fishing industry are subjected to debt bondage, passport confiscation, threats of physical or financial harm, or fraudulent recruitment; some are also subjected to physical abuse and forced to remain aboard vessels in international waters for years. Burmese women are increasingly transported to China and subjected to sex trafficking and domestic servitude through forced marriages to Chinese men; there have been reports that Burmese government officials are occasionally complicit in this form of trafficking, as well as in the facilitation of the smuggling and exploitation of Rohingya migrants. There were limited reports of Rohingya individuals attempting to be smuggled out of the country later being abducted in transit and sold into forced marriage in Malaysia; some of these individuals may have become victims of domestic servitude or sex trafficking.

Within Burma, men, women, and children from predominantly ethnic minority areas—including the estimated 103,000 persons displaced by conflict in Kachin and northern Shan states and the estimated 120,000 displaced persons in Rakhine state—are at increased risk of trafficking. Rohingya individuals are particularly vulnerable to labor trafficking in Rakhine state, including forced labor perpetrated by government authorities. Many among the estimated 70,000 Rohingya who have crossed out of Rakhine into neighboring Bangladesh in 2016 and early 2017 are at elevated risk of being subjected to trafficking. Ethnic Rakhine are reported to be victims of forced labor on the margins of conflict between the military and ethnic armed groups in Rakhine State. Local traffickers use deceptive tactics to recruit men into forced labor on oil palm and rubber plantations, in jade and precious stone mines, and in fishing. Children are subjected to sex trafficking or to forced labor (at times through debt bondage) in teashops, small businesses, the agricultural and construction sectors, and in begging. Children and adults are subjected to domestic servitude. A small number of foreign child sex tourists exploit Burmese children.

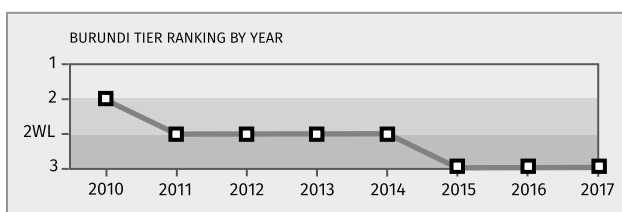
Some military personnel, civilian brokers, border guard officials, and ethnic armed groups continue to recruit or use child soldiers, particularly in conflict-prone ethnic areas, although monitoring groups report the incidence of forced conscription into government armed forces continued to decrease significantly. As of the close of the reporting period, international monitors had verified two cases of child recruitment by the Burmese military in 2016. In some cases, recruiters use deception, offering incentives or coercing children or their families through false promises about working conditions, salary, and promotion opportunities. Men and boys are forced to serve in ethnic armed groups through intimidation, coercion, threats, and violence; in the past, the Burmese army has employed similar tactics, although no such cases were verified during the reporting period. Some child soldiers are deployed to the front-line as combatants. In addition to formally recruiting at least two children into its ranks in 2016, the military may have continued to use children for labor or other support roles. Some ethnic armed groups abduct or recruit children—including from internally displaced persons' camps—for use as soldiers in fighting against the Burmese army.

The Burmese military, civilian officials, and some ethnic armed groups use various forms of coercion, including threats of financial and physical harm, to compel victims into forced labor. In areas with active conflict, members of local populations—mostly men, but also women and children as young as 12 years old—are subject to forced labor. The ILO continued to receive reports indicating the actual use of forced labor is decreasing overall, but the number of complaints of forced labor through the ILO complaints mechanism remained significant. Reports of forced labor occurred across the country; prevalence was higher in states with significant armed conflict, while reports declined in cease-fire states. Reporting and verification mechanisms were weak or non-existent in conflict areas, making it difficult to fully assess the ongoing scale of forced labor. Officials continued to use violence or threats thereof to compel civilians into forced labor, including portering, work on public infrastructure projects, and activities related to the military's "self-reliance" policy—under which military battalions are responsible for procuring their own food and labor supplies from local villagers, who in turn are at a significantly elevated risk of forced labor through the arrangement. The army uses children as porters, cooks within battalions, or to carry supplies or perform other support roles. Some observers noted forced labor practices were changing, resulting in a reported decrease in the use of forced labor by the military and an increase in reports of forced labor in the private sector and by civilian officials. At the same time, international organizations reported forced labor remains common in areas affected by conflicts—particularly in Rakhine State. There were continued reports of widespread abuses by government soldiers, including forced labor of members of ethnic groups in Shan, Karen, and Kachin states. Land confiscation by military, local government, and private businesses placed agricultural workers at risk for forced labor, including on lands they previously occupied.

BURUNDI: TIER 3

The Government of Burundi does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Burundi remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by organizing

and participating in several workshops to train government officials and coordinating with the Government of Rwanda to repatriate 28 alleged trafficking victims. It also investigated several cases involving the alleged recruitment of Burundian women for exploitation in forced labor in the Middle East. However, the government did not investigate internal trafficking or sex trafficking crimes, and did not prosecute or convict any alleged trafficking offenders. It did not investigate or hold accountable any officials complicit in trafficking crimes despite serious allegations that arose during the year. Although the government took steps to increase the number of anti-trafficking trainings for government officials, authorities continued to lack understanding of trafficking, and the government did not provide adequate anti-trafficking training for its personnel. The government did not provide victims adequate protection services. Trafficking victims continued to be subject to arrest and detention for crimes committed as a direct result of being subjected to trafficking. The government did not establish the Consultation and Monitoring Committee mandated by the 2014 anti-trafficking act to coordinate and lead anti-trafficking efforts.



RECOMMENDATIONS FOR BURUNDI

Take measures to ensure children and adults are not forcibly or fraudulently recruited into governmental and non-governmental armed forces, and provide them with appropriate protection services; hold individuals criminally accountable for the recruitment and use of children and the forced or fraudulent recruitment of adults in armed forces, including government officials; implement the anti-trafficking law and significantly increase investigations, prosecutions, and convictions of traffickers, including allegedly complicit officials; institutionalize anti-trafficking training to include how to implement the anti-trafficking law for all police, prosecutors, judges, and border guards; establish standardized procedures for officials to proactively identify trafficking victims, including children and adults, and refer them to appropriate care; ensure trafficking victims, including children and adults who are forcefully or fraudulently recruited into armed groups, are not punished for crimes committed as a direct result of being subjected to trafficking; drastically improve provision of protective services to trafficking victims, including through partnerships with NGOs that provide appropriate care to victims; and undertake efforts to reduce child sex tourism.

PROSECUTION

The government maintained minimal enforcement efforts. Burundi's anti-trafficking law prohibits the trafficking of adults and children for the purpose of forced labor and sex trafficking. The definition of "forced labor or services" in the law, however, fails to account for situations in which an individual might initially consent to labor but is later forced, defrauded, or coerced to provide such labor. Prescribed penalties under the law range from five to 10 years imprisonment, penalties which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The government investigated transnational trafficking cases, but did not investigate internal trafficking or sex trafficking crimes or prosecute and convict any suspects during the reporting period. The government reported arresting 25 alleged traffickers in 2016. Between May and August 2016, the Police's Morals and Minors Brigade reported arresting 18 traffickers following interception of 75 potential trafficking victims en route to Oman. In a similar case, in June 2016, the government arrested seven alleged traffickers, accused of sending Burundian women to the Middle East for exploitation. Following these discoveries, in June 2016, the government acknowledged the large-scale recruitment of Burundian women for work in the Middle East since April 2016, including reports of an additional 267 women overseas in situations of forced labor. In July 2016, a civil society group alleged trafficking networks in Burundi involving five recruitment companies, government officials and security officers, had fraudulently recruited up to 2,500 Burundian women and girls who subsequently endured forced labor and sex trafficking in Oman and Saudi Arabia. In June 2016, a judge suspended the activities of the five recruitment companies accused of involvement in trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses despite multiple allegations of significant government involvement in such crimes. Moreover, civil society organizations and individuals investigating trafficking allegations reported receiving threats against themselves and their families.

The government did not provide adequate funding for law enforcement agencies responsible for investigating trafficking crimes, partly due to limited financial means and competing priorities, which severely limited their capacity and effectiveness. Widespread corruption and officials' lack of investigative skills and poor understanding of trafficking crimes continued to impede investigations. In June and July, the National Independent Human Rights Commission held two workshops focusing on the legal framework to combat trafficking for representatives of the government, police, the judiciary, the bar, civil society, religious denominations and the media. In August 2016, an NGO-led working group including international organizations and government officials held a training session to introduce and explain the anti-trafficking law to the Ministries of Human Rights, External Relations, Public Security, Justice, and Interior. In February and March 2017, the government organized two anti-trafficking workshops on the anti-trafficking law and awareness-raising for over 65 representatives of relevant government ministries, NGOs, and provincial government officials.

PROTECTION

The government maintained minimal protection efforts. It did not maintain statistics on human trafficking, making it difficult to determine the number of victims, if any, the government referred to or provided with protective services. In September 2016, the government identified 28 Rwandan trafficking victims in Bujumbura and coordinated with the Government of Rwanda on their repatriation; it is unknown if these victims received any services prior to their repatriation. After intercepting 75 potential trafficking victims reportedly en route to Oman, the government facilitated their return home, but did not provide supplemental services. Separately, the government did not report efforts to assist, via Burundian missions abroad, the 267 potential trafficking victims in Oman and Saudi Arabia or support their repatriation. The government provided minimal protection services and support for NGOs, religious organizations, or women's or children's associations that offered

care to trafficking victims. The government continued to operate Humura Center in Gitega, which provided protection to foreign and domestic victims of sexual and gender-based violence, including an unknown number of potential trafficking victims. The government provided medical personnel to an NGO-run center in Bujumbura which delivers medical and psycho-social care to abuse victims, including trafficking victims. Overall, lack of dedicated funding for victim protection measures seriously constrained the government's ability to assist victims.

The government did not have formal procedures for authorities to identify and refer trafficking victims to protection services, and law enforcement officials lacked training to identify potential victims. Furthermore, potential victims were vulnerable to being penalized for unlawful acts committed as a result of being subjected to trafficking. In April 2016, the government passed a law providing for the protection of witnesses, victims, and vulnerable persons, which called for the establishment of a unit within the Ministry of Justice to coordinate protection measures; however, the government did not formally create this unit by the close of the reporting period. Burundian law did not provide foreign trafficking victims with legal alternatives to their removal to countries where they may face hardship or retribution.

PREVENTION

The government maintained minimal prevention efforts. The government did not take steps to implement its national anti-trafficking action plan, approved in March 2014, and did not establish the Consultation and Monitoring Committee mandated by the 2014 anti-trafficking act to coordinate and lead national anti-trafficking efforts. While government officials participated in an NGO-led working group, it did not lead country-wide efforts during the reporting period. The government did not conduct anti-trafficking awareness campaigns in 2016, nor did it make efforts to prevent or raise awareness of the forcible or fraudulent recruitment of children and adults into armed groups. In June 2016, a judge suspended the activities of five recruitment companies accused of being involved in trafficking; however, there are no formal laws or procedures authorizing officials to monitor or investigate fraudulent labor recruitment practices. The government did not make efforts to reduce the demand for forced labor, commercial sex, or child sex tourism. The government did not provide anti-trafficking training for its diplomatic personnel. Burundian nationals deployed abroad as peacekeepers received training on human rights, including trafficking elements, in previous reporting periods conducted by a foreign donor; however, after suspension of this program in May 2015 it was unclear whether the military still teaches a similar curriculum prior to deployment of peacekeepers.

TRAFFICKING PROFILE

As reported over the past five years, Burundi is a source country for children and possibly women subjected to forced labor and sex trafficking. Due to a complex political, economic, and security crisis in 2015, more than 400,000 Burundians fled to refugee camps in neighboring countries and many others sought refuge at internally displaced persons (IDP) camps or moved to the homes of extended family members. Burundi's fragile economic and security environment created an opportunity for criminals, including traffickers, to take advantage of Burundians in precarious or desperate situations. There is little official data available on abuses committed against Burundi's approximately 60,000 IDPs, 60 percent of whom are younger than age 18 and

are highly vulnerable to exploitation.

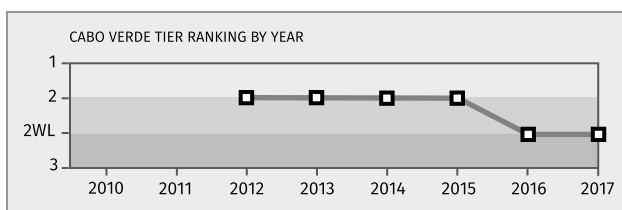
Between April and December 2015, approximately 70,000 Burundians refugees fled to Rwanda, which contributed to an increase in child sex trafficking of both male and female refugees in Rwanda. Burundian refugee girls residing in Rwanda's Kigeme refugee camp were reportedly exploited in sex trafficking in nearby towns. In July 2015, approximately 58 children, some younger than 15 years old, were fraudulently recruited and forced to participate in an anti-government armed invasion in Kayanza Province, which was ultimately put down by the Burundian government; it was unclear if these children were armed. Between May and December 2015, an international organization reported allegations that Burundian refugees residing in Mahama refugee camp in Rwanda were recruited into non-state armed groups, allegedly by Rwandan security forces, to support the Burundian opposition; many refugees alleged recruiters threatened, intimidated, harassed, and physically assaulted those who refused recruitment—a form of human trafficking. Most of these recruits were adult males, but six Burundian refugee children, between the ages of 15 and 17, were also identified as recruits from Mahama refugee camp. The same international organization also reported that hundreds of Burundian adult and child recruits, including girls, were allegedly trained in weaponry at a training camp in southwestern Rwanda. Some of these adult and child refugees could be victims of human trafficking. In December 2014, an armed group of primarily Burundian rebels invaded the northwestern province of Cibitoke; the estimated 150 rebels reportedly included child soldiers as young as 15 years old, some of whom were trained in Rwanda. In 2016, the Government of the Democratic Republic of the Congo (DRC) apprehended 16 Burundian children transiting through the east allegedly after recruitment from refugee camps in Rwanda or the DRC to participate in armed conflict in Burundi with an unknown entity.

Children and young adults are coerced into forced labor on farms throughout Burundi, in gold mines in Cibitoke, in informal commerce in the streets of larger cities, collecting river stones for construction in Bujumbura, and in the fishing industry. Traffickers allegedly include victims' relatives, neighbors, and friends, who recruit them under false pretenses to exploit them in forced labor and sex trafficking. Some families are reportedly complicit in the exploitation of children and adults with disabilities, accepting payment from traffickers who run forced street begging operations. Children are subjected to domestic servitude in private homes, experiencing non-payment of wages and verbal and physical abuse. Children in domestic servitude or working in guest houses and entertainment establishments may also be sexually exploited. Children are fraudulently recruited from rural areas for domestic work and later exploited in sex trafficking, including in Bujumbura. Women offer vulnerable girls room and board within their homes, eventually pushing some into prostitution to pay for living expenses. These brothels are located in poorer areas of Bujumbura, along the lake, on trucking routes, and in other urban centers such as Ngozi, Gitega, and Rumonge. Some orphaned girls are exploited in sex trafficking, with boys acting as their facilitators, to pay for school, food, and shelter. Incarcerated women facilitate commercial sex between male prisoners and detained children within the Burundian prison system. Men from East Africa and the Middle East, as well as Burundian government employees including teachers, police officers and *gendarmes*, military, and prison officials, are among the clients of Burundian girls in child sex trafficking. Business people recruit Burundian girls for exploitation in sex trafficking in Bujumbura, as well as in Rwanda, Kenya, Uganda, and the Middle East; they

also recruit boys and girls for various types of forced labor in southern Burundi and Tanzania. In 2015, Rwandan officials and international and local NGOs reported that Burundian refugee girls were exploited in sex trafficking in Uganda after transiting Rwanda; some of these girls may also be subjected to forced labor in domestic work in Uganda.

CABO VERDE: TIER 2 WATCH LIST

The Government of Cabo Verde does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by initiating six sex trafficking investigations under the 2015 anti-trafficking penal code amendments and convicting one trafficker to four years imprisonment on slavery charges, its first conviction for trafficking or slavery offenses in three years. In addition, it provided some in-kind support to NGOs that assisted trafficking victims and designated the Ministry of Justice (MOJ) as the lead entity for inter-ministerial anti-trafficking efforts. However, the government did not demonstrate increasing efforts compared to the previous reporting period. While the government provided security to some identified trafficking victims, it relied on NGOs and international organizations to coordinate and fund all victim shelter and repatriation. Law enforcement did not investigate any individuals in connection with the 18 reports of potential child forced labor in the informal sector during the reporting period, and despite an identified need to train law enforcement and the judiciary on trafficking victim identification and the 2015 anti-trafficking penal code amendments, the government did not provide any training. Therefore, Cabo Verde remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR CABO VERDE

Using the penal code amendments, vigorously investigate and prosecute trafficking offenses and convict and punish traffickers; develop and institute standardized trafficking victim identification procedures—including for adults and victims among vulnerable populations, such as child domestic workers—and a mechanism to refer victims to institutions that provide care, and train law enforcement, judicial personnel, and hotline operators on such procedures; train law enforcement and judiciary officials on the 2015 anti-trafficking amendments; in collaboration with NGOs and government agencies that provide victim care, allocate funding or in-kind assistance to support shelter and psycho-social care for all victims, and collect data on such efforts; investigate indicators of child forced labor in the informal sector, including in domestic service and street vending; educate law enforcement that children younger than 18 exploited in prostitution with a third party is sex trafficking, and robustly investigate such cases, especially in high-tourist areas; amend article 149 of the penal code to criminalize committing such acts against children 16-18 years old; increase efforts to

raise public awareness of human trafficking, including child sex trafficking and domestic servitude; increase collaboration with foreign governments on cases of transnational trafficking; draft and implement a national action plan on trafficking in persons; allocate resources to the MOJ to facilitate coordinated government anti-trafficking action; and develop a system to compile and share comprehensive data on anti-trafficking law enforcement and victim identification efforts among agencies.

PROSECUTION

The government increased anti-trafficking law enforcement efforts, but gaps remained. The penal code appears to prohibit all forms of trafficking in persons. Article 271 criminalizes slavery and prescribes sufficiently stringent penalties of six to 12 years imprisonment. Article 271-A makes it a crime to use force, fraud, or coercion for the purposes of sexual or labor exploitation and prescribes penalties of four to 10 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. When the victim is a minor—an undefined term which elsewhere in the criminal code is defined at 16—the penalty increases to six to 12 years imprisonment. As the penal code does not define labor exploitation, it could be implemented such that labor exploitation short of forced labor would be considered human trafficking. In addition to article 271-A, article 148 of the criminal code outlaws the promotion, encouragement, or facilitation of prostitution and sexual acts with minors younger than 16 years of age or persons suffering from mental incapacity with penalties of four to 10 years imprisonment, or two to six years imprisonment if the victim is between ages 16 and 18. Article 149 of the penal code punishes those who entice, transport, host, or receive children younger than 16 years of age or promote the conditions for sexual acts or prostitution in a foreign country with two to eight years imprisonment; however, this does not prohibit such acts with children 16-18 years old, which is inconsistent with the 2000 UN TIP Protocol. The Law of Foreigners prohibits knowingly subjecting an undocumented migrant worker to trafficking and prescribes penalties of two to six years imprisonment. Article 271-A also prescribes penalties for those who have knowledge of trafficking crimes or use the services of trafficking victims (one to five years imprisonment) and those who retain, conceal, damage, or destroy trafficking victims' identity documents (up to three years imprisonment).

The government investigated seven sex trafficking cases and prosecuted and convicted one trafficker, compared with one sex trafficking investigation and no prosecutions or convictions in the previous reporting period. After completing the investigation initiated the previous reporting period, the government convicted and sentenced a Nigerian trafficker to four years imprisonment for slavery crimes for subjecting two Nigerian women to sex trafficking on Boa Vista Island. The six investigations initiated during the reporting period remained pending and involved female foreigners from ECOWAS countries exploited in sex trafficking. Officials admitted law enforcement and judges lacked understanding of trafficking crimes and the 2015 anti-trafficking amendments, hampering their ability to identify, investigate, and prosecute trafficking cases; nonetheless, the government did not provide any training to such officials. Insufficient staffing and a lack of resources confined the judicial police's presence to four of the country's nine inhabited islands, impeding the government's efforts to identify victims, investigate crimes, collect data, and conduct awareness-raising campaigns. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Despite ongoing transnational trafficking

investigations, the government did not report collaborating with foreign governments on anti-trafficking investigations.

PROTECTION

The government increased efforts to identify trafficking victims, but maintained limited protection efforts. It identified at least six female sex trafficking victims from ECOWAS countries and 18 potential child forced labor victims, compared with two victims identified in the previous reporting period. The government did not have formal procedures for law enforcement or social workers to identify trafficking victims, nor did it have a formal mechanism to refer trafficking victims to care. Authorities lacked training to differentiate trafficking victims from smuggling victims and victims of child abuse from child forced labor and child sex trafficking, which resulted in incomplete and inconsistent data on the number of trafficking victims identified and referred to care. Border police had written procedures to proactively identify trafficking victims and people vulnerable to trafficking, although officials neither received training on such procedures nor implemented them uniformly during the reporting period.

An international organization provided temporary shelter to two identified victims and funded their subsequent repatriation; the government provided security for the shelter and issued laissez-passer cards to facilitate repatriation. Neither the government nor NGOs reported providing shelter, psycho-social, or repatriation assistance to the other identified victims. There were no shelters or services specifically for trafficking victims, but government-funded agencies provided emergency services, temporary shelter, and psycho-social care to at-risk populations and female and child victims of crime that trafficking victims could access. The government's Cabo Verdean Institute for Children and Adolescents (ICCA) operated a national network to prevent and provide assistance to victims of child sexual abuse, which could be used to coordinate the referral of child trafficking victims to care and support throughout court processes. It operated two shelters that provided temporary care for child victims of sexual abuse, violence, and abandonment, and maintained five protection and social reinsertion centers, which provided services for children experiencing long-term trauma, including trafficking. ICCA removed 18 child potential forced labor victims from exploitative conditions in domestic service and street vending and referred them to its shelters. The government did not report assisting any other potential or identified trafficking victims in these shelters during the reporting period, but due to the lack of formal procedures to identify victims, it is possible that some unidentified trafficking victims received care in these shelters.

Law enforcement conducted sex trafficking victim interviews in collaboration with psychologists and, in cases of children, the victims' parents, to provide a comfortable and safe environment. In addition, the government could expedite the investigation and prosecution of cases involving sexual violence, including sex trafficking. Cabo Verdean law does not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. There is no mechanism by which a victim could obtain restitution from the government or file a civil suit against a trafficker. There were no reports officials fined, detained, or penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking; due to the lack of formal victim identification procedures, however, some victims may have remained unidentified in the law enforcement system.

PREVENTION

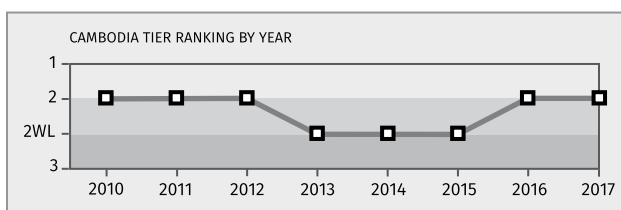
The government maintained modest prevention efforts. The government designated MOJ as the lead for anti-trafficking efforts, although it was not an effective coordinator during the reporting period, which obstructed communication on trafficking issues and hampered the government's ability to adequately address trafficking. ICCA, in partnership with an international organization, drafted, approved, and funded a 2017-2019 national plan to combat child sexual violence, which included actions to address child sex trafficking. In addition, ICCA held six conferences and workshops across four islands to sensitize stakeholders to the list and laws against dangerous work for children and strengthen child protection partnerships. MOJ, in partnership with an international organization, began drafting a trafficking-specific action plan. The national committees to prevent child sexual exploitation and to prevent and eliminate child labor continued awareness campaigns to address child labor and child sexual violence. After ICCA received allegations of the worst forms of child labor in domestic work and street vending and removed the 18 children involved, neither labor inspectors nor law enforcement officials launched any investigations; labor inspectors do not have jurisdiction over the informal sector, although law enforcement does. The government continued to operate six day centers through its *Nos Kaza* project, which aimed to reduce the vulnerability of street children to forced labor and sexual abuse, including sex trafficking. It also continued to operate a hotline for reporting cases of child abuse, including sexual exploitation and child labor. The hotline did not receive any reports of trafficking during the reporting period, although hotline workers did not receive training to differentiate trafficking from similar crimes, such as child labor or abuse. 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.

TRAFFICKING PROFILE

As reported over the past five years, Cabo Verde is primarily a source country for children subjected to forced labor and sex trafficking within the country and a destination for women in forced prostitution; to a lesser extent, it is a source country for children subjected to forced labor in Guinea-Conkary and for men subjected to forced labor in Europe. Boys and girls, some of whom may be foreign nationals, are exploited in sex trafficking in Santa Maria, Praia, and Mindelo, sometimes through child sex tourism. Increasing numbers of West African women have been identified in forced prostitution, including on Boa Vista and Sal Islands and sometimes through sex tourism. Children in domestic service often work long hours and at times experience physical and sexual abuse—indicators of forced labor. Cabo Verdean children engaged in begging, street vending, car washing, garbage picking, and agriculture are vulnerable to trafficking. Children living in impoverished neighborhoods with little state presence are also at risk, especially for sex trafficking. In previous years, there were reports Nigerian traffickers may have forced Cabo Verdean and Brazilian females to transport drugs between the two countries. During the reporting period, a Cabo Verdean man with an EU passport was forced to sell drugs in Luxembourg. West African migrants may transit the archipelago en route to situations of exploitation in Europe. Some adult migrants from China and ECOWAS countries may receive low wages, work without contracts, and have irregular status, rendering them vulnerable to forced labor and sex trafficking.

CAMBODIA: TIER 2

The Government of Cambodia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Cambodia remained on Tier 2. The government demonstrated increasing efforts by convicting a significantly higher number of traffickers, allocating more funds to the national anti-trafficking committee and its subsidiary provincial committees, and establishing new action plans to curb child debt bondage and other forms of labor exploitation. However, the government did not meet the minimum standards in several key areas. Despite endemic corruption that contributes to trafficking in many sectors and among several vulnerable demographics, the government did not investigate, prosecute, or convict any complicit officials. Courts continued to conclude sex trafficking cases with monetary settlements in lieu of prison sentences. The government did not issue formal guidance allowing the use of undercover investigative techniques in anti-trafficking operations—a factor that continued to impede officials' ability to fully hold sex traffickers accountable—nor did it take steps to improve anti-trafficking data collection or information sharing necessary for effective interagency coordination. The government maintained limited victim identification and protection efforts, at times returning child victims to high-risk environments, and provided minimal assistance to male labor trafficking victims despite their prevalence.



RECOMMENDATIONS FOR CAMBODIA

Vigorously investigate and prosecute trafficking offenses and convict and stringently sentence labor and sex traffickers including complicit officials; authorize the use of undercover investigative techniques in the enforcement of the anti-trafficking law; strengthen efforts to fully implement the nationwide protocol for proactive victim identification among vulnerable groups and train officials on its provisions; increase the availability of services for male victims, especially men exploited in commercial fishing; establish systematic procedures and allocate resources to assist Cambodian victims abroad through diplomatic missions abroad or in countries without Cambodian diplomatic representation; increase public awareness on proper travel document application procedures to facilitate safe, legal migration; strengthen efforts to inspect private labor recruitment agencies and their sub-licensed brokers for fraudulent recruitment or other trafficking indicators; modify the law to allow restitution upon conviction of the trafficker; implement a system for monitoring, collecting, and reporting data on anti-trafficking prosecution and victim protection efforts, and disseminate data among the relevant government agencies in a manner that protects victims' identities and privacy; strengthen efforts to incorporate NGO input into the policy for formally transferring custody of child victims; strengthen efforts to implement policies guiding victim-centered court processes, including through the provision of witness protection

and options for compensation; allocate increased resources to anti-human trafficking police to better facilitate the monitoring of defendants released under judicial supervision pending trial; and increase public awareness campaigns aimed at reducing domestic demand for commercial sex and child sex tourism.

PROSECUTION

The government increased law enforcement efforts, particularly in obtaining convictions. The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation explicitly addresses trafficking offenses in 12 of its 30 articles, prohibits all forms of trafficking, and prescribes seven to 15 years in prison—and up to 20 years for aggravating circumstances—for both sex and labor trafficking; these penalties are sufficiently stringent and commensurate with other serious crimes, such as rape. The government did not collect comprehensive data on anti-trafficking law enforcement efforts, particularly among provincial courts; however, the information authorities provided, augmented by media and NGO reports, indicated the government prosecuted 53 individuals under its anti-trafficking law or comparable provisions in the penal code in 2016, compared to 69 prosecutions in 2015. The National Committee for Counter Trafficking (NCCT) reported courts convicted at least 100 traffickers—including some whose trials began in the previous reporting period—up from 43 in 2015 and 29 in 2014. Unlike in prior years, the government did not provide data on sentencing, nor did it disaggregate information on investigations, prosecutions, or convictions based on the type of trafficking offense. Authorities noted that labor officials' failure to sufficiently inspect private recruitment agencies, and the ability of these agencies to sub-license their names to other independent brokers, likely perpetuated labor exploitation during the reporting period.

Local experts reported cases involving foreign suspects were more likely to result in trafficking convictions than cases involving Cambodian suspects, for whom charges were often reduced to less serious offenses. NGOs reported courts continued to conclude sex trafficking cases with monetary settlements in lieu of prison sentences, and victims whose families received out-of-court settlements from traffickers often changed their testimony, further complicating prosecutions. Judicial police lacked the resources to monitor defendants released pending trial, allowing many to flee prior to their trial dates.

The government continued to design and deliver donor-funded training on the implementation of anti-trafficking laws to police, prosecutors, judges, and other government officials. During the reporting period, the NCCT reported more than 7,680 commune and provincial officials, law enforcement officers, judicial staff, and NGO workers received training or attended workshops on anti-trafficking laws, investigative techniques, and evidence collection. Local organizations and some officials noted an urgent need for more sophisticated evidence collection techniques, including undercover investigation, to decrease reliance on witness testimony and adapt to the increasingly clandestine nature of sex trafficking. However, the government did not grant undercover investigative authority to anti-trafficking police units, and NGOs continued to report this significantly constrained law enforcement officers' ability to pursue sex traffickers, particularly for cases involving establishments discreetly engaged in prostitution, such as beer gardens, massage parlors, salons, karaoke bars, and retail spaces.

Endemic corruption at all levels of the government severely limited the ability of individual officials to make progress

in holding traffickers accountable. The Cambodian national police maintained a mechanism for NGO workers to report incidents of anti-trafficking police corruption, but did not field any complaints during the reporting period. The government did not investigate, prosecute, or convict any government employees complicit in trafficking, nor did it take any punitive measures against Phnom Penh's former anti-trafficking police chief, whose 2011 trafficking conviction was overturned in an unannounced, closed-door Supreme Court hearing in 2013.

PROTECTION

The government maintained limited victim identification and protection efforts. In 2016, the NCCT launched new victim identification guidelines developed by the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) with the intention of unifying disparate victim identification, referral, and repatriation efforts across government and law enforcement agencies. With assistance from an international organization, the government continued to operate a transit center in the border city of Poipet, where it screened for trafficking victims among the approximately 55,000 migrants deported from Thailand in 2016. However, it did not report how many victims it identified and, given the extent of trafficking among this population, it likely failed to identify many victims. Authorities did not provide complete statistics on the number of victims they assisted or referred, and the total number of victims identified or assisted by NGOs was unknown. Police identified and referred 326 sex and labor trafficking victims to provincial agencies or NGOs, a decrease from 589 victims in 2015. Authorities indicated most of these were labor trafficking victims. The government operated a temporary shelter in Phnom Penh for female victims of trafficking and other crimes, and it referred trafficking victims to NGO shelters—most of which cared for victims of several forms of abuse—to receive further assistance. The government continued to rely heavily on civil society organizations to protect trafficking victims; however, it did not facilitate formal transfer of custody of child victims, leaving organizations that accepted child victims vulnerable to court action. Provisions allowing for financial settlements in lieu of harsher sentencing further discouraged some families from consenting to temporary guardianship at shelters; absent family consent, government officials at times returned children to high-risk environments, leaving them extremely vulnerable to re-victimization. Despite the prominence of male labor trafficking victims, assistance for this population remained limited.

Cambodian diplomatic missions overseas continued to lack adequate funding or capacity to provide basic assistance or repatriate victims, despite government action in prior years to train diplomats on migrant worker protections. Victims identified in countries without Cambodian diplomatic representation had access to even less support. The Ministry of Foreign Affairs (MFA), which bore the primary responsibility of aiding Cambodian trafficking victims identified in countries not bordering Cambodia, reported rescuing and repatriating 815 Cambodian trafficking victims from 11 countries (857 in 2015); this included 272 victims from Malaysia, 231 from Vietnam, 139 from Thailand, 78 from Indonesia, 64 from China, 16 from Japan, six from Singapore, four from Somalia, two from Laos, two from Russia, and one each from Australia and Saudi Arabia. The majority were repatriated with the assistance of an international organization. The MFA did not promulgate or implement standard operating procedures for the identification and referral of Cambodian victims abroad, nor did it take increased measures to publicize information on how to apply for passports, leaving many Cambodians

without the documentation necessary to migrate legally and safely. MOSAVY reported repatriating 195 Cambodian labor trafficking victims from Vietnam, and reported receiving and referring 38 Cambodian internal trafficking victims and 24 sex and labor trafficking victims from Thailand to NGO services. An NGO recorded accepting 218 potential Cambodian trafficking victims deported from Vietnam alone, including 152 children. However, it was unclear if this figure was captured in the statistics provided by the MFA, or to what extent the MFA data included cases received by MOSAVY.

The government required the repatriation of foreign victims, except in rare cases, and did not provide legal alternatives to their removal regardless of whether they may face hardship or retribution upon return to their countries of origin. MOSAVY repatriated 13 trafficking victims to Vietnam after they received care in NGO-run shelters (five in 2015). There were no reports of the government punishing identified victims for crimes committed as a result of being subjected to trafficking; however, insufficient victim identification efforts left many potential victims at risk of law enforcement action. Law enforcement officials often lacked the facilities necessary to keep victims and perpetrators separated during interviews. The government continued to work with an NGO on a pilot program to train social workers on providing psycho-social support and other services to trafficking victims whose cases are under court proceedings. The Ministry of Justice instructed provincial courts to implement a child-friendly judicial program aiming to facilitate child testimony, including barring direct cross-examination of victims in front of the accused and relying instead on video-conferencing technology. In practice, however, the weak and corrupt legal system and the lack of adequate victim and witness protection, exacerbated by a lengthy trial process and fear of retaliation by traffickers, hindered victims' willingness to cooperate in many cases. Victims were theoretically eligible for restitution, although this was limited by a legal requirement that compensation be paid only following the completion of the trafficker's jail term; NGOs noted victims rarely received the amount promised.

PREVENTION

The government increased prevention efforts. An interagency committee and its secretariat coordinated anti-trafficking activities and continued to implement the 2014-2018 national action plan. The government dedicated an increased number of staff members to the committee and allocated a budget of more than 4 billion riels (\$974,896) as compared to 3.6 billion riels (\$877,407) in 2015. Local committees coordinated efforts at the provincial level; NGOs reported the central government provided modest funds to provincial committees in 2016. For example, one NGO survey noted five out of nine provincial committees received some funding, compared to four committees in 2014. The Ministry of Labor and Vocational Training released a separate action plan aimed at reducing child labor and debt bondage in the service, agricultural, mining, and energy sectors by 2025 through awareness raising, increased legal action, and collaboration with civil society, funded in part through the national budget. An NGO reported receiving 96 complaints from victims seeking legal redress from brokers or recruiting agents involved in their being subjected to trafficking in Malaysia. The government reported continuing to investigate and prosecute labor recruiters for illegal practices that may have contributed to trafficking but did not provide relevant statistics. The anti-trafficking police independently developed its own awareness campaign on policies and procedures to prevent and report sex trafficking crimes in the entertainment

sector, and conducted the related training 2,926 times during the reporting period.

The government continued to implement consular screening measures to reduce the sex and labor trafficking of Cambodian women following forced marriages, including by assessing applicants against trafficking victim profiles jointly developed with China in the prior reporting period. MFA officials claimed the number of visas granted to Cambodian applicants matching the trafficking victim profile dropped significantly during the reporting period due to this consular screening; it was unclear if the MFA had a process for referring these potential victims to law enforcement or protective services. The government entered into two labor recruitment agreements with Saudi Arabia intended to improve migrant worker protections, but it was unclear if these were implemented during the reporting period.

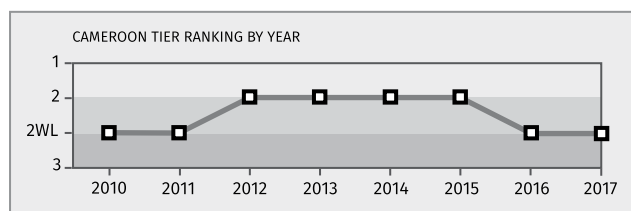
With support from foreign and local donors, the Ministry of Tourism produced and disseminated printed materials, radio broadcasts, billboards, and posters on the dangers of human trafficking—with a particular focus on child sex tourism—although these efforts were targeted at foreign sex tourists rather than the local population that was the main source of demand for commercial sex with children. Authorities reported arresting 12 foreign individuals suspected of engaging in child sex tourism but did not report whether they initiated prosecutions or obtained convictions in any of these cases. Local experts reported concern over the government's ongoing failure to impose appropriate punishments on foreign nationals who purchase commercial sex acts with children. The government provided anti-trafficking training for its diplomatic personnel and to members of the military prior to their deployment abroad on peacekeeping initiatives.

TRAFFICKING PROFILE

As reported over the past five years, Cambodia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Cambodian adults and children migrate to other countries within the region and increasingly to the Middle East for work; many are subjected to forced labor on fishing vessels, in agriculture, in construction, in factories and in domestic servitude—often through debt bondage—or to sex trafficking. Migrants using irregular migration channels, predominantly with the assistance of unlicensed brokers, were at an increased risk of trafficking, but those using licensed recruiting agents also became victims of forced labor or sex trafficking. Children from impoverished families were vulnerable to forced labor, often with the complicity of their families, including in domestic servitude and forced begging or street vending in Thailand and Vietnam. Significant numbers of male Cambodians continued to be recruited in Thailand to work on fishing boats and subjected to forced labor on Thai-owned vessels in international waters. Cambodian victims escaping from this form of exploitation have been identified in Malaysia, Indonesia, Mauritius, Fiji, Senegal, South Africa, and Papua New Guinea. Cambodian men reported severe abuses by Thai captains, deceptive recruitment, underpaid wages, and being forced to remain aboard vessels for years. The UN reported a significant number of women from rural areas were recruited under false pretenses to travel to China to enter into marriages with Chinese men, who often incur as much as \$20,000 in debt to brokers facilitating the transaction; some Cambodian women in forced marriages faced forced factory labor or forced prostitution as a result of this debt.

CAMEROON: TIER 2 WATCH LIST

The Government of Cameroon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by convicting two individuals for trafficking-related offenses, providing services to potential trafficking victims, sending a delegation to the Middle East to discuss Cameroonian migrant workers' rights with two destination governments, and continuing broad social development efforts to assist vulnerable children, including potential trafficking victims. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government penalized trafficking victims for crimes committed as a result of being subjected to trafficking; did not convict any individuals under the trafficking statute; and did not convene the inter-ministerial committee, hindering government-wide action on trafficking. The government did not support anti-trafficking training for law enforcement officials or fund repatriation for Cameroonian trafficking victims stranded in the Middle East, and it continued to rely on NGOs to bring potential trafficking cases to its attention and provide nearly all victim services. Therefore, Cameroon remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR CAMEROON

Increase efforts to investigate, prosecute, and convict traffickers for all forms of trafficking—including complicit officials and cases referred by NGOs—under the trafficking section of the penal code; provide repatriation assistance, including laissez-passer cards, to Cameroonian trafficking victims identified abroad, and expand trafficking-specific services for all victims; increase collaboration with NGOs on identifying and protecting victims and raising awareness of trafficking; provide funding and training on trafficking investigations to the inter-ministerial anti-trafficking committee and regional taskforces, and regularly convene the groups; enact legislation to address the lack of victim protection measures, to ensure force, fraud, or coercion are not required in cases of child sex trafficking, and to conform the definition of “trafficking in persons” in the English version of the penal code with the 2000 UN TIP Protocol; expand training for law enforcement, judiciary personnel, and social workers on the anti-trafficking section of the penal code and victim-centered investigations; develop and train law enforcement on procedures to identify trafficking victims among vulnerable populations, including among people in prostitution and street children; train government officials and sensitize NGOs on the standardized procedures for referring trafficking victims to services; provide pre-departure information to citizens on their rights as foreign workers and sources of assistance while abroad; investigate labor recruiters and agencies suspected of fraudulent recruitment—including unlicensed recruiters and intermediaries—and prosecute if complicit in trafficking; raise awareness among citizens of registered recruitment agencies; establish anti-trafficking taskforces in all regions; and investigate cases of hereditary slavery.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. During the reporting period, the government incorporated its 2011 anti-trafficking law into the penal code as Section 342-1 “Trafficking and Slavery of Persons.” The government published the penal code in French and English, the two official languages of the government. The French version defines “trafficking in persons” (*la traite de personnes*) in line with the 2000 UN TIP Protocol, whereas the English version defines “trafficking in persons” to require movement. In addition, although the English version does not define “exploitation,” its definition of “slavery in persons” does not require movement and criminalizes most forms of human trafficking. Contrary to international law, both versions require the use of threat, fraud, deception, force, or other forms of coercion in sex trafficking crimes against children. Section 342-1 prescribes penalties of 10 to 20 years imprisonment and a fine of 50,000 to one million CFA francs (FCFA) (\$80-\$1,608) for “*la traite de personnes*”/“slavery in persons,” which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. There are enhanced penalties if the trafficking victim is 15 years old or younger, if a weapon is used, or if the victim sustains serious injuries as a result of being subjected to trafficking. The penalties for debt bondage—criminalized in Section 3(1) of the 2011 anti-trafficking law but not explicitly criminalized in the penal code—range from five to 10 years imprisonment and a fine of 10,000 to 500,000 FCFA (\$16-\$804) and are also sufficiently stringent. Draft legislation to address victim and witness protection and definitional inconsistencies with international law, drafted in 2012 in collaboration with an NGO and national and international experts, remained pending for the fifth consecutive year.

The government did not collect comprehensive anti-trafficking data, resulting in unreliable and incomplete statistics on law enforcement and victim identification efforts. The government reported 13 potential trafficking investigations, 13 prosecutions, and two convictions, compared with 17 investigations, 20 prosecutions, and two convictions the previous reporting period. Several investigations involved child kidnapping for an unknown purpose, so it was unclear how many of the 13 cases were trafficking. Prosecutors initiated 11 adult and child labor trafficking prosecutions under the trafficking statute, and they were all ongoing at the end of the reporting period. Despite strong indicators of trafficking, judges convicted three defendants in two trafficking cases for non trafficking crimes. In one case, two defendants who collaborated with a Kuwaiti trafficker to send multiple Cameroonian women to Kuwait for domestic servitude were acquitted of trafficking charges but convicted on charges related to keeping victims by means of false pretenses, and one of the defendants was additionally charged with causing harm under false pretenses. The judge prescribed a sentence of one year in prison and ordered the defendants to pay court fees and damages to the victim, severely less than the minimum penalty of five years imprisonment prescribed for one of the crimes. In contrast with previous years, judges did not convict any individuals for trafficking charges. The government did not report any sex trafficking investigations.

NGOs alleged the government did not proactively investigate trafficking offenses but relied on NGOs to conduct preliminary investigations and bring cases to its attention. Due to the lack of collaboration between the government and NGOs and judicial inefficiencies, some regional courts and NGOs encouraged victims to settle trafficking cases outside of court; financial penalties without imprisonment do not provide adequate deterrence given the serious nature of the crime. The judiciary was reportedly investigating several government

officials for trafficking offenses at the end of the reporting period, including a police officer and an official from the Ministry of Women's Empowerment and the Family. The government did not report any prosecutions or convictions of officials complicit in trafficking offenses. Although law enforcement, judicial personnel, and other relevant officials lacked training in distinguishing human trafficking from other crimes, the government did not directly provide anti-trafficking training or grant in-kind support for trainings by other organizations. Due to the lack of training for law enforcement and judicial staff, some trafficking offenses may have been tried as child abuse or kidnapping, which carry lesser penalties.

The Ministry of External Relations (MINREX) led a delegation to Lebanon and Qatar to meet with Cameroonian trafficking victims, discuss with the host governments the rights of Cameroonian workers, and begin drafting MOUs on Cameroonian workers' rights in each country. In addition, the Cameroonian mission in Lebanon increased collaboration with trafficking victims and the host government, and MINREX established a focal point for trafficking victims who, with NGOs, made travel arrangements to repatriate 14 Cameroonian trafficking victims from Kuwait, Lebanon, and United Arab Emirates. While the delegation formulated a list of future actions, including monitoring employment agencies, creating an agency to monitor Cameroonian workers abroad, and assisting and repatriating victims identified abroad, the government did not proactively regulate such recruiters or initiate investigations of suspicious recruitment practices. Although trafficking victims provided the government a list of alleged middlemen and illegal recruitment agencies involved in exploitation, the government did not report investigating these suspects. Despite the draft MOUs and the identification of several thousand Cameroonian trafficking victims abroad, the government did not report cooperation with foreign governments on transnational trafficking investigations.

PROTECTION

The government increased efforts to identify potential trafficking victims but maintained negligible efforts to protect Cameroonian victims identified abroad. The government did not produce comprehensive statistics on the number of trafficking victims identified or the services these victims received, resulting in unreliable and incomplete statistics on victim identification efforts. Information available indicated the government and NGOs identified 153 potential trafficking victims, compared with zero victims identified the previous reporting period, and all victims received government or NGO services. At least 42 of those identified were victims of kidnapping for an unknown purpose, so it is unclear how many were actually trafficking victims. The government placed one victim in a government-run victim shelter that provided healthcare and education, and the shelter continued to care for a trafficking victim identified in a previous reporting period. These centers were not available to adults and did not provide trafficking specific services. Men, women, domestic, and foreign victims received the same services. The Ministry of Social Affairs (MINAS) placed 92 children removed from Boko Haram—who had been abducted to serve as child soldiers and suicide bombers—in government-sponsored shelters that offered healthcare, education, and psycho-social services. MINAS also continued to place other vulnerable children and child victims of crimes in these facilities in several cities. NGOs provided shelter and services to the majority of trafficking victims in private centers funded by donors. NGOs provided assistance to 60 trafficking and potential trafficking victims, ranging from repatriation, to temporary shelter in

orphanages or social centers, to computer job skills training and a monthly allowance, to family reunification. It is unclear how and when victims were referred to government or NGO centers and if the government and NGOs communicated on such efforts. MINREX estimated 3,500 Cameroonian victims of domestic servitude remained in Kuwait and Lebanon, some of whom had expired residence permits or passports and were awaiting repatriation; it coordinated travel arrangements for 14 of these women, whom an NGO subsequently repatriated. An NGO and an international organization also repatriated an additional 10 trafficking victims from Kuwait during the reporting period; there is no evidence the government-funded the repatriations or provided access to medical services, shelter, counseling, reintegration support, or financial help to any Cameroonian victims identified abroad before or after repatriation.

There is no evidence the government made efforts to encourage victims to participate in investigations or prosecutions of their traffickers, and the government did not report providing counseling, legal support, or any other assistance to victims who testified during court proceedings. Three victims participated in criminal trials of their traffickers. One of the three victims dropped her case due to threats from the community, and a second victim reported she felt pressured to drop her case because of the financial burdens of traveling to the court, threats against her life and the lives of her children, and the absence of government protection. Victims may file suits or seek legal action against traffickers, and family members may also bring civil suits against traffickers on behalf of children. All three victims who participated in trials of their traffickers also filed restitution suits, two of which remained ongoing at the end of the reporting period; in one case, the judge required the defendant to pay damages to the victim but she did not receive the funds due to an ongoing appeal. It is unclear if courts finished adjudicating any of the 20 restitution suits filed by trafficking victims in the previous reporting period. The government could grant temporary residency status to foreign victims who, if deported, may face hardship or retribution; however, it did not report use of this accommodation during the reporting period. The government punished trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. In one case, a judge convicted and sentenced a 14-year-old trafficking victim to 18 months imprisonment when his trafficker—who had refused to pay the child—accused him of stealing a cow. Due to a lack of formal victim identification procedures, including measures to identify victims among vulnerable populations, some victims may have remained unidentified in the law enforcement system. In March 2017, the government deported more than 2,600 undocumented Nigerian refugees without screening for indicators of trafficking.

PREVENTION

The government maintained prevention efforts, but its inadequate provision of resources to national and regional coordinating bodies impeded coordination on anti-trafficking initiatives. Unlike in previous years, the prime minister's office did not convene the inter-ministerial anti-trafficking committee, nor did it coordinate efforts to implement the 2014-2019 anti-trafficking national action plan. While the government did not provide funding to implement the plan, some ministries undertook efforts to assist street children and unemployed youth vulnerable to trafficking. Government-funded awareness campaigns sensitized more than 10,000 students and vulnerable street children to trafficking. MINAS provided family reunification and reinsertion care to 215 street children vulnerable to trafficking. The Northwest regional taskforce,

comprised of social welfare agencies, police, *gendarmierie*, magistrates, and NGOs, lacked the resources and training to fulfill its mandate. The previously established taskforces in the Southwest and Littoral regions were not operational during the reporting period, and the government did not establish taskforces in the remaining seven regions. In an attempt to reduce the number of Cameroonian women exploited in Kuwait, the government banned all women and youth from traveling to the Middle East from the Douala airport; to circumvent the ban, however, migrant workers began transiting Nigeria en route to the Middle East, increasing their vulnerability to trafficking. To reduce the demand for commercial sex acts, MINAS continued its public awareness campaign against child sexual exploitation, and law enforcement arrested purchasers of commercial sex; the government did not make efforts to reduce the demand for forced labor. The government provided briefings on international humanitarian law and the requirements governing international peacekeeping missions to members of the Cameroonian armed forces prior to their deployment abroad on such missions; it is unclear whether these trainings included anti-trafficking modules. In the previous reporting period, allegations arose that Cameroonian peacekeepers deployed to the UN mission in the Central African Republic (CAR) sexually exploited civilians; the government did not provide an update on the cases during the reporting period. The government reported providing anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Cameroon is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking and a source country for men in forced labor. Child traffickers often use the promise of education or a better life in the city to convince rural parents to give their children over to an intermediary, who then exploits the children in sex trafficking or forced labor; traffickers also kidnap victims, as heightened public awareness of trafficking has led parents to be less willing to give their children to intermediaries. Sometimes relatives subject children to sex trafficking within the country. Homeless children and orphans are especially vulnerable to trafficking. Teenagers and adolescents from economically disadvantaged families are often lured to cities by the prospect of employment but are subjected to labor or sex trafficking. Cameroonian children are exploited in domestic service, restaurants, begging or vending on streets and highways, artisanal gold mining, gravel quarries, fishing, animal breeding, and agriculture (on onion, cotton, tea and cocoa plantations), as well as in urban transportation assisting bus drivers and in construction as errand boys, laborers, or night watchmen. In northern regions, parents send young boys—known as *talibes*—to study at Quranic schools, where some are exploited in forced begging by corrupt teachers. Reports document hereditary slavery in northern chiefdoms. Children from neighboring countries are exploited in spare parts shops or by herders in northern Cameroon and transit the country en route to Gabon and Equatorial Guinea.

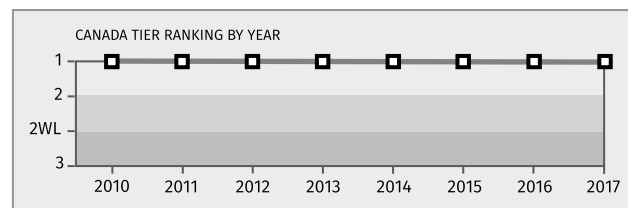
Cameroonian women and men are lured to Europe and other regions by fraudulent internet marriage proposals or offers of well-paying jobs, and subsequently are subjected to forced prostitution or forced labor, especially in domestic servitude. Cameroonians from disadvantaged social strata, rural areas, and students are increasingly exploited in forced labor and sex trafficking in the Middle East—especially Kuwait and Lebanon—as well as in Europe—including Finland—the United States, and multiple African countries, including Nigeria. Some Cameroonian women reported being recruited

for domestic work in Kuwait but sold at “slave shops” upon arrival for sex trafficking. Trafficking networks typically involve destination-country recruitment agencies that use Cameroonian intermediaries to fraudulently recruit fellow Cameroonians for work abroad. Reports suggest local awareness-raising activities targeting fraudulent recruitment have caused intermediaries to operate with greater discretion, often directing victims to travel to the Middle East through neighboring countries, including Nigeria. Some evidence indicates Cameroonian trafficking networks in Morocco force women into prostitution. Cameroonian women also transit Morocco en route to Europe, where they are often forced into prostitution by European trafficking networks.

Adults and children from CAR and Nigeria are lured to Cameroon by the prospect of better opportunities but subjected to labor trafficking. Refugees from CAR and Nigeria, as well as displaced Cameroonians fleeing insecurity in border areas, are vulnerable to human trafficking in Cameroon, especially in urban areas. Nigerian traffickers increasingly bring Nigerian children to major Cameroonian cities for forced labor in spare parts shops. The terrorist organization Boko Haram continued to forcibly recruit Cameroonian children, and Cameroon was also a destination for Nigerian women and girls used as forced suicide bombers and boys used as child soldiers by Boko Haram. An NGO alleged some officially sanctioned community neighborhood watch groups (vigilance committees) may have used and recruited children during the reporting period, including children as young as 12 years old. It also alleged these groups participated in military operations alongside the government security forces and received financial and material support from the government.

CANADA: TIER 1

The Government of Canada fully meets the minimum standards for the elimination of trafficking. The Government of Canada continued to demonstrate serious and sustained efforts during the reporting period; therefore, Canada remained on Tier 1. The government demonstrated serious and sustained efforts by operating a national anti-trafficking taskforce to coordinate, monitor, and report on efforts to combat trafficking; launching an initiative that improved the government’s ability to identify the laundering of trafficking proceeds; and increasing efforts to prevent trafficking, particularly related to forced labor. Although the government meets the minimum standards, it identified fewer trafficking victims than in the previous year and did not improve access to or funding for trauma-informed care and specialized services. For the third consecutive year, the government did not convict any labor traffickers.



RECOMMENDATIONS FOR CANADA

Increase specialized services and shelter available to all trafficking victims, in partnership with civil society and through dedicated funding from federal and provincial governments; increase use of proactive law enforcement techniques to investigate

human trafficking, particularly forced labor; intensify efforts to prosecute and convict traffickers; increase training for government officials, particularly for prosecutors and judges; improve coordination and communication among federal, provincial, and territorial actors and strengthen provincial interagency efforts; investigate and prosecute Canadian child sex tourists; and improve trafficking data collection, including documentation of numbers of identified victims and assistance provided.

PROSECUTION

The government maintained efforts to hold traffickers criminally accountable, although most efforts focused on sex trafficking. Criminal code sections 279.01 and 279.011 criminalize all forms of human trafficking, prescribing penalties of four to 14 years imprisonment for trafficking adults and five to 14 years imprisonment for trafficking children. Aggravating factors such as kidnapping, sexual assault, or death increase the mandatory minimum penalty to five years and the maximum penalty to life imprisonment for trafficking adults and six years to life imprisonment for trafficking children. Such penalties are sufficiently stringent and commensurate with those for other serious crimes. Section 279.02 also makes it a crime to receive financial or any other material benefit from trafficking and prescribes a maximum penalty of 10 years imprisonment with adult victims and a mandatory minimum of two years to a maximum of 14 years imprisonment with child victims. Section 279.03 makes it a crime to withhold or destroy documents to facilitate trafficking; and prescribes a maximum penalty of five years imprisonment for adult victims and a mandatory minimum of one year to a maximum of 10 years imprisonment for child victims.

In 2016, police charged 107 individuals in 68 trafficking cases (none for labor trafficking) compared to 112 individuals in 63 cases in 2015. Prosecutions continued against 300 individuals, including 34 suspected labor traffickers, compared to 314 individuals, including 24 suspected labor traffickers, in 2015. The courts convicted 10 sex traffickers and no labor traffickers in 2016, compared to six sex traffickers in 2015 and imposed sentences ranging from six months to nine and a half years imprisonment, comparable with 2015. NGOs noted a continued imbalance in the government's anti-trafficking efforts, with greater attention to and understanding of sex trafficking versus forced labor. NGOs and other non-governmental experts indicated police and prosecutors' understanding of human trafficking varied, leading some officials to categorize trafficking cases as other crimes or to bring civil instead of criminal charges. The government launched a new project to identify and report financial transactions suspected of being linked to the laundering of proceeds from trafficking, which resulted in 102 disclosures nationwide in 2016, compared to 19 in 2015. Federal and provincial authorities conducted training sessions for law enforcement, immigration, and labor officials and maintained online training courses offered to social, child protection victim services, and shelter workers. Some law enforcement officials reported, however, that not all immigration officials received anti-trafficking training. The federal Royal Canadian Mounted Police (RCMP) included trafficking in the national academy training for all new recruits, trained 68 police officers in an in-depth human trafficking investigators' course, and maintained a national anti-trafficking enforcement unit in Quebec. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government maintained protection efforts, but identified fewer trafficking victims than in previous years, provided a limited number of shelter beds, did not improve access to services, and lacked trauma-informed care. Police identified 77 new victims in trafficking-specific cases in 2016, compared with 99 victims in 2015. Of these, 71 were female, one was male, and the gender of five victims was unknown; 31 were children; all were victims of sex trafficking. Authorities reported a total of 367 trafficking victims related to current and ongoing cases before the courts where trafficking-specific charges were laid. Police and prosecutors screened potential trafficking cases using established indicators, including during proactive operations such as "Northern Spotlight," which resulted in the identification of 16 potential victims. Immigration officials updated the Canada Border Services Agency. Victim Identification and Referral Manual in 2016 and continued to implement guidelines to assess whether foreign nationals were potential trafficking victims. Civil society reported provincial and territorial governments often lacked adequate resources and personnel to monitor effectively the labor conditions of temporary foreign workers or to identify proactively human trafficking victims among vulnerable groups.

The government did not report the number of trafficking victims assisted in 2016; the government reported it assisted trafficking victims through its crime victim assistance regime, which relied on Justice Canada's funding to provincial and territorial governments. The government provided access to services depending on the jurisdiction where the crime victim resided, with each province or territory using a police-based, court-based, or system-based service delivery model. Services included emergency financial assistance, food, housing, health services, and legal services. NGOs, with provincial and federal support, also provided specific services, as did provincial crime victim assistance centers, where available. Services generally included shelter, legal and immigration services, medical care, psychological and crisis counseling, income support, and interpretation. Under the Canadian Crime Victims Bill of Rights, a victim may request information about the offender's conviction and has opportunities to present information to decision-makers for consideration, protection, and restitution; the government did not provide information on whether trafficking victims accessed these rights. There were no reports that victims filed for or obtained restitution in 2016.

In 2016, Public Safety Canada (PSC) issued a call for proposals and awarded two NGOs grants to develop housing response models to address the specific needs of trafficking victims. Two NGOs, with municipal, provincial, and federal government funding, opened new trafficking-specific transitional housing projects with services. Despite these advances, NGOs reported only 24 shelter beds specifically dedicated to trafficking victims nationwide. As a result, social workers had to relocate some victims to provinces that had available housing. The government provided access to health care benefits to foreign victims through the interim federal health program or through provincial or territorial health insurance programs. NGOs reported significant problems accessing such programs, especially when victims were not cooperating with law enforcement. NGOs also reported a need for more trauma-informed care for victims, who were sometimes re-traumatized by the health care system. The government allocated 2.4 million Canadian dollars (\$1.78 million) to 25 NGOs during 2016 to enhance multi-disciplinary child advocacy centers, which provided specific services to child trafficking victims. The government, through the Department of Justice, designated 500,000 Canadian dollars (\$371,471)

for projects to improve trafficking victim services in 2016 as in previous years. Experts reported some shelters for victims of domestic violence would not accept trafficking victims due to the complexity of their needs and out of fear of their traffickers.

Although some provincial governments dedicated funding to victim assistance, Quebec's Victim Assistance Fund did not compensate or provide funding or services to women in prostitution, even if the woman was identified as a sex trafficking victim. Manitoba funded initiatives to identify and assist victims of sexual exploitation, including sex trafficking victims, with a focus on indigenous communities. Part of Ontario's \$53.97 million anti-human trafficking strategy is aimed at improving survivor's access to services such as housing, mental health services, and trauma counseling. In Ontario, however, children 16 and older were not eligible for child protective care and were often diverted to co-ed youth shelters, leaving them vulnerable to recruitment into sex trafficking. The range, quality, and timely delivery of services varied, although most provinces could offer trafficking victims access to shelter services intended for victims of violence or the homeless population, short-term counseling, court assistance, and other services.

Foreign trafficking victims could apply for a temporary resident permit (TRP) to remain in Canada, which entitled victims to access health care and receive a work permit. The government issued TRPs to 67 foreign victims in 2016, compared with 44 TRPs in 2015. Twenty-six permits were issued to first-time recipients; 41 were issued to persons who had previously received TRPs. In comparison, authorities granted TRPs to 19 foreign victims in 2014. The government provides foreign trafficking victims eligibility for short-term 180-day temporary resident permits or long-term TRPs, which are valid up to three years. TRP holders could apply for fee-exempt work permits, but it was unclear how many foreign victims received permits in 2016. Some government officials and NGOs reported difficulties and delays in getting TRPs for foreign victims. While victims waited to receive TRPs, they could not access government services, but could receive assistance from NGOs. There were no reports that the government penalized identified victims for crimes committed as a direct result of being subjected to human trafficking.

PREVENTION

The government increased prevention efforts. PSC led a federal interagency taskforce; published regular anti-trafficking newsletters; and released annual progress reports. PSC also hosted a national forum for provincial and regional governments and NGOs in 2016 that yielded recommendations to develop further training, data collection, peer-led outreach, programs that reflect geographical and cultural contexts, and wrap-around services for victims. The government-funded and promoted awareness-raising campaigns, in partnership with civil society, aimed at indigenous people, youth, law enforcement, and the public. The RCMP Human Trafficking National Coordination Center and three regional human trafficking awareness coordinators in the provinces of British Columbia, Quebec, and Nova Scotia served as anti-trafficking points of contact for law enforcement across the country and participated in meetings to share local strategies, best practices, and successful cases. British Columbia's provincial anti-trafficking office continued to conduct training, prevention, and awareness activities. The government of Ontario developed and published a comprehensive, survivor-focused provincial anti-trafficking strategy and established an anti-human trafficking office to implement the strategy. The province allocated \$54 million

over five years to address human trafficking, and in December 2016 hired indigenous liaisons to work with native communities whose members are at risk of being trafficked. NGOs cited the need for better coordination among the federal, provincial, and territorial governments on anti-trafficking law enforcement. Authorities provided information to temporary foreign workers to let them know where to seek assistance in cases of exploitation or abuse. The government worked closely with the governments of Mexico and Caribbean countries to ensure that Canada's seasonal agricultural program provided workers with access to information on their rights and available consular and other services. Although the government modified the temporary foreign worker program to increase detection of abuse and prioritize Canadian employees over lower-paid migrants, it is not clear whether the measures led to the identification of any potential trafficking victims. According to NGO contacts, Canada's temporary foreign worker program continues to be a vehicle for human trafficking. The government conducted outreach to domestic workers of foreign diplomats to prevent and identify trafficking cases, but did not report whether the outreach led to new cases. Authorities continued to distribute a publication warning Canadians traveling abroad about penalties under Canada's child sex tourism law. The Department of Justice reported sentencing one child sex tourist and designating the individual a long-term sex offender in 2015, but did not report any convictions in 2016. The government provided more than 14.6 million Canadian dollars (\$10.85 million) to support anti-trafficking initiatives in more than 16 countries globally. The government made efforts to reduce the demand for commercial sex and forced labor through awareness-raising, training, and research. The government began to identify ways to address risks of trafficking in the federal supply chain in 2016. The government provided anti-trafficking training for its diplomatic personnel. Canadian authorities provided anti-trafficking information to Canadian military forces prior to their deployment on international peacekeeping missions.

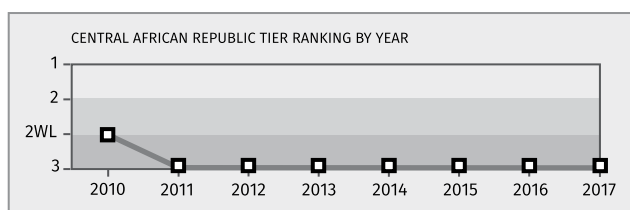
TRAFFICKING PROFILE

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

CENTRAL AFRICAN REPUBLIC: TIER 3

The Government of the Central African Republic (CAR) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so;

therefore, the Central African Republic remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking by establishing the national Disarmament, Demobilization, Reinsertion, and Repatriation (DDRR) Consultative Committee and continuing to support the operation of an orphanage that could house potential trafficking victims. However, the government did not report prosecuting or convicting any traffickers. It also did not identify, provide protection to, or refer to assistance any trafficking victims. The government did not conduct any anti-trafficking awareness campaigns or provide any anti-trafficking training for law enforcement, prosecutors, or judges. According to an international organization, the government took no action to hold accountable armed groups that recruited and used child soldiers during the reporting period. Several international NGOs reported their anti-trafficking efforts were inhibited by harassment from local officials and general corruption.



RECOMMENDATIONS FOR CENTRAL AFRICAN REPUBLIC

Demobilize and reintegrate child soldiers from armed groups and self-defense units; increase efforts to investigate, prosecute, convict, and adequately sentence traffickers, specifically government officials or armed group members who unlawfully recruit child soldiers; take concrete steps to provide comprehensive protection services to victims of all forms of trafficking, and ensure trafficking victims, including child soldiers, are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; hold court hearings for suspected trafficking cases; thoroughly vet incoming members of the reconstituted Central African Armed Forces (FACA) to ensure soldiers who have committed abuses against children are not reintegrated; train law enforcement officials and magistrates to use the penal code's anti-trafficking provisions to investigate and prosecute trafficking offenses; in collaboration with NGOs and the international community, provide care to demobilized child soldiers and children in commercial sexual exploitation and forced labor; draft and implement a national action plan to combat all forms of human trafficking; and increase efforts to educate and encourage the public and relevant governmental authorities to identify and report trafficking victims among vulnerable populations, such as women in prostitution, street children, children associated with armed groups, and Ba'aka minorities.

PROSECUTION

The government maintained insufficient anti-trafficking law enforcement efforts during the reporting period. Article 151 of the penal code criminalizes all forms of trafficking in persons and prescribes penalties of five to 10 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. If the offense involves a child victim of sex trafficking or forced labor similar to slavery, the prescribed penalty is life imprisonment with hard labor. Articles 7 and 8 of the January 2009 Labor Code criminalizes forced and bonded labor and prescribes sufficiently stringent penalties of five to 10 years imprisonment.

The government did not report prosecuting any trafficking cases or convicting any traffickers, and has not done so since 2008. Traditional dispute resolution methods were widely practiced throughout the country to punish criminal acts, often to the exclusion of formal legal proceedings. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government did not provide anti-trafficking training to law enforcement, prosecutors, or judges.

PROTECTION

The government made negligible efforts to identify and protect victims. It did not report assisting or referring to care any trafficking victims during the year. The government reported there were 39 child trafficking victims, 22 boys and 17 girls, ages 9-17, who were identified by international organizations; however, it did not report referring these children to care. The government did not have or develop measures for the proactive identification of victims among vulnerable groups or enact a standardized system for referring identified victims to NGOs to receive care. The Ministry of Social Affairs continued to provide financial support to an NGO for the operation of an orphanage to house and assist children, including potential trafficking victims; however, it is unknown if any trafficking victims received assistance at this orphanage. The government could refer trafficking victims to NGOs that accept, but do not specialize in assisting, trafficking victims; however, the government did not report referring any victims to assistance from NGOs or other service providers. Without a formal identification process, victims may have remained unidentified in the law enforcement system, facing detention or penalization. In previous years, reports indicated the government arrested and jailed individuals engaged in commercial sex, some of whom may have been trafficking victims, without verifying their ages or attempting to identify indicators of trafficking; it is unknown whether the government punished any individuals for engaging in commercial sex during this reporting period. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution; however, no such victims were identified during the reporting period. An international organization, in partnership with the government, provided medical care and psychological services for demobilized child soldiers. No other specialized care was available for child or adult trafficking victims in the country. The law allows victims to file civil suits against the government or their alleged traffickers for restitution; however, there were no reports this occurred during the reporting period.

PREVENTION

The government maintained minimal anti-trafficking prevention efforts during the reporting period. During the reporting period the government established the national DDRR Consultative Committee, responsible for engaging armed groups in the formal DDRC process, including obtaining the release of child soldiers and other children being used by armed groups and ensuring appropriate care is provided; however, they did not report any tangible decisions for the reporting period. The government did not make any progress in drafting or implementing a national action plan to combat trafficking. The government did not have an effective policy on holding foreign labor recruiters liable for fraudulent recruitment. The government did not report any efforts to raise awareness of human trafficking. The government did not report any measures to reduce the demand for commercial sex acts or forced labor, and did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, CAR is a source, transit, and destination country for children subjected to forced labor and sex trafficking, women subjected to forced prostitution, and adults subjected to forced labor. Observers report most victims are CAR citizens exploited within the country, and a smaller number transported between CAR and Cameroon, Chad, Nigeria, Republic of the Congo, Democratic Republic of the Congo (DRC), Sudan, or South Sudan. Traffickers, as well as transient merchants and herders, subject children to domestic servitude, commercial sexual exploitation, and forced labor in agriculture, artisanal gold and diamond mines, shops, and street vending. Within the country, children are at risk of becoming victims of forced labor, and Ba'aka (pygmy) minorities are at risk of becoming victims of forced agricultural work, especially in the region around the Lobaye rainforest. Girls are at risk of being exploited in commercial sex in urban centers. Girls forced into marriages are often subjected to domestic servitude, sexual slavery, and possibly sex trafficking.

Surges in violent conflict in recent years resulted in chronic instability and the displacement of nearly one million people, increasing the vulnerability of men, women, and children to forced labor and sex trafficking. In March 2017, more than 402,000 people remained internally displaced and approximately 464,000 sought refuge in neighboring countries. There is limited information about the forms of exploitation believed to have increased as a result of years of conflict. The recruitment and use of children by armed groups, at times through force, particularly among armed groups aligned with the former Seleka government and the organized village self-defense units fighting against it known as the anti-Balaka, has been widely documented. An international organization reported between 6,000 and 10,000 children were recruited by armed groups during the latest conflict through 2015; some remain under the control of these armed groups. On May 5, 2015, as part of the Bangui Forum for National Reconciliation, 10 armed groups operating in the country agreed to release all children under their control and cease recruitment of child soldiers; however, an international organization reports that during the reporting period, some armed groups are recruiting child soldiers again. Between April and September 2016, 389 children were separated from armed groups. The program for the withdrawal, reintegration, and reintegration into the community of Children Associated with Armed Forces or Groups (EAFGA), which began with the signing of the Bangui Forum Agreement in May 2015, continued and to date 7,506 children were removed from armed groups through this program. The government remained without an effective disarmament, demobilization, and reintegration program. Children formerly associated with armed groups remained at risk of re-recruitment; for example, one armed group re-recruited approximately 150 children in January 2016. Additionally, reports indicated that some anti-Balaka fighters held ethnic Peuhl women and girls as sex slaves. UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) helped to facilitate the rescue of over 90 Peuhl held hostages in southwest for many months.

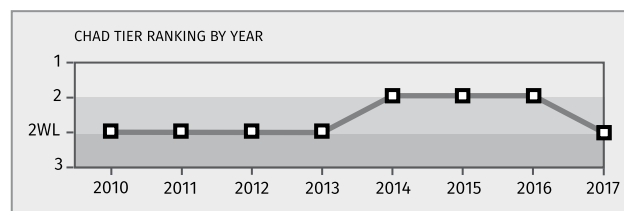
MINUSCA has over 10,000 peacekeeping forces and police in CAR to protect civilians, provide security, support humanitarian operations, and promote and protect human rights, among other objectives; however, allegations of sexual abuse by peacekeepers within MINUSCA persisted during the reporting period. The UN reported receiving 50 allegations of sexual exploitation and abuse by MINUSCA Peacekeepers by December 2016, including 16 incidents which reportedly occurred in 2016, some

of which may have involved trafficking victims. Peacekeepers from the DRC and the Republic of Congo allegedly perpetrated the majority of these 50 reported cases; however, soldiers from Bangladesh, Morocco, Niger, Senegal, Cameroon, Egypt, and Mauritania were also reportedly involved. In August 2016, MINUSCA peacekeepers and UN civilian staff were also accused of multiple cases of sexual abuse in the country, including the alleged rape by a UN peacekeeper of a 12-year-old girl. More than 100 cases were reported since MINUSCA's inception in September, 2014.

The Lord's Resistance Army (LRA), a Ugandan rebel group that operates in CAR's eastern regions, continued to enslave Central African, South Sudanese, Congolese, and Ugandan boys and girls for use as cooks, porters, concubines, and combatants. Some of these children may have been taken back and forth across borders into South Sudan or the DRC. In 2016, the LRA abducted 299 people, compared to 217 people abducted in the previous reporting period. One quarter of the abductions were children, 41 of whom are still missing or in captivity. The LRA also committed abductions, forced girls into marriages, and forced children to commit atrocities such as looting and burning villages, killing village residents, and abducting or killing other children. During the reporting period, an international organization reported the LRA abducted at least six children, from a mining camp site in Lipoutou, and 16 people were attacked and abducted by LRA forces in Mbomou; however, it is unclear if they were consequently enslaved. Similar actions by other armed groups are frequently attributed to the LRA.

CHAD: TIER 2 WATCH LIST

The Government of Chad does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying at least two trafficking victims. It implemented some measures to prevent the recruitment and use of child soldiers by training members of the military and verifying the age of entrants at military centers. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government reported a decrease in the number of investigations, prosecutions, and convictions compared to the previous year. It did not provide specialized services for trafficking victims and did not systematically refer victims to NGOs or international organizations for care. Therefore, Chad was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR CHAD

Enact legislation prohibiting all forms of trafficking in persons and prescribing sufficiently stringent punishments; strengthen enforcement of existing laws to combat trafficking in persons; vigorously investigate and prosecute suspected trafficking offenders and sentence them to time in prison; provide training to magistrates on managing trafficking and applying

penalties that have a deterrent effect under existing laws; provide specialized anti-trafficking training to law enforcement officers and prosecutors; work with NGOs and international organizations to increase the provision of protective services to all trafficking victims, including children exploited in sex trafficking or forced into cattle herding or domestic service; allocate regular funding to support the activities of the inter-ministerial committee on trafficking in persons, including funding for victim protection efforts; and raise public awareness of trafficking issues, particularly at the local level among tribal leaders and other members of the traditional justice system.

PROSECUTION

The government decreased law enforcement efforts. Existing laws do not specifically prohibit trafficking, though they do prohibit forced prostitution and many types of labor exploitation. Article 20 of the Constitution prohibits slavery and servitude. Title 5 of the labor code prohibits forced and bonded labor, prescribing penalties ranging from six days to three months of imprisonment or a fine of 147,000 to 294,000 (\$236-\$473) Central African CFA francs (FCFA) or up to 882,000 CFA (\$1,419) for repeat offenders; these penalties are not sufficiently stringent to deter this form of trafficking and do not reflect the serious nature of the crimes. Penal code articles 279 and 280 prohibit the “prostitution” of children, prescribing punishments of five to 10 years imprisonment and fines up to 1,000,000 FCFA (\$1,608); Title 5 of the labor code punishes forced labor and servitude with fines ranging from 50,000 FCFA to 500,000 FCFA (\$80 to \$804). These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Pimping and owning brothels are prohibited under penal code articles 281 and 282. The African Charter on the Rights and Welfare of the Child, the January 1991 Ordinance on the Reorganization of the Armed Forces, and the Optimal Protocol to the Convention on the Rights of the Child prohibit recruitment of children younger than 18 years; punishment for those who violate this provision is at the discretion of military justice officials. In December 2016, the National Assembly passed an updated penal code at the end of the reporting period that required presidential proclamation at the end of the reporting period before it could be enacted into law; it includes 16 articles specifically criminalizing trafficking in persons and is intended to align Chad’s law with the 2000 UN TIP Protocol. Draft revisions to the child protection code, also including provisions criminalizing trafficking in persons, awaits the President’s proclamation and enactment.

Although the government did not collect comprehensive law enforcement data, it initiated one investigation which led to the prosecution of one *marabout* for the alleged forced begging of two Quranic school students; the suspect was in detention while this case remained pending at the close of the reporting period. The government did not report any convictions. These efforts represent a decrease compared with six investigations, four prosecutions, and three convictions during the previous reporting period. The government did not report any new investigations, prosecutions, or convictions of complicit officials; however, NGOs reported of some local officials’ complicity in trafficking during the reporting period. During the previous reporting period, authorities arrested the police commissioner of the city of Kelo on suspicion of involvement in child trafficking; however, after initial investigation for kidnapping, officials released the suspect from custody and, while the case remained open, it was unknown whether officials continued to actively investigate the charge. In 2016, the Chadian National Police Child Protective Services (Brigade des Mineurs) continued to

investigate child abuse and exploitation, including trafficking.

PROTECTION

The government decreased efforts to identify and protect trafficking victims. It did not officially report the number of victims identified or referred to protection services, although it identified at least two victims whom it referred to a public hospital for immediate care. These efforts represent a decrease from 13 victims identified in 2015. Regional committees, located in eight regions in Chad, identified and referred an unknown number of victims to protective services, but these service agencies lacked adequate resources to fully investigate every case. The government continued to lack formal victim identification and referral procedures. The government did not finalize or begin implementation of its draft guide for security forces, NGOs, social workers, and civil society outlining steps to assist suspected trafficking victims, such as informing the police and referring victims to social services or local NGOs. The guide also details what role different institutions have during an investigation and provides guidance on social services, health centers, and shelters, as well as information about how to reunite victims with their families when possible. Inadequate human and financial resources severely limited the government’s ability to provide adequate services to victims of all crimes, including trafficking victims. The government continued to provide limited in-kind contributions and social services to victims of crime through a joint agreement with UNICEF, though these services were not specific to the needs of trafficking victims. Through this joint agreement, the government also provided facilities to UNICEF, which used the buildings as shelters for victims of crime, including trafficking victims. During the reporting period, these multipurpose shelters were used to provide shelter and services to an unknown number of children; the government ultimately reunited the children with their families. The government did not have a formal policy to offer temporary or permanent residency for foreign victims of trafficking. There were no reports the government punished trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government decreased efforts to prevent trafficking. The inter-ministerial committee responsible for coordinating government efforts to combat trafficking did not convene due to cabinet reshuffles throughout the reporting period. The government made no discernible efforts to raise awareness on trafficking or reduce the demand for forced labor or commercial sex during the reporting period. The government provided Chadian troops human rights training, which included anti-trafficking training, prior to their deployment abroad on international peacekeeping missions, in collaboration with a foreign donor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

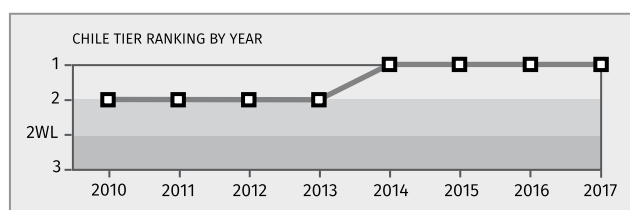
TRAFFICKING PROFILE

Chad is a source, transit, and destination country for children subjected to forced labor and sex trafficking. The country’s trafficking problem is primarily internal and frequently involves children being entrusted to relatives or intermediaries in return for promises of education, apprenticeship, goods, or money, and subsequently subjected to forced labor in domestic service or herding. Children are subjected to forced labor as beggars and agricultural laborers. Some children who leave their villages to attend traditional Quranic schools are forced into begging,

street vending, or other labor. Child herders, some of whom are victims of forced labor, follow traditional routes for grazing cattle and, at times, cross ill-defined international borders into Cameroon, Central African Republic, Sudan, and Nigeria. Some of these children are sold in markets for use in cattle or camel herding. In some cases, child herders are subjected to forced labor by military or local government officials. Chadian girls travel to larger towns in search of work, where some are subsequently subjected to child sex trafficking or are abused in domestic servitude; child sex trafficking is also a concern among refugees and IDPs in Chad. NGOs report that the Nigerian terrorist groups Boko Haram and its offshoot Islamic State-West Africa are involved in child trafficking. In the Lake Chad area, since May 2015, attacks by Boko Haram and concurrent government military operations increased the number of IDPs, a population vulnerable to trafficking, to 76,225. Vigilante groups in Chad may have recruited and used children in armed conflict.

CHILE: TIER 1

The Government of Chile fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Chile remained on Tier 1. The government demonstrated serious and sustained efforts by pursuing more prosecutions and obtaining more convictions under the trafficking statute, increasing funding for victim services, assisting a greater number of child sex trafficking victims, and developing a national identification and referral mechanism. Although the government meets the minimum standards, weak sentences for trafficking convictions continued to hamper efforts to deter and hold traffickers accountable. The government continued to prosecute and convict internal child sex trafficking cases under a law that does not prescribe penalties commensurate with other serious crimes.



RECOMMENDATIONS FOR CHILE

Increase efforts to penalize traffickers with dissuasive sentences proportionate to the severity of the crime; investigate, prosecute, and convict all forms of human trafficking, including internal child sex trafficking, under law 20.507; expand access to specialized shelters for victims, including male victims and victims outside the capital; issue guidance to law enforcement and members of the judiciary clarifying that third-party prostitution of children is sex trafficking; encourage members of the judiciary to order restitution on behalf of all victims of trafficking who request it; strengthen law enforcement's capacity to respond to trafficking victims, including by providing translation services when needed; increase legal representation to victims who wish to seek restitution from their exploiters; develop guidelines for officials to screen for trafficking indicators for children involved in illicit activities; and make efforts to reduce the demand of commercial sex and forced labor.

PROSECUTION

The government increased prosecution efforts, although imposed penalties for convicted traffickers were inadequate as none of the eight convicted traffickers served prison terms. Law 20.507 prohibits all forms of human trafficking, prescribing penalties ranging from five years and one day to 15 years imprisonment, plus fines, for trafficking offenses. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Chilean officials continued to investigate and prosecute many internal child sex trafficking cases under article 367 of the penal code, which penalizes promoting or facilitating child sex trafficking. Minimum penalties for this crime range from three to five years imprisonment, which is commensurate with those for other serious crimes, such as kidnapping, although well below those for rape. In practice, judges frequently suspended or commuted sentences of individuals convicted of serious offenses, including human trafficking. Anti-trafficking police units opened 23 new investigations in 2016, four for sex trafficking and 19 for labor trafficking, compared with 15 cases in 2015, seven for sex trafficking and eight for labor trafficking. Authorities prosecuted 109 cases, 103 under article 367 for promoting and facilitating child sex trafficking, and six under law 20.507 for trafficking, compared with 94 prosecutions in 2015 (91 under article 367 and three under law 20.507). The government obtained convictions for eight traffickers, three under article 367 and five under law 20.507 (two for sex trafficking and three for labor trafficking), an increase from three under article 367 and none under law 20.507 in 2015. However, none of the traffickers convicted during the reporting period were sentenced to terms of incarceration, although some were in pre-trial detention. Convicted traffickers were sentenced to probation, a penalty inadequate given the severity of the crime. In contrast, in 2015, the government sentenced two of the three convicted traffickers to three years imprisonment and the third trafficker to daily overnight imprisonment. The government obtained its first labor trafficking conviction, handed down by a panel of judges in a bench trial, in a case in which three children from Ecuador were forced to work 12-hour days, seven days a week selling clothes and handicrafts on the street in cold weather and doing domestic work in the home of two Ecuadorian nationals. The children were never paid and had no access to education or medical services. The defendants were found guilty and sentenced to probation. In another labor trafficking case involving one child from Ecuador, defendants provided restitution in the amount of 5 million pesos (\$7,480) as part of a settlement and were sentenced to 5 years probation. The government did not report any prosecutions or convictions of government officials allegedly complicit in human trafficking offenses during 2016. The former deputy police chief who had been investigated for his alleged involvement in the commercial sexual exploitation of children was convicted of sexual abuse after the investigations concluded he had not been a part of the trafficking ring.

The government provided specialized training on trafficking to more than 420 officials in 2016, including law enforcement, prosecutors, justice officials, often in partnership with NGOs and international organizations. The public prosecutor's office maintained an active anti-trafficking working group that provided guidelines for investigating trafficking cases and maintained a human trafficking coordinator in each regional office. The human trafficking coordinator notified and coordinated new cases with specialized units at the national prosecutor's office to ensure assignment of prosecutors with trafficking experience or experience prosecuting other complex or transnational crimes. In December 2016, the public prosecutor's

office created a northern Chile internal working group, including regional prosecutors from three northern provinces, to increase coordination and effectiveness of criminal investigations into organized crime, including trafficking in persons. Authorities increased the staff of the trafficking and smuggling investigative police unit in Santiago to 28 detectives from 24; a similar unit in Iquique had eight detectives. Authorities reported lack of specialized funding for trafficking efforts remained a concern; it limited access to qualified translators and interpretation services for investigations involving foreign victims and specialized legal representation for victims, particularly for those seeking restitution via civil lawsuits. The government participated in an international law enforcement operation of 36 countries that resulted in the detention of 10 traffickers.

PROTECTION

The government maintained victim protection efforts. Authorities identified 23 trafficking victims during the year including two children, 15 for labor trafficking, and eight for sex trafficking, compared with 65 trafficking victims in 2015 and 16 in 2014. The National Service for Minors (SENAME) assisted 1,341 children who were victims of commercial sexual exploitation in 2016, compared with 1,285 in 2015; authorities did not report how many were victims of trafficking or how many of the children assisted were new in 2016. Provision of victim services remained uneven across the country and NGOs reported funding was inadequate to provide necessary services, especially shelter. The National Service for Women and Gender Equality (SERNAMEG) allocated 92.2 million Chilean pesos (\$137,859) to fund the NGO-operated shelter for women victims of trafficking, smuggled women, and their children, an increase from 85 million pesos (\$127,093). The shelter facilitated health, immigration, and employment services. In 2016, the shelter housed 10 women, including six foreigners from Ecuador, Russia, and Haiti. The shelter was at full occupancy and all other victims were referred to non-specialized shelters for victims of domestic abuse. SENAME provided services to child sex trafficking victims through its national network of 17 NGO-operated programs for children, including boys, subjected to commercial sexual exploitation. There were no shelters for adult male victims or victims outside the capital. SENAME increased funding to 2.717 billion Chilean pesos (\$4.1 million) in 2016, compared with 2.276 billion Chilean pesos (\$3.4 million) in 2015. The Social Action Department of the Ministry of Interior had a separate fund to assist vulnerable migrants that was used for trafficking victim services.

In 2016, the anti-trafficking interagency taskforce published a comprehensive identification and referral guide for public officials, including police officers, immigration officials, health providers, labor, health, and municipal inspectors. According to this guide, 63 percent of trafficking victims in Chile were male, yet specialized assistance for male victims was limited. Law enforcement officials lacked guidelines for dealing with potential trafficking victims detained or placed in protective custody for alleged criminal acts, such as children involved in illicit or illegal activities. The government increased training efforts outside the capital and maintained robust efforts to train first responders, including health workers, public officials, and victims. Reintegration services such as education and job placement assistance were insufficient, and officials reported access to quality mental health services was expensive and limited. Authorities provided training on victim assistance and identification to 275 government officials, including labor inspectors, SENAME staff, and first responders. The

Department of Migration continued to provide no-fee visas for trafficking victims and issued 16 in 2016. The visa is valid for six months, renewable for up to two years. Renewal requires that the victim report the crime to the prosecutor's office. The government did not report if restitution was granted to any victims through civil or criminal cases in 2016; however, in a forced labor case the defense provided 5 million Chilean pesos (\$7,476) to the victim. There were no reports the government penalized trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government maintained prevention efforts. The Ministry of Interior continued to lead the anti-trafficking interagency taskforce—which included government agencies, as well as international organizations and local NGOs—and its three sub-commissions. The taskforce continued to implement the 2015-2018 national action plan. While there was improvement in interagency cross-referencing and sharing of data, more robust coordination was needed. A team of forensic psychologists completed a qualitative study on the nexus between the psychological aspects involved in human trafficking, such as coercion, intimidation, abuse of power, dependency, and the forensic investigatory techniques that can support a criminal investigation. By the end of the reporting period, the results of the study were not published; however, authorities indicated the findings were incorporated into the training offered to the investigative police.

A law enacted last year continued to strengthen protections for domestic workers, including by requiring registration of domestic worker contracts, setting limits on weekly hours, and authorizing labor inspectors to enter employers' homes, with their permission, or to require their appearance at a labor inspection office. The government reported that no victims were identified as a result of the inspections conducted. The government continued the "Blue Campaign," a website to combat human trafficking, and a video campaign to commemorate the UN World Day against Trafficking in Persons. The government continued to conduct awareness efforts, including prevention campaigns focused on reducing demand for commercial sexual exploitation of children. The government did not report efforts to reduce the demand for forced labor or adult commercial sex. Authorities provided anti-trafficking training to Chilean troops prior to their deployment abroad for international peacekeeping missions. The government provided anti-trafficking training to its diplomatic personnel.

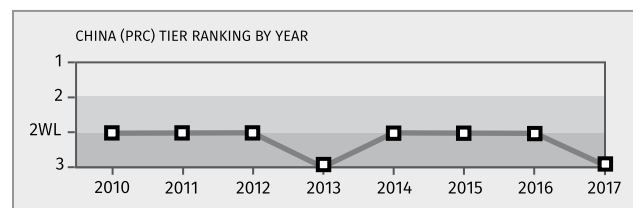
TRAFFICKING PROFILE

As reported over the past five years, Chile is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Chilean women and children are exploited in sex trafficking within the country, as are women and girls from other Latin American countries and Asia. Some traffickers may recruit children staying in child protection centers. Men, women, and children—primarily from other Latin American countries, as well as Asia—are exploited in forced labor in Chile in mining; agriculture; construction; street vending; the hospitality, restaurant, and garment sectors; and domestic service. Chinese immigrants may be vulnerable to sex trafficking and forced labor and Korean women are subjected to sex trafficking. Chilean authorities identified a significant number of children involved in illicit activities, including drug trafficking and theft; some of these children may have been trafficking victims. Chilean men are subjected to labor

trafficking in Peru and Chilean women are subjected to sex trafficking in Argentina, as well as other countries. Brothels in small towns are often frequented by police officers, dissuading potential trafficking victims from reporting exploitation. In 2016, law enforcement investigations and convictions indicated an increasing number of Ecuadorian men, women, and children are exploited in forced labor and sex trafficking in Chile.

CHINA: TIER 3

The Government of the People's Republic of China (PRC) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, China was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including increasing cooperation with other countries to investigate cases involving Chinese trafficking victims overseas and by funding awareness campaigns and materials to increase general understanding of the issue. The government continued to provide law enforcement data and reported convicting numerous traffickers; however, it was unclear how many of the cases reported by the government were consistent with the international definition of human trafficking. The government reported operating shelters specifically for trafficking victims, as well as multi-purpose shelters available to accommodate trafficking victims. However, some unverified media and NGOs reports indicated government complicity in forced labor continued, including in some drug rehabilitation facilities where individuals continued to be detained without judicial process. Human rights organizations and media continued to report local officials in Xinjiang coerced Uighur men and women to participate in forced labor in and outside the province, despite the local government issuing a notice in early 2017 the practice had been completely abolished. The government convicted fewer sex and labor traffickers compared to the previous reporting period. Authorities continued to forcibly repatriate North Koreans, where they faced severe punishment including forced labor and execution, without screening them for indicators of trafficking. While the government reported mandating authorities screen for indicators of trafficking among all individuals arrested for prostitution, it was unclear if any were screened, and the government did not report referring any such potential victims to shelters or other care. The law does not fully criminalize all forms of trafficking such as the facilitation of prostitution involving children younger than the age of 18, and defines several crimes as human trafficking that do not fit within international law. The government handled most cases with indicators of forced labor as administrative issues and initiated prosecutions of the traffickers in relatively few cases.



RECOMMENDATIONS FOR CHINA

End forced labor in government facilities and by government officials outside of the penal process; vigorously investigate, prosecute, and impose prison sentences on perpetrators

of forced labor and sex trafficking, including government officials who facilitate or are complicit in trafficking; update the legal framework to criminalize fully all forms of trafficking, including the facilitation of prostitution involving children younger than the age of 18; expand efforts to institute proactive, formal procedures to systematically identify trafficking victims throughout the country, including labor trafficking victims, Chinese victims returning from abroad, and victims among vulnerable groups, such as migrant workers and foreign and local women and children arrested for prostitution; improve procedures to prevent victims from being punished for acts committed as a direct result of being subjected to trafficking; ensure authorities do not subject trafficking victims to detention, punishment, or forcible repatriation; expand victim protection services, including comprehensive counseling and medical, reintegration, and other rehabilitative assistance for male and female victims of sex and labor trafficking; provide legal alternatives to foreign victims' removal to countries where they would face hardship or retribution, particularly North Korea; increase the transparency of government efforts to combat trafficking and provide disaggregated data on efforts to investigate and prosecute sex and labor trafficking of adults and children and to identify and provide protection services to victims of all forms of trafficking; and continue to provide data on the number of criminal investigations, prosecutions and convictions in cases identified as involving forced labor, including recruiters and employers who facilitate forced labor and debt bondage, both within China and abroad.

PROSECUTION

The government decreased law enforcement efforts. It reported crimes outside international law's definition of human trafficking, making it difficult to assess appreciable progress from the previous reporting period. Not all statistics were captured by the central government. The criminal code prohibits many forms of trafficking, although it differs from international law on human trafficking. Article 240 of the criminal code prohibits "abducting and trafficking of women or children," which is defined as a series of acts (e.g., abduction, kidnapping, purchasing, selling, sending, receiving) for the purpose of selling women and children. While the acts that comprise the crime are not tied specifically to a purpose of exploitation, as international law defines trafficking in persons, crimes such as forced labor or forced prostitution are addressed in related articles. In addition, a 2016 opinion from the Supreme People's Court (SPC) interpreting article 240, et seq. provides that "selling and buying human beings is banned for any reason. The SPC will penalize crimes of trafficking and purchasing regardless of victims' gender, age, and nationality for whatever purpose according to the law." Crimes under article 240 are punishable by no less than 10 years imprisonment, with life imprisonment or the death penalty possible in particularly serious circumstances. Article 241 criminalizes the purchase of women or children, although like article 240, it does not require that the purchase be done for the purpose of exploitation as international law defines human trafficking. Article 358 criminalizes organizing prostitution and forced prostitution, which is punishable by five to 10 years imprisonment or, with aggravated circumstances, up to life imprisonment. Article 359 makes it a crime to harbor prostitution or seduce or introduce others into prostitution and is subject to a maximum five years sentence and payment of a fine; for the seduction of girls younger than the age of 14 into 'prostitution,' the sentence is five years or more and a fine. Under international law, the inducement of children under the age of 18 to engage in prostitution, without resort to force, fraud, or coercion, and the forced prostitution of adults, are both

forms of sex trafficking. Article 244 makes it a crime to force a person “to work by violence, threat or restriction of personal freedom” and to recruit, transport or otherwise assist in forcing others to labor, punishable by three to 10 years imprisonment and a fine. Prescribed penalties under all these statutes are sufficiently stringent and commensurate with those prescribed for other serious crimes, including rape. In January 2017, SPC issued a widely-publicized formal interpretation regarding the application of the law in cases involving the trafficking of women and children which advised that in certain cases, including when women or children were purchased and then subjected to sexual exploitation or begging, respectively, a person found guilty of trafficking should be convicted “according to the provisions of combined punishment for several crimes,” thereby increasing the penalty for such crimes.

The government continued to provide some law enforcement data; it reported investigating 1,004 trafficking cases (1,414 in 2015) and convicting 1,756 traffickers (2,076 in 2015) in 2016. However, unlike in the previous reporting period, it did not report the number of prosecutions initiated in 2016. In addition, due to China’s definition of human trafficking, which may include human smuggling, child abduction, forced marriage, and fraudulent adoptions, the exact number of trafficking offenses the government investigated, prosecuted, and convicted was unclear. The Ministry of Public Security (MPS) reported investigating 1,004 cases of human trafficking and arresting 2,036 suspects (1,932 in 2015), including 45 suspected cases of forced labor (21 in 2015) involving the arrest of 74 suspects. In one investigation across 13 provinces involving disabled labor trafficking victims, the government arrested 464 suspects. The government reported convicting 435 sex traffickers (642 in 2015) and 19 labor traffickers (72 in 2015) as well as convicting 1,302 offenders in cases in which it was unclear what forms of exploitation occurred. The government did not report the number of investigations, prosecutions, or convictions involving cases of children or disabled persons forced to beg or engage in other illegal activities.

The government handled most cases with indicators of forced labor as administrative issues through the Ministry of Human Resources and Social Services and seldom initiated prosecutions of such cases under anti-trafficking statutes. The government increased law enforcement cooperation with foreign governments, investigating cases of Chinese citizens subjected to trafficking in the United States, Africa and Europe, with some investigations resulting in prosecutions. The government reported funding training in rural areas for court officials and prosecutors; however, it did not provide detailed information on these efforts. In addition, law enforcement officials, prosecutors, and judges attended trainings on trafficking organized by other countries and international organizations; when authorities participated in these trainings, the PRC sometimes provided speakers and venues, and funded lodging, transportation, and meals for some participants. Despite reports of police accepting bribes from sex traffickers, including brothel owners, the government reported few investigations of government employees complicit in human trafficking offenses. Two officials who reportedly solicited child trafficking victims for commercial sex acts were expelled from their political party and positions; however it is unclear if the government subjected these officials to criminal prosecution.

PROTECTION

The government maintained minimal efforts to protect victims. The government did not report comprehensive data

on how many victims it identified during the reporting period. It did report identifying 432 women and 406 children as a result of law enforcement investigations, in addition to identifying 98 disabled labor trafficking victims. However, it was unclear how many were victims of human trafficking as defined by international law and despite reporting services were available to assist victims, it did not report how many victims it assisted during the reporting period. The government reported maintaining at least 10 shelters specifically dedicated to care for trafficking victims, as well as eight shelters for foreign trafficking victims and more than 2,300 multi-purpose shelters nationwide that could accommodate trafficking victims. The government reported victims could receive shelter, medical care, counseling, and other services. However, the government did not provide victim protection data to ascertain the extent to which trafficking victims in fact accessed these shelters or services. Access to specialized services was dependent upon victims’ location and gender. Rehabilitation services for trafficking victims, especially mental health services, were limited. The impact or effectiveness of the government’s previously reported victim assistance—including border liaison offices, victim funds, hotlines, and government-to-government agreements to assist victims—remained unclear. Foreign embassies in China reportedly provided shelter or protective services to victims.

The government sponsored trainings and provided speakers for trainings organized by an international organization to government officials and civil society on a national referral mechanism and standards for treatment of victims of trafficking. The government detained women during police prostitution raids and detained some of these women while their cases were under investigation; previously, detained women could be held for up to 15 days, however, the government reported a new policy during the reporting period to limit detention to a maximum of 72 hours. While the government reported it mandated screening for trafficking indicators of all individuals arrested for prostitution, it did not report how many victims were identified from this screening and referred to shelters or other care facilities. The Office to Combat Trafficking in Persons continued to disseminate trafficking victim identification procedures to law enforcement officials throughout the country. The government held interagency meetings to establish a national referral mechanism and adopted victim identification guidelines, however, identification procedures varied according to local officials’ training and understanding of trafficking. This variation increased the risk that unidentified trafficking victims were detained or deported following arrest for unlawful acts committed as a direct result of being subjected to human trafficking. The government entered into agreements with neighboring countries and increased training of border officials. The government did not uniformly provide temporary or permanent residence permits to foreign trafficking victims. The government reported cooperating with law enforcement in Spain, France, Malaysia, the United States, and countries in Africa on cases involving Chinese women exploited in sex trafficking; however, most victims chose not to return to China. Chinese law provides victims the right to request criminal prosecution and claim financial restitution by filing civil lawsuits against their traffickers; the government did not report if any victim benefited from this provision. The judicial system did not require victims to testify against their traffickers in court and allowed prosecutors to submit previously recorded statements as evidence. Authorities continued to detain North Korean asylum-seekers and forcibly repatriated some to North Korea where they faced severe punishment or death, including in North Korean forced labor camps. As it was unclear if the government screened these individuals for indicators of

trafficking and there were reports the government forcibly returned some North Korean trafficking victims in previous years, authorities may have forcibly repatriated some North Korean trafficking victims. The government did not report if legal alternatives to repatriation were available for suspected North Korean trafficking victims.

PREVENTION

The government maintained efforts to prevent trafficking. The government funded a television show, used traditional and social media, and distributed posters and other materials at transportation and community centers to increase general understanding of the issue. The government continued to hold an annual inter-ministerial meeting to coordinate anti-trafficking efforts. MPS continued to coordinate the anti-trafficking interagency process and lead interagency efforts to implement the National Action Plan on Combatting Human Trafficking. In 2016, MPS invested more than 5 million renminbi (RMB) (\$720,250) on handling major cases, conferences, trainings, information system construction, and international law enforcement cooperation, as well as 50 million RMB (\$7.2 million) for a special anti-trafficking fund for local law enforcement. The government reported conducting campaigns to educate vulnerable children on the risks of exploitation and allocated resources to maintain contact with children left in rural communities whose parents have migrated to cities. Academics and experts noted the gender imbalance due to the previous one child policy could contribute to crimes of human trafficking in China. The government's easing of the birth limitation policy may decrease future demand for prostitution and foreign women as brides for Chinese men. Provincial government officials acknowledged most marriages between foreign women and Chinese men, including some forced marriages that may also involve trafficking, had not been legally formalized and examined options to legitimize such marriages and formulate mechanisms to provide residency rights to foreign nationals who married a Chinese citizen. Government officials pointed to a reduction in child abduction cases as an indicator of a reduction in human trafficking crimes; however, it was unclear how many child abduction cases in China are related to exploitation in commercial sex or forced labor.

The government *hukou* (household registration) system continued to contribute to the vulnerability of internal migrants by limiting employment opportunities and reducing access to social services. The government addressed some of these vulnerabilities by requiring local governments to provide a mechanism for migrant workers to obtain residency permits in urban areas. The government reported efforts to reduce forced labor by including language in written agreements with foreign businesses and countries explicitly prohibiting human trafficking. The government attempted to reduce the demand for commercial sex through its crackdown on corruption and high profile arrests of men soliciting or procuring prostitution. Addressing reports of Chinese nationals engaged in child sex tourism, media reports indicated the government issued draft regulations penalizing Chinese tourists engaging in prostitution while abroad; however, it was unclear if these regulations were issued or implemented. The government did not report investigating or prosecuting any Chinese citizens for purchasing commercial sex while abroad. The government provided anti-trafficking training to its troops prior to their deployment abroad as part of international peacekeeping missions and to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, China is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. China's internal migrant population, estimated to exceed 180 million people, is vulnerable to trafficking, with Chinese men, women, and children subjected to forced labor in brick kilns, coal mines and factories, some of which operate illegally and take advantage of lax government enforcement. While the law prohibits employers from withholding property from an employee as a security deposit, previous reports indicated such practices continued, thus making certain workers vulnerable to forced labor. Forced begging by adults and children occurs throughout China. There are reports of traffickers targeting for forced labor and forced begging persons with developmental disabilities as well as children whose parents have migrated to the cities and left them with relatives, estimated at more than 60 million. International media and the ILO report children in some work-study programs supported by local governments and schools are forced to work in factories. African and Asian men are exploited on Chinese vessels, working under conditions indicative of forced labor.

State-sponsored forced labor continued to be an area of concern in China. In 2013, the PRC's National People's Congress ratified a decision to abolish "Re-education through labor" (RTL), a systematic form of forced labor of individuals subjected to extra-judicial detention from which the government reportedly profited. The government closed most RTL facilities by October 2015; however, the government reportedly converted some RTL facilities into state-sponsored drug rehabilitation facilities or administrative detention centers where, according to unverified reports, forced labor continued. Religious and political activists held in legal education facilities previously reported forced labor occurred in pretrial detention and outside of penal sentences. The government previously detained some women for prostitution offenses for up to two years, and subsequently up to 15 days, without due process in "custody and education" centers where they were subjected to forced labor, but it reported changing its official policy in 2016 to limit the time women detained for prostitution could be held in detention facilities to 72 hours. Reports continued of forced labor in and outside Xinjiang, whereby the government forced ethnic Uighurs to perform farm labor as a way of keeping them from getting involved in "illegal activities." On February 4, 2017, the local government issued a notice that rural obligatory labor had been completely abolished throughout Xinjiang; however, it remains unclear if this practice was in fact discontinued. A new law on the management of foreign NGO activities inside mainland China placed foreign NGOs under the supervision of the MPS. As a result of concerns with the law's vaguely worded provisions, an already limited space for civil society, including those able to provide services for trafficking victims and those vulnerable to exploitation, was further constrained.

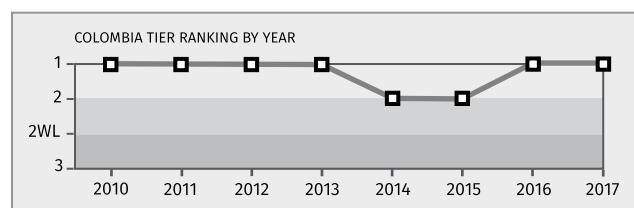
Chinese women and girls are subjected to sex trafficking within China. Traffickers typically recruit them from rural areas and take them to urban centers, using a combination of fraudulent job offers and coercion by imposing large travel fees, confiscating passports, confining victims, or physically and financially threatening victims to compel their engagement in commercial sex. Well-organized criminal syndicates and local gangs play key roles in the trafficking of Chinese women and girls in China, recruiting victims with fraudulent employment opportunities and subsequently forcing them into commercial sex. Chinese men, women, and children are also subjected to forced labor and sex trafficking in at least 19 other countries. Traffickers recruit girls and young women, often from rural areas of China,

and Chinese men and women who are forced to labor in restaurants, shops, agriculture, and factories in overseas Chinese communities. Some are promised jobs abroad and confined to private homes upon arrival overseas, held in conditions indicative of forced labor, and compelled to conduct telephone scams. Chinese men in Africa and South America experience abuse at construction sites, in coal and copper mines, and in other extractive industries where they face conditions indicative of forced labor such as non-payment of wages, restrictions on movement, withholding of passports, and physical abuse. Chinese women and girls are subjected to sexual exploitation throughout the world, including in major cities, construction sites, remote mining and logging camps, and areas with high concentrations of Chinese migrant workers.

Women and children from neighboring Asian countries, Africa, and the Americas are subjected to forced labor and sex trafficking in China. North Korean women are subjected to forced prostitution, forced marriage, and forced labor in agriculture, domestic service, and factories. According to media and a 2015 UN report, North Korean citizens are subjected to forced labor in China by the North Korean government, possibly with the knowledge of Chinese officials. African and South American women are promised legitimate jobs in China and forced into prostitution upon arrival. The Chinese government's birth limitation policy and a cultural preference for sons created a skewed sex ratio of 117 boys to 100 girls in China, which observers assert increases the demand for prostitution and for foreign women as brides for Chinese men—both of which may be procured by force or coercion. Women and girls are kidnapped or recruited through marriage brokers and transported to China, where some are subjected to commercial sex or forced labor.

COLOMBIA: TIER 1

The Government of Colombia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Colombia remained on Tier 1. The government demonstrated serious and sustained efforts by removing a legal requirement for victims to file a complaint against their traffickers before receiving assistance, identifying more victims, increasing funding for government agencies providing services, increasing the number of investigations, taking law enforcement action against complicit officials, providing training and developing tools for labor inspectors, and strengthening internal coordination to combat trafficking, including approving the 2016-2018 anti-trafficking strategy. Although the government meets the minimum standards, it failed to fund the national anti-trafficking strategy, it reduced funding for specialized NGOs, and long-term care for trafficking victims remained insufficient.



RECOMMENDATIONS FOR COLOMBIA

Vigorously prosecute and convict traffickers; in partnership with civil society and through dedicated funding from national and local governments, increase specialized services and shelter available to all trafficking victims; improve access to long-term care for trafficking victims; increase efforts to identify child victims exploited in sex trafficking, forced begging, and within informal sector activities, such as street vending; increase anti-trafficking training for law enforcement officials, prosecutors, judges, and labor inspectors; fully fund the national anti-trafficking strategy; vigorously investigate, prosecute, and convict illegal armed groups or organized crime groups involved in forced child recruitment or forced criminal activity; increase efforts to hold public officials complicit in trafficking criminally accountable; and improve data collection and disaggregation, such as by finalizing and implementing the national trafficking information system.

PROSECUTION

The government maintained law enforcement efforts. Article 188 A of Law 985 of the penal code prohibits all forms of trafficking and prescribes punishments of 13 to 23 years imprisonment plus fines up to 1,500 times the monthly minimum salary. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 188 B provides aggravating factors, which if present, increase the article 188 A punishment by one-third to one-half, including if the victim is younger than 18 years of age. Article 141 prohibits forced prostitution in situations of armed conflict and prescribes a penalty of 160 to 324 months imprisonment and a fine. Authorities sometimes charged traffickers with lesser crimes, such as induction into prostitution or pimping. Police arrested 29 suspects for trafficking or trafficking-related crimes (41 in 2015 and 37 in 2014). In 2016, the government opened 150 investigations for trafficking or trafficking-related crimes (135 in 2015 and 122 in 2014); prosecuted 59 trafficking cases with an unknown number of defendants; and convicted 25 individuals of trafficking and trafficking-related crimes (31 in 2015 and seven in 2014). It was unclear how many convictions were for forced labor or for sex trafficking. Authorities indicated convicted traffickers received an average of 10.5 years imprisonment in 2016. Sixteen of the cases investigated were referred from the anti-trafficking hotline (56 in 2015 and 176 in 2014). Government officials did not consider forced child recruitment or forced criminal activity by illegal armed groups or organized criminal groups to be trafficking in persons, and therefore investigated or prosecuted these cases as other crimes. Social workers and other officials interacting with potential trafficking victims, such as children exploited in sex trafficking or in the worst forms of child labor, did not always refer these cases for criminal investigation. In 2016, the Colombian Child Welfare Institute (ICBF) referred 170 cases of potential forcible recruitment or forcible use of children in the commission of criminal activities; however, it was unclear how many were investigated, prosecuted, or convicted. Authorities collaborated with the several foreign governments on anti-trafficking law enforcement operations and investigations, including an operation in which two U.S. citizens were arrested for allegedly running a child sex tourism business.

Trainings provided to law enforcement, prosecutors, and members of the judiciary decreased, compared with 2015, when authorities trained a variety of officials on human trafficking, often through partnerships with international organizations. The government indicated several cases of alleged official complicity

were open and at different stages of the judicial process. The investigation into the alleged involvement of police officials with criminal gangs that sexually exploited children in Bogota remained open. In February 2016, the director of the national police stepped down after evidence surfaced of an alleged trafficking ring inside a police training facility where young male cadets were sold into prostitution to high-ranking officials and members of the legislature. In October, the investigation of the former director was closed because evidence showed that he was not serving as director of the national police during the time of the incident and did not have command and control of the unit in question. In November, authorities formally charged a retired colonel for his alleged role in this case and a retired police major also faced charges. In May, a judge convicted 12 individuals, including nine immigration officials and two police officers, for their involvement with a criminal network engaged in human trafficking and drug smuggling. Two immigration officials were sentenced of 10 months in prison and ordered to pay a fine of 71 minimum salaries, and all other individuals were awaiting sentencing at the end of the reporting period. During the reporting period, courts convicted an individual in the 2013 case of municipal employees in the department of Antioquia for their involvement in the commercial sexual exploitation of children, two other individuals awaited oral hearings, and one remained under investigation.

PROTECTION

The government increased protection efforts. The Ministry of Interior (MOI) reported authorities identified 68 trafficking victims (67 in 2015 and 59 in 2014). Of the identified victims, 47 were sex trafficking victims, 10 were forced labor victims, four were victims of forced begging, three were domestic servitude victims, and four were unidentified. The ICBF identified 46 cases of child trafficking, 39 girls and 7 boys (39 girls and 6 boys in 2015). Authorities and an international organization identified at least 167 children who separated from illegal armed groups in 2016 (229 in 2015 and 243 in 2014). In 2016, the recruitment of children by illegal armed groups for armed conflict reached a historic low after the government signed a peace accord with the Revolutionary Armed Forces of Colombia (FARC) to end a more than five-decade conflict. During the reporting period, the FARC had released 57 children from its ranks, all of whom received medical and psychological evaluations from an international organization before referring them to the ICBF for additional reintegration services. The Ministry of Labor (MOL) and an international organization began drafting a protocol for the identification of trafficking victims that will be included in the training manual provided to all labor inspectors. In 2016, the MOL provided anti-trafficking training to 10 officials from the inspection and surveillance unit on developing an identification protocol for labor trafficking victims.

Presidential decree 1069 of 2014, which clarified the implementation of Law 985, mandated the government to provide emergency trafficking victim protection and assistance, which includes medical and psychological assessments and assistance, clothing and hygiene kits, housing, transportation, legal advice, issuance of travel and identity documents, and repatriation; and medium-term assistance, such as educational services, job training and job search assistance, and economic support. Emergency assistance was provided for five calendar days, and could be extended for an additional three calendar days as needed; medium-term assistance was provided for up to six months, and could be extended for an additional three months. Of the 76 identified victims, the government provided 63 with emergency assistance and 37 with medium-

term assistance. In addition, 19 victims received protective measures and 38 received repatriation assistance. All 46 child victims identified by the ICBF received services. In August 2016, the constitutional court invalidated language in article 7 of Law 985 of the penal code, which had required victims to file an official complaint against their traffickers in order to receive assistance. The Interagency Committee for the Fight against Trafficking in Persons (ICFTP), which coordinated the efforts of 16 national entities, created formal instructions for each agency in the committee to standardize reporting, identification of victims, and provision of rapid assistance. NGOs acknowledged improved coordination, but criticized delays in service delivery, the lack of long-term victim assistance, and lack of attention to vulnerable populations. NGOs indicated the absence of formal procedures for engagement with civil society resulted in uncoordinated and limited engagement by the government. The government did not operate specialized shelters dedicated to adult trafficking victims, but it referred victims to NGOs for these services. The ICBF provided shelters for child trafficking victims. Shelter and services for male victims were very limited. NGOs asserted Afro-Colombian, indigenous, LGBTI, and disabled persons received insufficient attention, but the government reported maintaining a shelter for LGBTI victims of violence, an indigenous training center, and policies to assist disabled victims.

Authorities increased budget resources to government agencies responsible for assisting trafficking victims. In 2016, the government appropriated 2.3 billion pesos (\$766,284) for internal trafficking victims and earmarked 222.8 million pesos (\$74,230) to assist Colombian trafficking victims abroad [compared with 596.1 million pesos (\$198,601) in 2015 for internal victims and 200 million pesos (\$66,633) for Colombian victims abroad]. The government also disbursed 15.7 billion pesos (\$5,230,718) to provide services to child victims of sexual violence, including child trafficking victims. The national government ceased funding to specialized NGOs; however, some states continued to provide emergency assistance to victims. Authorities lacked sufficient funding and personnel to provide specialized services, reintegration work with families, and vocational training for children. Decree 1069 makes local governments responsible for providing services beyond emergency care, but most had no funding dedicated to providing specialized services.

The government approved measures to formalize a referral mechanism to provide protection for victims who assist in the penal process. During the reporting period, the government assisted five victims, witnesses, and family members through the victim and witness protection program. Some victims were reluctant to report their exploitation or testify against their traffickers due to fear of reprisals or lack of trust in the justice system. There were no reports that victims were detained, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking. The government again did not provide updates on the 2014 media report alleging a trafficking victim was incarcerated due to testimony of another victim's father, who alleged she was a recruiter in a trafficking ring. Authorities could provide foreign trafficking victims with temporary permission to remain in the country during the investigative process on a case-by-case basis; however, authorities have never reported doing so. In July, a civil court upheld a settlement for back wages and benefits for a forced labor victim, but there were no reports on the number of trafficking victims who received restitution to which they were entitled under articles 102 and 103 of the criminal procedure code.

PREVENTION

The government maintained prevention efforts. The government treated different forms of trafficking as distinct crimes subject to different government entities' jurisdiction, which resulted in uneven interagency coordination of anti-trafficking efforts. The ICFTP continued to hold monthly formal meetings, and in June, the government approved the 2016-2018 anti-trafficking strategy. NGOs reported increased government coordination with civil society following the adoption of the national anti-trafficking strategy. The government did not fund the national anti-trafficking strategy and NGOs indicated insufficient funding for the plan created assistance gaps, leading to inadequate services for victims. Civil society reported that there was inconsistent coordination and engagement with NGOs. NGOs and international organizations noted the absence of a national trafficking information system hindered monitoring, research, and evaluation of the impact of trafficking in persons in Colombia; however, authorities reported progress in developing this system. Members of civil society continued to file petitions to obtain statistical information from the ICFTP and the MOI. Authorities maintained an interagency commission for the prevention of child recruitment by armed groups and a separate committee on child sexual exploitation. During the reporting period, the MOI advised departments on ways to include an anti-trafficking strategy in their annual development plans and on procedures to request funding from the national government. Consequently, increasing local government coordination on anti-trafficking initiatives, leading five departments to allocate budgets to combat trafficking and 21 departments to include an anti-trafficking strategy in their development plans. The MOI consulted periodically with anti-trafficking committees in the 32 departments, but NGOs indicated the committees lacked expertise and funding. Colombia's anti-trafficking operations center's toll-free 24-hour hotline received 1,320 calls, including 16 suspected trafficking cases, which were under investigation. Authorities continued several interrelated trafficking awareness campaigns, commemorated World Day Against Human Trafficking in July in various parts of the country, and conducted other prevention efforts, often in partnership with an international organization and NGOs. The government, working with an international organization, designed a strategy and campaign to prevent fraudulent recruiting, which can lead to forced labor, and distributed materials at a public event; however, it did not report efforts to reduce the demand for forced labor. Authorities conducted investigations for child sex tourism and reported the arrest of one person for this crime. The government provided anti-trafficking training for its diplomatic personnel.

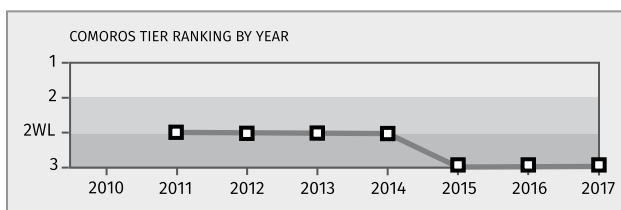
TRAFFICKING PROFILE

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

victims are found in mining, agriculture, and domestic service. Colombian children working in the informal sector, including as street vendors, are vulnerable to labor trafficking. Colombian children and adults are exploited in forced begging in urban areas. Illegal armed groups forcibly recruit children to serve as combatants and informants, cultivate illegal narcotics, and exploit them in sex trafficking. Children and adolescents who separate from the ranks of illegal armed groups are vulnerable to trafficking. Organized criminal groups and other individuals force vulnerable Colombians, including displaced persons, into prostitution and criminal activity—particularly to sell and transport illegal narcotics and serve as lookouts and assassins. Such groups use false job opportunities and feigned friendship or romance to recruit victims and threats to maintain control over them. Colombia is a destination for foreign child sex tourists, primarily from North America and Europe.

COMOROS: TIER 3

The Government of Comoros does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Comoros remained on Tier 3. Despite the lack of significant efforts, the newly elected government took some steps to address trafficking, including adopting a National Policy for the Protection of Children in Comoros to combat child sex and labor trafficking. However, the government did not investigate, prosecute, or obtain convictions for any sex trafficking or forced labor crimes, including of complicit officials. It did not identify and protect any victims and lacked formal procedures to do so. It did not provide adequate resources to law enforcement officials, including the Morals and Minors Brigade, the office charged with investigating child abuse and exploitation. The extensive use of financial settlements in lieu of investigation and prosecution of crimes, and the use of mediation, resulting in the return of children to their alleged exploiters, continued to be serious concerns.



RECOMMENDATIONS FOR COMOROS

Revise and enact draft amendments to the penal code related to trafficking and address potential contradictions of those provisions with the child labor law and other relevant laws; in cooperation with NGOs and international organizations, increase the availability of protection services, including counseling and psychological care, for adult and child trafficking victims; develop procedures to identify and refer trafficking victims to care; investigate, prosecute, and convict traffickers, including allegedly complicit officials; end the practice of returning children to their exploiters through arbitration; increase work with international partners to implement recommendations from the forthcoming study on the forms and extent of the trafficking problem in Comoros; undertake efforts to engage Mayotte officials to prevent the trafficking of unaccompanied Comorian youth in Mayotte; expand anti-trafficking public awareness campaigns; and accede to the 2000 UIN TIP Protocol.

PROSECUTION

The government did not make anti-trafficking law enforcement efforts. Comorian law does not prohibit all forms of human trafficking. Article 310 of the penal code prohibits aiding or assisting in the prostitution of others, prescribing penalties of six months to three years imprisonment and fines. Article 311 prescribes increased penalties, ranging from two to 10 years imprisonment, for aggravating factors related to article 310. Article 323 prohibits the facilitation of child prostitution and prescribes sufficiently stringent punishments of two to five years imprisonment and fines; however, these penalties are not commensurate with those for other serious crimes, such as rape. Existing laws do not criminalize the forced prostitution of adults. Article 2 of the labor code prohibits forced and bonded labor, prescribing insufficiently stringent penalties of three months to three years imprisonment or fines. The Law Countering Child Labor and Trafficking in Children (child labor law), which went into effect in January 2015, criminalizes slavery or similar practices, such as the sale and trafficking of children, bonded labor, and debt bondage—as well as forced or compulsory labor—including the forced or compulsory recruitment of children for use in armed conflicts in article 6 and prescribes an insufficiently stringent penalty of five months to 10 years imprisonment. There appears to be an overlap between provisions of the child labor law, the labor code and the penal code that could add to the challenge of prosecuting traffickers in Comoros. Despite parliamentary approval in 2014, the president did not sign into law the penal code amendments that would specifically prohibit trafficking in persons.

The government did not systematically collect data on law enforcement efforts, including human trafficking. It did not report investigating, prosecuting, or convicting traffickers during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government did not provide further information on the previously reported investigation of a magistrate allegedly responsible for the domestic servitude of a 14-year-old girl. Corruption at all levels of government, law enforcement, and the judiciary remained a significant concern in Comoros and hindered law enforcement efforts, including efforts to address trafficking. Judges were known to have negotiated agreements between a child's parents and his or her trafficker, often returning the child to trafficking situations. Families or village elders settled many allegations of sexual violence, including sex trafficking, informally through traditional means, without recourse to the formal court system.

The Morals and Minors Brigade investigated an unknown number of cases of child abuse and exploitation nationwide through July 2016, which may have included child trafficking; its investigative efforts were hampered by a lack of government funds during the reporting period. Some police reportedly returned sexually abused children to their exploiters. NGO-run listening centers, supported by an international organization to provide assistance to abused and neglected children, reported 24 cases of sexual abuse on Anjouan, and 18 arrests from 27 cases of sexual violence against minors on Moheli, some of which may have involved trafficking crimes.

The police lacked basic resources, including vehicles, fuel, and equipment, and often relied on victims to provide funds for transport or communication. The government did not provide training for law enforcement officials on how to recognize, investigate, and prosecute trafficking and related crimes. The Ministry of Labor's four labor inspectors—responsible for

implementing the 2015 child labor law prohibiting child trafficking—did not receive training on the law and did not receive operational resources to conduct labor inspections of informal work sites, where children are especially vulnerable to forced labor. Inspectors did not remove or assist any children as a result of labor inspections during the reporting period.

PROTECTION

The government maintained minimal protection efforts. The government did not provide direct assistance or services for victims and provided minimal support to NGOs doing so. There were no government shelters for adults or child victims of abuse or human trafficking, and the quality of care in NGO-operated shelters remained poor. In the absence of adequate funding, NGO staff sometimes provided temporary shelter in their private homes; however, government officials often returned children to their parents or guardians. In 2016, the government continued to provide the salaries of two employees and donated office space for the NGO-run and international-organization-supported listening centers for abused and neglected children. The morals and minors brigade lacked facilities to shelter child victims, even temporarily, and few of its staff had training in interviewing child victims of crime. The government did not develop or employ systematic procedures to identify trafficking victims or refer them to the limited care available. There were no reports of the government penalizing victims for crimes committed as a direct result of being subjected to trafficking; however, victims may have remained unidentified in the law enforcement and immigration systems.

PREVENTION

The government made minimal efforts to prevent trafficking. The government's interagency monitoring group—comprised of representatives of relevant government agencies, NGOs, and international organizations—began drafting an updated national action plan. Government efforts to work with an international partner to conduct a study on the forms and extent of the trafficking problem in Comoros stalled. While the labor ministry signed an agreement with some labor recruitment agencies to facilitate review of transnational recruitment processes and to monitor advertisements in an effort to identify recruitment activities that might endanger Comorians seeking overseas employment, the effort lacked tangible results. The Ministry of Health adopted a National Policy for the Protection of Children in Comoros in partnership with other government institutions in November 2016; this policy included actions to combat child labor and child trafficking. The government continued to fund a toll-free emergency line for reporting crimes to assist in the identification of victims of child abuse and exploitation. The government did not make efforts to reduce demand for commercial sex acts or forced labor. Comoros is not a party to the 2000 UN TIP Protocol.

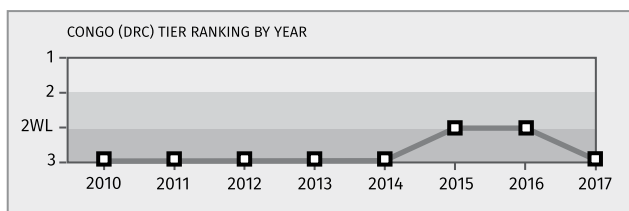
TRAFFICKING PROFILE

As reported over the past five years, Comoros is a source country for children subjected to forced labor and sex trafficking within the country; Comorian women and children are subjected to forced labor in Mayotte. Comorian women and Malagasy women who transit Comoros may be subjected to forced labor in the Middle East. Children on Anjouan, some of whom were abandoned by parents who left to seek economic opportunities in other countries, are subjected to forced labor, mostly in domestic service, roadside and market vending, baking, fishing, and agriculture. On Anjouan and Moheli, poor

rural families frequently place children with wealthier relatives or acquaintances in urban areas or on Grande Comore for access to schooling and other benefits; some of these children are subjected to domestic servitude and physical and sexual abuse. Most Comorian children aged 3 to 7 (and some up to age 14) study at informal neighborhood Koranic schools headed by private instructors, where some are exploited as field hands or domestic servants as payment for instruction and subjected to physical and sexual abuse. Women and girls are reportedly subjected to sex trafficking in Comoros. Comorians may be particularly vulnerable to transnational trafficking due to a lack of adequate border controls, corruption within the administration, and the existence of international criminal networks involved in human smuggling. The estimated 3,000-4,000 unaccompanied Comorian children on Mayotte are especially vulnerable to domestic servitude and sex trafficking.

CONGO, DEMOCRATIC REPUBLIC OF THE: TIER 3

The Government of the Democratic Republic of the Congo (DRC) does not fully meet the minimum standards for the elimination of trafficking and is not making sufficient efforts to do so; therefore, the DRC was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including measures to end the recruitment and use of child soldiers, holding officials complicit in child soldiering accountable, and cooperating with international organizations and NGOs to identify and demobilize child soldiers. The government also continued efforts to combat sexual exploitation and certify mines to prevent the use of forced and child labor. The government provided modest protection services to some trafficking victims, and some officials, in partnership with NGOs and international organizations, referred potential trafficking victims to protection services. However, authorities continued to arrest and detain some victims, including child soldiers. Recent reports allege the Congolese National Police (PNC) and the Congolese National Army (FARDC) executed unarmed children who were allegedly associated with the Nsapu armed group and that the FARDC supported and broadly collaborated with various proxy militias that recruit and use children. The government made negligible efforts to investigate, prosecute, or convict offenders of sex trafficking, as distinct from other sexual crimes, or labor trafficking. Lack of an anti-trafficking framework, capacity, funding, and widespread corruption continued to hinder efforts to combat all forms of human trafficking throughout the country.



RECOMMENDATIONS FOR THE DEMOCRATIC REPUBLIC OF THE CONGO

Develop legislation to comprehensively address all forms of trafficking, consistent with international law; cease collaboration, financial, and in-kind support to groups recruiting and using

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

PROSECUTION

The government maintained efforts to investigate and prosecute officials and armed group leaders complicit in child soldiering and sexual exploitation, but made negligible efforts to combat other forms of trafficking throughout the country. The DRC does not have an anti-trafficking law, nor do existing laws criminalize all forms of human trafficking; the lack of a legal framework continued to contribute to officials' lack of understanding of trafficking and their conflation of it with other crimes, such as illegal international adoption. Adult forced labor is not criminalized under Congolese law, although the Constitution prohibits involuntary servitude. The 2006 sexual violence statute (Law 6/018) prohibits sexual slavery, sex trafficking, and child and forced prostitution and prescribes penalties ranging from five to 20 years imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Child Protection Law 09/001 prohibits forced child labor, child prostitution, and the use of children in illicit activities, and prescribes penalties of 10 to 20 years imprisonment for sexual slavery; these penalties are sufficiently stringent and commensurate with other serious crimes. Forced child labor, debt bondage, and child commercial sexual exploitation carry penalties of one to three years imprisonment, which are not sufficiently stringent. The enlistment of persons younger than 18 years old into the armed forces and the police carries penalties of 10 to 20 years imprisonment. Corruption remained a hindrance to adequately punishing trafficking offenders.

The government investigated, prosecuted, and convicted trafficking suspects, including several officials, of child soldiering and sexual violence, which may have included sex trafficking; however, it did not make vigorous law enforcement efforts directly targeting sex or labor trafficking offenses. The government did not report comprehensive data on investigations, prosecutions, and convictions as there is no centralized database for trafficking information. In 2016, the government investigated three FARDC officials and an armed group leader, from *Mouvement Populaire d'Auto-Defense* for

child recruitment; these cases remained ongoing at the end of the reporting period. The government reportedly charged 319 FARDC officials, 135 PNC officials, and 18 civilians or members of armed groups in military courts for crimes of sexual violence; however, it was unclear if these cases involved sex trafficking crimes, how many were convicted, or what the penalties were. The government convicted and sentenced a FARDC colonel in June 2016 to seven years imprisonment for rape of a minor; and in May 2016, the government reportedly arrested and charged in military court 90 persons, including a provincial Member of Parliament, for abduction, rape and genital mutilation in Kavumu, South Kivu province. An international organization reported that the government convicted 41 offenders, including several officials, in military court and one FARDC officer in 2016; however, it was unclear what the individuals were charged for or what sentences were imposed. The government demonstrated increased efforts to address and improve its data collection on sexual violence, which may have included sex trafficking crimes. Such efforts appeared to fulfill the 2015 commitment by FARDC commanders to combat sexual violence by soldiers, including sexual slavery, through prosecution of perpetrators and protection of victims, witnesses, and judicial actors involved in addressing these crimes. The government provided limited training to some police and military personnel on preventing child soldiering, protecting human rights, and preventing sexual violence, but it did not provide training to officials on all forms of human trafficking.

PROTECTION

The government continued efforts to identify and refer child soldiers to international organizations for assistance. As part of its national Disarmament, Demobilization, and Reintegration (DDR) Plan, the government continued to cooperate with an international organization and NGO child protection partners to identify and remove child soldiers from illegal armed groups operating in eastern DRC. The government worked with an international organization, and reported identification of at least 1,662 children in 2016, who were consequently separated from illegal armed groups; once identified, there was a procedure in place to send the victims for specialized care. The government identified one child soldier from Rwanda and 16 from Burundi being transported through eastern DRC to participate in an armed conflict in Burundi. The government of Uganda reported eight Ugandan children were separated from the Allied Democratic Front armed group in the DRC, and remained in the DRC due to difficulties with family tracing. Other than identifying child soldiers during the reporting period, the government did not make appreciable efforts to identify victims of sex and labor trafficking among other vulnerable groups, such as street children, women and children in prostitution, and men, women, and children in artisanal mining, even though the scope of these problems was significant. However, some NGOs in eastern DRC reported police and security officials identified and referred an unknown number of potential victims to NGOs for care on an ad hoc basis in 2016.

The government did not provide specialized services and care to trafficking victims as distinct from other vulnerable groups. In partnership with NGOs, the Ministry of Social Affairs and the Office of the President's Representative on Sexual Violence and Child Recruitment assisted an unknown number of victims of sexual violence, possibly including trafficking victims, during the reporting period. Housing for up to three months, attempts at family reunification, and support for socio-economic integration were services reported to be available from the government;

however, it is unclear whether any of these services were provided to trafficking victims during the reporting period. Several NGOs also provided services to survivors of sexual violence, including trafficking victims, as well as children separated from armed groups; services included access to medical and psychological services, legal assistance, and reintegration services including literacy and vocational training. The Ministry of Social Affairs worked with local NGOs to reintegrate street children—some of whom may have been trafficking victims—and child soldiers into their communities and to reunify them with their families. Trafficking victims could file cases against their traffickers in civil courts. The government consistently allowed for the safe repatriation of foreign child soldiers in cooperation with an international organization. Despite these efforts, some trafficking victims, including child soldiers, continued to be subject to detention for unlawful acts committed as a direct result of being subjected to human trafficking. An international organization identified 174 children in detention centers, who were detained for their alleged association with armed groups, an increase from the previous reporting period.

PREVENTION

The government continued efforts to prevent the recruitment and use of children into the FARDC, sexual exploitation, and forced labor in mining, but it did not make tangible efforts to prevent other forms of trafficking. During the reporting period, the government continued to implement a national action plan—supported by an international organization—to end the recruitment and use of child soldiers and remove them from armed groups, through the Joint Technical Working Group, which comprised of government ministries, NGOs, and international organizations. The working group met regularly throughout the reporting period and in addition to newly created groups in Bunia, Beni, and Lubumbashi, the government established groups in the Tanganyika and North Kivu provinces. There were no confirmed cases of child soldier recruitment by the FARDC for the second consecutive year. In partnership with NGOs, the government screened more than 7,500 new FARDC recruits to verify their ages. The government drafted UN-approved standard operating procedures for use in methodically verifying the age of potential enlistees. Through the screening process, the government prevented more than 191 children from joining the FARDC in 2016. However, there were multiple reports of the FARDC's broad collaboration with and provision of arms, ammunition, and funding to proxy militias that recruit and use children, including various Mai Mai groups. There are currently no measures in the national action plan to address the termination of these proxy relationships.

Due in part to capacity and security constraints, the government did not have an inter-ministerial anti-trafficking committee to address all forms of trafficking. The government did not initiate anti-trafficking public awareness campaigns during the reporting period; however, a local NGO conducted an awareness campaign in Kinshasa, which included community theater, television programming, and collaboration with local churches, youth groups, schools, and universities. The government did not make efforts to reduce the demand for commercial sex acts. The government continued to make efforts to reduce the demand for forced labor in artisanal mining, but did not do so in other sectors. In 2016, the government continued its efforts in cooperation with an international organization to validate and certify approximately 285 artisanal mining sites in eastern DRC as conflict-free and child labor-free, a significant increase from 215 in the previous year. The Ministry of Labor, responsible for inspecting worksites for child labor, remained understaffed

and had limited resources to conduct inspections for child labor violations, including trafficking violations, throughout the country. Furthermore, the government's committee to address child labor lacked funding and did not meet in 2016, nor did the government adopt a draft national action plan to combat the worst forms of child labor. Following reports of sex trafficking and domestic servitude of several women from DRC in Lebanon and Kuwait, the government reportedly prohibited travel to Lebanon for young women; however, it is unclear if the government undertook any proactive efforts to regulate foreign labor recruitment and train or raise awareness among intending Congolese migrant workers. The government did not provide anti-trafficking training for FARDC members deployed abroad in peacekeeping operations; in January 2016, an international organization reported allegations that peacekeepers from the DRC committed sexual abuse crimes in the Central African Republic, but it was unclear if any of these crimes amounted to sex trafficking. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, the DRC is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. In 2016, several armed groups continued to abduct and forcibly recruit Congolese men, women, and children as combatants and in support roles, such as guards, porters, cleaners, cooks, messengers, spies, and tax collectors at mining sites; women and girls were forced to marry or serve as sex slaves for members of some armed groups. As reported in 2015, some children were also forced to commit crimes for their captors, such as looting and extortion. In 2016, an international organization reported 184 confirmed cases of children who were forcibly recruited and used by armed groups, while 1,662 children were separated or escaped from armed groups. In 2016, abductions for recruitment by the Lord's Resistance Army increased slightly, and 16 Burundian child soldiers and one Rwandan child soldier, some recruited from refugee camps, transited the DRC to fight in armed groups in Burundi. Child soldiers who were separated from armed groups and reintegrated into society remain vulnerable to re-recruitment, as adequate rehabilitation services did not exist for children suffering severe psychological trauma, stigmatization may interfere with community reintegration, and armed groups continue to recruit children.

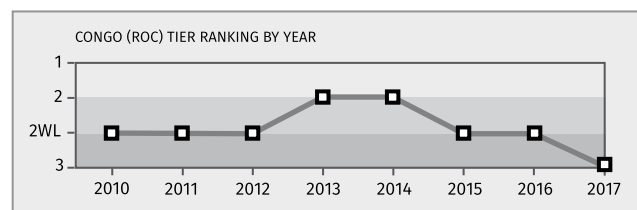
For a second consecutive year, international observers reported there were no cases of child recruitment by the FARDC in 2016. However, there were multiple reports of the FARDC's broad collaboration with and provision of arms, ammunition, and funding to proxy militias that recruit and use children, including various Mai Mai groups. In particular, an international organization reported ongoing collaboration between the FARDC and Mai Mai Guidon, also known as Nduma Defense of Congo Renove (NDC-R)—to coordinate battlefield tactics and capture of territory from a foreign illegal armed group with ammunition and support from senior Congolese army officials—which recruited and used at least 27 children during the reporting period.

Some men, women, and children working in artisanal mines in eastern DRC are subjected to forced labor, including debt bondage, by mining bosses, other miners, family members, government officials, and armed groups. Some children are subjected to forced labor in the illegal mining of diamonds, copper, gold, cobalt, tungsten ore, tantalum ore, and tin, as well as the smuggling of minerals. In January 2016, an international

organization reported widespread abuse, including forced labor, of some children in artisanal cobalt mines in southern DRC; some children reported extremely long working hours and physical abuse by security guards employed by the state mining company. Children are also vulnerable to forced labor in small-scale agriculture, domestic work, street begging, vending, and portering. Some street children are suspected to be forced to participate in illicit drug transactions and exploited in sex trafficking. An NGO reported some families send their children to Kinshasa, after being promised educational opportunities for the children; however, upon arrival, the children are subjected to forced labor and sex trafficking. Children from the Republic of the Congo may transit through the DRC en route to Angola or South Africa, where they may be subjected to domestic servitude. Some Congolese women and girls subjected to forced marriage are highly vulnerable to domestic servitude or sex trafficking. Congolese women and children migrate to other countries in Africa, the Middle East, and Europe, where some are exploited in sex trafficking, domestic servitude, or forced labor in agriculture and diamond mines. Some women may be fraudulently recruited and forced into domestic servitude abroad through false promises of education or employment opportunities. Some Angolans who enter the DRC illegally to work in Bas Congo province are vulnerable to forced labor.

CONGO, REPUBLIC OF THE: TIER 3

The Government of the Republic of the Congo does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, the Republic of the Congo was downgraded to Tier 3. Despite the lack of significant efforts, the government investigated and prosecuted five suspected traffickers during the reporting period. However, the government did not fund or take any steps to implement the 2014-2017 national action plan, nor did it provide funding to the Trafficking in Persons Coordinating Committee in Pointe-Noire. The government has never convicted any traffickers; several cases in prosecution have been pending for up to six years. Harassment of anti-trafficking activists, reportedly including police, inhibited their work. The lack of an inter-ministerial coordinating body and low understanding of anti-trafficking laws among government officials continued to hinder countrywide efforts to address internal trafficking and sex trafficking from the Democratic Republic of the Congo and other countries.



RECOMMENDATIONS FOR THE REPUBLIC OF THE CONGO

Enact comprehensive anti-trafficking legislation that prohibits adult trafficking; fund the Trafficking in Persons Coordinating Committee, the national action plan, and protective services such as the foster care system; expedite hearings to address the trafficking case backlog or consider prosecuting trafficking cases in the low court in the interim; increase efforts to investigate and prosecute trafficking offenses and to convict and punish

traffickers, including complicit government officials; increase outreach, victim identification, and law enforcement efforts on sex trafficking and internal trafficking beyond Pointe-Noire and Brazzaville, with specific attention to the trafficking of adults and indigenous persons; develop formal procedures to identify trafficking victims among child laborers, illegal immigrants, and women and girls in prostitution, and train social workers and law enforcement officials on these procedures; provide adequate security and supervision for victims placed in foster families and anti-trafficking activists and partners; establish a national body that includes all relevant ministries to increase coordination of countrywide anti-trafficking efforts; bolster anti-trafficking law enforcement cooperation with other governments in the region, especially Benin and DRC; and accede to the UN Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts and still has not secured any trafficking convictions. Article 60, chapter 2 of the 2010 Child Protection Code prohibits the trafficking, sale, trading, and exploitation of children, for which article 115 prescribes penalties of hard labor for an undefined period of time and a fine. Article 68 prohibits the worst forms of child labor, for which article 121 prescribes penalties between three and five years of imprisonment or fines of 1 million to 10 million African Financial Community (CFA) francs (\$1,608 to \$16,084) for child sexual exploitation, and article 122 prescribes penalties between three months and one year of imprisonment or fines of 50,000 to 500,000 CFA francs (\$80 to \$804) for forced child labor. Article 4 of the country's labor code prohibits and penalizes forced or compulsory labor, but there are no penalties defined in the law. None of these penalties are sufficiently stringent, and the penalties prescribed for sex trafficking are not commensurate with those prescribed for other serious crimes, such as rape. Article 131 of the penal code prohibits forced prostitution and carried penalties between two and five years of imprisonment and fines between 1,000,000 and 10,000,000 CFA francs (\$1,608 to \$16,084). Although Congolese law prohibits some forms of trafficking of adults, it does not outlaw bonded labor or the recruitment, harboring, transport, or provision of a person for the purposes of forced labor. Draft anti-trafficking legislation, completed in partnership with an international organization in 2014, remained in draft for the third consecutive year; after adoption of a new constitution in 2015, officials returned the draft legislation to the Ministry of Justice to facilitate a second review by government stakeholders.

The government initiated the investigation and prosecution of one case involving five suspects during the reporting period, compared to four investigations and no prosecutions in 2015. The government has never convicted any traffickers. Officials charged one of the suspects for kidnapping, one for falsifying documents for the purpose of trafficking of a minor; and the other three for rape of a minor; Officials referred the falsification of documents case to the high court, where it remained awaiting trial. Many cases continued to languish, some without progress for up to six years, partly because of a significant backlog in the high court, which has never convened to hear a trafficking case.

The government did not provide any anti-trafficking training for law enforcement during the reporting period due to a lack of funding. Limited understanding of the child anti-trafficking law among law enforcement officials, judges, and labor inspectors continued to hinder the anti-trafficking law

enforcement efforts. There was a widespread perception of corruption throughout the government, but the government did not report any investigations, prosecutions, or convictions of officials complicit in human trafficking offenses. Human trafficking activists reportedly faced harassment and threats from government officials, including police, which discouraged some civil society members and government officials from reporting trafficking cases.

PROTECTION

The government maintained minimal protection efforts. The government did not employ systematic procedures to identify victims among vulnerable groups or refer victims for assistance, relying instead on NGOs and international organizations to identify victims. During the reporting period, an NGO identified 16 foreign trafficking victims ranging in age from seven to 23, including 14 in Pointe-Noire and two in Brazzaville, compared to 15 identified in the previous reporting period. The NGO reported all of those identified were victims of forced labor in either domestic service or market vending and two were also sex trafficking victims. Fourteen victims originated from Benin, one from Togo, and one from Senegal. The Trafficking in Persons Coordinating Committee in Pointe-Noire, which aids in assigning identified child trafficking victims to foster homes and conducts family tracing, referred no children to foster families; however, a local NGO referred an unknown number of child victims to such homes. The government did not provide an operating budget for the Coordinating Committee during the reporting period. The government did not provide care to any victims during the reporting period, but relied on partnerships with NGOs and foster families to enable victims in Pointe-Noire to receive access to care; however, it did not fund these entities or any victim assistance programs during the reporting period. Five foster care families were available, but only one reported receiving victims during the reporting period due to a lack of government funding. The government did not facilitate NGO partnerships to provide protective services elsewhere in the country. During the reporting period, the government facilitated, but did not fund, the repatriation of 13 victims to their countries of origin and the local reintegration of one victim. Congolese officials cooperated with Beninese officials on these repatriations and in three cases, the Committee in Pointe-Noire facilitated payment from the traffickers for the victims' return flight to Benin.

During the reporting period, there were no reports of victims jailed or prosecuted for crimes committed as a result of their having been subjected to trafficking; however, inadequate identification efforts may have left victims unidentified in the law enforcement system. Officials encouraged victims to assist in the prosecution of their traffickers, but child victims were not expected to testify in court. The government did not deport foreign victims, but it did not issue temporary or permanent residency status to victims and had no legal alternatives to removal to countries in which victims would face retribution or hardship. For the fifth consecutive year, the government did not carry out joint investigations or extraditions of charged traffickers under its bilateral agreement with the Government of Benin.

PREVENTION

The government decreased efforts to prevent trafficking. The Trafficking in Persons Coordinating Committee met three times during the reporting period, primarily to facilitate repatriation of foreign victims. However, it did not conduct awareness-

raising campaigns as it had done during the previous reporting year. The government-funded neither the implementation of the 2014-2017 action plan, which remained behind schedule, nor the efforts of the Committee. It did not establish an inter-ministerial coordinating body to guide national anti-trafficking efforts. The government did not take discernible measures to reduce demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. The government has signed but has not acceded to the Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol. With support from a foreign donor, the government provided its troops with anti-trafficking training, prior to their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

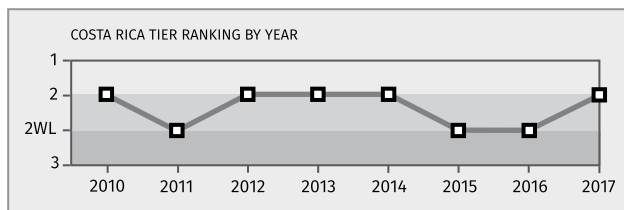
As reported over the past five years, the Republic of the Congo is a source and destination country for children, men, and women subjected to forced labor and sex trafficking. According to a study released by an international organization in 2013, most trafficking victims in the Congo originate from Benin and the DRC, and to a lesser extent from other neighboring countries. Most foreign victims are subjected to forced labor in domestic service and market vending. Women and girls from Benin, ages 7 to 19, constituted the majority of identified trafficking victims in 2016, all of which endured forced labor. Both adults and children are victims of sex trafficking in the Congo, with most between the ages of 9 and 11. Girls and women from both the Republic of the Congo and the DRC are subjected to sex trafficking, with clients from among Chinese and Malaysian construction workers building a highway near the cities of Nkayi and Pointe-Noire.

Internal trafficking involves recruitment from rural areas for exploitation in cities. The indigenous population is especially vulnerable to forced labor in agriculture. NGOs in Bambama, Sibiti, and Dolisie reported the majority population, called Bantus, often forced adult indigenous people to harvest manioc and other crops without pay and under the threat of physical abuse or death. Most children subjected to trafficking within the country migrate from rural to urban areas to serve as domestic workers for relatives or family friends. Some child trafficking victims are also subjected to forced labor in bakeries, and the fishing and agricultural sectors, including in cocoa fields in Sangha department, sugar cane fields in the Bouenza department, and, among indigenous populations, harvesting manioc in the Lekoumou department.

COSTA RICA: TIER 2

The Government of Costa Rica does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Costa Rica was upgraded to Tier 2. The government demonstrated increasing efforts by disbursing funds from its national anti-trafficking and smuggling fund to key government agencies for the first time; providing funds and technical support to open a second emergency shelter; addressing complicity by indicting a former mayor and four suspected accomplices on charges of establishing a trafficking network; identifying more trafficking victims than in the previous year; and improving public awareness-raising activities about forced labor. However,

the government did not meet the minimum standards in several key areas. Prosecution efforts remained weak and publicly funded victim services remained insufficient to care for the number of victims identified.



RECOMMENDATIONS FOR COSTA RICA

Intensify efforts to investigate and prosecute trafficking offenses, including labor trafficking and cases not involving movement under trafficking-related criminal code provisions, and convict and punish traffickers; amend legislation to define human trafficking consistent with international law; increase the disbursement of funds for victim services and provide specialized shelter and services for trafficking victims, including men, in partnership with civil society organizations; improve victim identification and referral, and investigations and prosecutions, particularly in cases occurring outside of the capital; improve screening of individuals in prostitution for indicators of trafficking, including during raids; conduct thorough and transparent criminal investigations of alleged government complicity in trafficking offenses and prosecute, convict and punish complicit officials; increase efforts to investigate, prosecute, and convict child sex tourists and others who purchase commercial sex acts from child trafficking victims; increase anti-trafficking training for police, prosecutors, and judges; and improve data collection on law enforcement and victim protection efforts.

PROSECUTION

The government maintained law enforcement efforts. Article 172 of the criminal code criminalizes the acts of promoting, facilitating, or assisting in the movement of persons across borders for sexual or labor exploitation, slavery or practices similar to slavery, forced labor or services, or forced begging, and prescribes penalties of four to 20 years imprisonment; these penalties are sufficiently stringent and commensurate with other serious crimes. The definition of trafficking in the law is inconsistent with international law in that it requires that a victim be internationally transported; and also criminalizes these acts for the purpose of illegal adoption and labor exploitation that does not amount to forced labor. In addition to article 172, officials used trafficking-related offenses, including prohibiting holding a person in servitude (article 189) or aggravated pimping (article 170) or coerced pimping (article 171) to prosecute cases. These articles prescribe penalties ranging from two to 10 years imprisonment; these penalties are sufficiently stringent and commensurate with other serious crimes. The government and national assembly introduced an amendment to the law in 2016, under review by the national assembly's human rights committee, which would improve the current law by removing the requirement of movement and establishing force, fraud, or coercion as essential elements of the crime.

The Attorney General's Office reported investigating 26 new cases of movement-based trafficking (article 172) and aggravated pimping (article 170) compared to 31 new cases of movement-based trafficking in 2015. The government initiated 39 new

prosecutions—27 movement-based trafficking prosecutions (article 172) and 12 aggravated and coerced pimping prosecutions (articles 170-171); brought one movement-based trafficking case to trial; and convicted one trafficker of movement-based trafficking under article 172. Prosecutors appealed three acquittals from 2014 in a case of suspected labor trafficking involving Asian fishermen on boats in Costa Rican waters, but the appellate court declined to accept the case. The government designated funding for 2017 to increase investigative and prosecutorial capacity in rural areas and cities outside the central valley. Observers noted the judicial system had a significant backlog of criminal cases, including trafficking cases, which slowed prosecutions. The government provided anti-trafficking training to law enforcement, the judicial sector, and child welfare officials; and civil society members. The government indicted a former mayor and four suspected accomplices on charges of establishing a trafficking network, aggravated rape, and giving illicit narcotics to minors in a case opened in 2011; the case was awaiting a court date at the close of the reporting period. The court dismissed a case against a government official who was previously investigated for using an official vehicle for unauthorized personal use; this official was visiting an establishment where, according to media reports, sex trafficking occurred. The government did not convict any officials complicit in human trafficking or trafficking-related offenses.

PROTECTION

The government increased victim protection efforts. The government identified and verified 17 trafficking victims in 2016 under the existing trafficking law (12 sex trafficking and five labor trafficking), compared to three sex trafficking victims in 2015 under the same law, and 23 victims (13 sex trafficking and ten labor trafficking) in 2014. However, the government provided shelter and health, legal, and psychological services to 53 potential victims during the reporting period, including 44 women, two men, six girls, and one boy. Potential victims received immediate services, but not all 53 were “verified” as trafficking victims under Costa Rican protocols. Law enforcement authorities used written procedures for identifying victims among vulnerable groups, such as migrants and individuals in prostitution, and referred identified victims to the government’s interagency anti-trafficking body, the National Coalition against Migrant Smuggling and Trafficking in Persons (CONATT) to coordinate service provision.

The 2013 law mandates CONATT to coordinate assistance to trafficking victims, which includes emergency, short-term, and long-term assistance. The government updated its protocol for officials on the immediate response team responsible for certifying victims and updated its protocol for coordinating among various agencies and NGOs to provide victim services, which could include food, lodging, and health, financial, and psychological support. Authorities had the discretion to refer victims to services on a case-by-case basis; not all victims received the same level of protection. Civil society organizations reported referral mechanisms were not always implemented in an effective or timely manner. The government acknowledged it was challenged in using the referral mechanism by large increases in migrants in the country in 2016. The government, through the National Anti-Trafficking in Persons and Smuggling of Migrants Fund (FONATT), disbursed 122 million colons (\$223,443) to fund trafficking victim services in 2016, the first time it had used the fund. Separately, through its child welfare agency, the government provided direct funding to an NGO-run shelter for child victims, a per-victim subsidy for victims it and

the NGO identified, and directed 91 million colons (\$166,667) in lottery funds to NGOs providing services to trafficking victims. Remaining services were funded and provided by NGOs. The government does not provide dedicated shelters or specialized services to male victims, although the emergency shelter and safe houses can be used for male or female victims. The government provided medical and psychological services, legal services, and support for victims assisting criminal proceedings.

The government granted temporary residency status, with permission to work or study, to 17 foreign victims in 2016. The government worked with two foreign governments to repatriate four Costa Rican trafficking victims in 2016. There were no reports that the government penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government increased prevention efforts. CONATT continued to meet quarterly and coordinate the government’s anti-trafficking activities and funded an international organization to develop a new national action plan for 2017-2020. In 2016, the government obligated \$1.15 million of the total \$1.8 million available in 2016 for programming from the FONATT to public awareness raising and the establishment of a headquarters for CONATT, which will house the immediate response team and a 24-hour emergency short-term shelter for victims. Authorities financed a national public awareness campaign, distributed brochures and posters, publicized the 9-1-1 hotline with anti-trafficking messages on national lottery tickets, and held public events to warn about the dangers of trafficking. The government made efforts to reduce the demand for commercial sex acts and forced labor. The government worked to reduce the vulnerability of children of migrant indigenous workers in the coffee sector by expanding the availability of child care centers. The government educated labor recruiters for international and domestic businesses about the consequences of violating the anti-trafficking regulations, but did not report investigating or penalizing any labor recruiters for illegal practices that contribute to trafficking. A quasi-governmental agency continued conducting trainings on combating child sex tourism for members of the tourism industry. The government convicted an individual for promoting Costa Rica as a child sex tourism destination and imposed a sentence of five years imprisonment for the first time in November 2016. The government continued to investigate and prosecute individuals that paid child trafficking victims for commercial sex, resulting in 35 investigations and at least one conviction in 2016. Working in collaboration with international partners, the government reported denying entry to 71 foreign registered sex offenders attempting to travel to Costa Rica as tourists in 2016, compared to 53 in 2015. The government and NGOs provided anti-trafficking training to its diplomatic personnel.

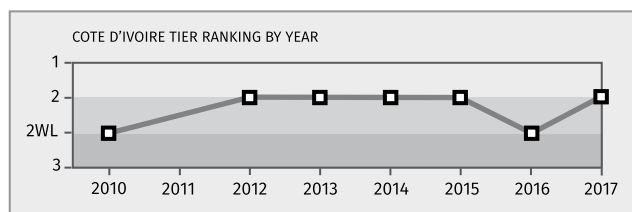
TRAFFICKING PROFILE

As reported over the past five years, Costa Rica is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Costa Rican women and children are subjected to sex trafficking within the country, with those living in the north and central Pacific coastal zones being particularly vulnerable. Authorities have identified adults using children to transport or sell drugs; some of these children may be trafficking victims. Migrants en route to the United States, primarily from Haiti and Cuba,

remained vulnerable to trafficking. The significant numbers of transgender Costa Ricans in the commercial sex industry are vulnerable to sex trafficking. Costa Ricans are subjected to sex and labor trafficking in the Bahamas and Guatemala. Women and girls from Nicaragua, the Dominican Republic, and other Latin American countries have been identified in Costa Rica as victims of sex trafficking and domestic servitude. Child sex tourism is a serious problem, with child sex tourists arriving mostly from the United States and Europe. Men and children from other Central American countries are subjected to forced labor in Costa Rica, particularly in the agriculture, construction, fishing, and commercial sectors. Nicaraguan men and women transit Costa Rica en route to Panama, where some are subjected to forced labor or sex trafficking. Indigenous Panamanians are also reportedly vulnerable to forced labor in agriculture in Costa Rica.

COTE D'IVOIRE: TIER 2

The Government of Cote d'Ivoire does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Cote d'Ivoire was upgraded to Tier 2. The government demonstrated significant efforts by prohibiting human trafficking in its new constitution, passing a comprehensive anti-trafficking law—the first to penalize the trafficking of both children and adults, reporting more prosecutions and convictions than in the previous reporting period, and adopting a 2016-2020 anti trafficking action plan. However, the government did not meet the minimum standards in several key areas. Despite allocations for victim protection in its 2016-2020 national action plan, the government continued to rely on NGOs to provide nearly all victim assistance without adequate government support. The government also remained without formal mechanisms to identify adult trafficking victims or refer trafficking victims to NGOs for care. During the majority of the reporting period, the government lacked coordination and a clear delegation among ministries of responsibilities for combating trafficking, which impaired implementation of the national action plan and impeded overall progress. The government did not provide sufficient funding or resources to enable law enforcement to investigate trafficking crimes nationwide and did not provide any data regarding cases of adult forced labor.



RECOMMENDATIONS FOR COTE D'IVOIRE

Increase funding to NGOs to expand shelter and services for trafficking victims, and establish victim shelters as indicated in the national action plan; allocate more staff, funding, and resources to the police anti-trafficking unit to facilitate investigation of trafficking crimes nationwide; vigorously investigate, prosecute, and convict traffickers, including allegedly complicit officials and others who commit sex and

labor trafficking offenses against adults, and apply sufficiently stringent penalties; train prosecutors and judges on the 2016 anti-trafficking law; clearly delineate responsibilities among stakeholders for activities outlined in the 2016-2020 national action plan, and enhance interagency coordination to effectively implement the plan; establish a standardized victim referral mechanism across ministries to ensure all trafficking victims receive services, and train law enforcement and front-line responders on such protocols; revise the existing procedures used to identify potential trafficking victims to include adults and victims among vulnerable populations, such as those working in domestic service and street vending, and incorporate those changes into existing victim identification trainings; train child labor and human rights hotline operators on the procedures for referring reports of trafficking to regional authorities; actively monitor agencies and middlemen that recruit Ivoirians for work abroad, and investigate agencies if allegations of fraudulent recruitment arise; improve efforts to collect data on anti-trafficking actions across all ministries, including cases of adult trafficking; increase efforts to collect information on the scope of trafficking in Cote d'Ivoire and among Ivoirian nationals abroad; and remove smuggling as a form of exploitation from the definition of human trafficking under Ivoirian law to more closely align with the definition in the 2000 UN TIP Protocol.

PROSECUTION

The government made increased law enforcement efforts. In December 2016, the president promulgated Law No. 2016-111 on the Fight Against Trafficking in Persons, the first law to prohibit both adult and child trafficking in the country. The law prohibits sex trafficking and forced labor and prescribes penalties of five to 10 years imprisonment and a fine of five to 10 million West African CFA francs (FCFA) (\$7,998-\$15,996). These penalties are sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. With regards to trafficking, the law includes in its definition of "exploitation" migrant smuggling, which is a different crime than trafficking. The new law explicitly allows the courts to reduce the sentences imposed for those who attempt to engage in trafficking but instead alert the authorities, prevent the offense from taking place, or identify accomplices. During the reporting period, Law No. 2010-272 Pertaining to the Prohibition of Child Trafficking and the Worst Forms of Child Labor remained the primary law used to prosecute child trafficking. The law prohibits compelling children into or offering them for prostitution and prescribes penalties of five to 20 years imprisonment and a fine of 500,000 to 50 million FCFA (\$800 to \$79,982); penalties can increase to life imprisonment with aggravating circumstances. These penalties are sufficiently stringent and commensurate with those prescribed for rape. The penalties for subjecting a child to forced labor or situations akin to bondage or slavery are 10 to 20 years imprisonment and a fine, which are sufficiently stringent. Penal code articles 335 and 336 prohibit pimping and exploitation of adults and children in prostitution by means of force, violence, or abuse. Article 378 prohibits the forced labor of adults and children, prescribing sufficiently stringent penalties of one to five years imprisonment and a fine.

The government did not have a mechanism to collect and share data between ministries, so it did not gather comprehensive data on anti-trafficking law enforcement efforts. The Ministry of Justice solicited trafficking case data from all 31 departments. In trafficking case data from Abidjan and eight departments, the government reported investigating at least 35 alleged traffickers in 28 cases, prosecuting 19 suspects in 18 cases, and convicting eight traffickers in five cases, an increase from 27

investigations, one prosecution, and one conviction the previous reporting period, with data from Abidjan and 13 regions. The government investigated 16 alleged child traffickers under the 2010 law and 19 alleged sex traffickers under the penal code's pimping statute. Eleven prosecutions involving seven suspects remained ongoing at the end of the reporting period, and it was unclear if the judiciary continued to investigate or had dismissed eight investigations of 15 alleged sex traffickers. Four of the eight convicted traffickers received sentences of 20 years imprisonment under the penal code's forced prostitution statute. Judges convicted two individuals of child trafficking under the 2010 child trafficking law, sentencing one offender to three years imprisonment and 500,000 FCFA (\$800) in damages to the victim and the second to 10 months imprisonment, a five million FCFA (\$7,998) fine, and 250,000 FCFA (\$400) in damages to the victim. In another case, the judge sentenced a trafficker who was intercepted while transporting Togolese children to Abidjan with the intent to exploit them in forced labor to 12 months imprisonment for child smuggling. Judges acquitted five suspected traffickers. Law enforcement continued to investigate six of 12 alleged child traffickers arrested the previous reporting period; there was no information available about investigations into the other six suspects. Authorities recorded seven cases of pimping involving at least 11 suspects that might have amounted to sex trafficking. The government did not provide any data regarding cases of adult forced labor.

Limited funding and resources for law enforcement created serious gaps in the government's ability to address human trafficking. The national police's 13-person anti-trafficking unit bore primary responsibility for enforcing anti-trafficking laws throughout the country, although it only had staff in Abidjan. The unit had a budget of approximately \$4,592 in 2016. Although the unit liaised with regional police on child trafficking cases, limited funding hampered its overall ability to investigate trafficking offenses, especially outside Abidjan. Resource limitations also constrained the Brigade Mondaine—the police unit charged with investigating prostitution and sex trafficking—to Abidjan and a few regional precincts, rendering the two primary anti-trafficking units unable to cover the majority of the country. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Anecdotal, an international organization reported the government transferred to other units police officers who proactively attempted to investigate cases of child domestic servitude in the northern regions, which indicates the presence of official complicity in trafficking crimes.

PROTECTION

The government maintained efforts to identify and protect victims. Although it did not compile comprehensive victim identification statistics, the government improved its data collection efforts and reported identification of 106 trafficking victims and 62 potential trafficking victims during the reporting period, compared with 48 potential victims identified in the previous reporting period. Victims included children from Mali, Guinea, Nigeria, and Burkina Faso exploited in forced labor; Togolese boys intercepted en route to exploitation in domestic service and street vending; and Nigerian and Ghanaian female sex trafficking victims. The government did not operate any victim shelters or any formal care centers exclusively for trafficking victims and relied on NGOs to provide almost all care. The police anti-trafficking unit referred 66 vulnerable children, including potential trafficking victims, to an NGO for shelter and services; however, it provided only limited material support

to this NGO that assisted the majority of potential trafficking victims identified and referred during the year. Nonetheless, the government provided 20 million FCFA (\$31,993) in material and financial support to 30 NGOs, some of which cared for potential trafficking victims; compared to 30 million FCFA (\$47,989) provided to these NGOs in 2015. Government social services continued to provide income-generating assistance to the families of 41 child labor and trafficking victims identified the previous reporting period.

The government did not have a formal mechanism to identify adult trafficking victims or refer trafficking victims to NGOs for care, and government ministries responsible for referring victims to services lacked coordination, hindering the provision of services. Operational procedures encouraged officials to refer victims to government-run social centers for a psycho-social examination, and the government reported referring an unknown number of foreign and domestic child trafficking victims for this care during the reporting period. The severely inadequate shelter system—especially for adults—and lack of reintegration assistance rendered many victims vulnerable to re-victimization. During the reporting period, the government provided logistical support for NGO construction of three shelters for child labor and child trafficking victims. To improve victim referrals, the Ministries of Family and Solidarity, with international technical and financial support, began mapping shelters and transit centers that assist trafficking victims throughout the country.

Foreign and domestic victims reportedly had the same access to care. During the reporting period, the government coordinated with NGOs to provide short-term shelter for at least six foreign trafficking victims, provided psycho-social support to some foreign victims before repatriation, and reported collaborating with source country embassies to repatriate or locally integrate at least 59 trafficking victims. The government reported providing repatriation and reintegration support to Ivoirian victims of crime identified abroad during the reporting period, including an unknown number of trafficking victims; such assistance reportedly included placement in a transit center, food, and some financial support. An international organization countered that the government's response was limited to the issuance of laissez-passer cards to enable victims to return home, while victims' families paid for return tickets, and international organizations and NGOs provided shelter and services during the repatriation process.

In 2016, the police anti-trafficking unit trained 144 police and *gendarmes* on child protection, including child trafficking. The 2016 anti-trafficking law, passed in December, provides for protection and assistance to victims who participate in investigations or trials against their traffickers; however, the government did not report whether any victims supported any judicial proceedings during the reporting period. There was no mechanism for victims to obtain restitution or file civil suits against their traffickers. In 2016, the government revised the National Solidarity Fund to allow trafficking victims to be included as beneficiaries of government assistance; authorities began establishing a mechanism to enable victims to actually receive this assistance. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking; however, the lack of formal identification procedures for adult trafficking victims and victims among vulnerable populations may have resulted in some victims remaining unidentified in the law enforcement system.

PREVENTION

The government modestly increased efforts to create national anti-trafficking measures but reported minimal efforts to implement those measures. The National Monitoring Committee and the Inter-Ministerial Committee continued to coordinate child labor and child trafficking issues during the reporting period, and for most of the reporting period there was no structure dedicated to coordinating comprehensive anti-trafficking efforts, including adult trafficking. In January 2017, however, the Ministry of Family merged with the Ministry of Solidarity, and the newly combined Ministry of Solidarity, along with the Ministry of Justice, assumed the lead in overseeing the government's anti-trafficking efforts. The 2016 law mandated the creation of a new anti-trafficking committee, and in February 2017 the government drafted the implementation decree to establish this committee. Due to poor communication and coordination among ministries on anti-trafficking efforts throughout most of the reporting period, implementing agencies did not have a clear understanding of their role in combating trafficking or who had the lead in such efforts. Nevertheless, in April 2016 the government adopted a 2016-2020 anti-trafficking national action plan—the first anti-trafficking plan to address both child and adult trafficking—and implemented some portions of the plan. However, the government did not report disbursing any of the 1.94 billion FCFA (\$3.1 million) that it had committed towards implementation of the plan. The government initiated and signed bilateral accords with the first ladies of Burkina Faso and Ghana to combat cross-border child labor and trafficking. The government continued to run a hotline for children in distress and reported receiving 6,766 phone calls; however, it was unclear how many, if any, were related to trafficking. It reactivated a hotline to report human rights violations, which received six reports of trafficking; the judiciary initiated one investigation. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor. The government did not report providing anti-trafficking training for its diplomatic personnel.

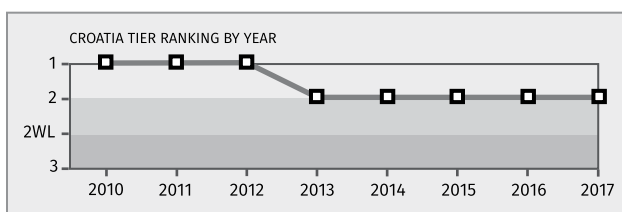
TRAFFICKING PROFILE

As reported over the past five years, Cote d'Ivoire is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Trafficking within the country is more prevalent than transnational trafficking, and the majority of identified victims are children. Due to a stronger emphasis on combating internal child trafficking, the prevalence of adult trafficking may be underreported. Some Ivoirian women and girls are subjected to forced labor in domestic service and restaurants in Cote d'Ivoire and exploited in sex trafficking. There are reports suggesting involvement of women and forcing of children to participate in drug trafficking in Western Cote d'Ivoire. Ivoirian boys are often subjected to forced labor in the agricultural and service industries, especially cocoa production. West African boys may be forced to labor in agriculture (on cocoa, coffee, pineapple, and rubber plantations and in animal breeding) and in mining, carpentry, construction, and begging in Cote d'Ivoire. Traffickers often operate in well-established networks, making it difficult for law enforcement to detect. An increasing number of corrupt *marabouts*, or religious instructors, exploit Ivoirian, Burkinabe, Malian, and Nigerien boys in forced begging in Quranic schools in the northern regions. Some Beninese and Togolese workers who migrate to Cote d'Ivoire for construction and carpentry work bring children, whom they exploit in domestic servitude. Some West African girls recruited for work as domestic servants and street vendors are subjected to forced labor. Some women and girls recruited from Ghana and Nigeria for jobs as waitresses are

subjected to sex trafficking. Nigerian traffickers increasingly exploit Nigerian women and girls in sex trafficking in Cote d'Ivoire's northern and western mining regions, including near gold mines in Tengrela. Other Nigerians transit Cote d'Ivoire en route to sex trafficking in Asia, the United Arab Emirates, and North Africa. Female Nigerian traffickers bring Nigerian children to northern Cote d'Ivoire for exploitation in domestic servitude. Ivoirian community and religious leaders, possibly working in concert with others abroad, recruit Ivoirian women and girls for work in the Middle East and Europe but subject them to forced labor in Europe; North Africa; and the Gulf, primarily Saudi Arabia, Morocco, Lebanon, and Tunisia. In previous reporting periods, authorities identified Ivoirian trafficking victims in Cyprus, France, and Morocco. Illegal Ivoirian migrants in Algeria are vulnerable to trafficking due to their irregular status.

CROATIA: TIER 2

The Government of Croatia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Croatia remained on Tier 2. The government demonstrated increasing efforts by working with NGOs to strengthen proactive victim identification efforts for first responders among large migrant flows and identifying more victims of labor trafficking, male victims, and foreign victims within migrant flows. The government increased funding for trafficking prevention efforts and continued to provide comprehensive services to victims. However, the government did not meet the minimum standards in several key areas. Judges continued to issue light sentences for forced labor and sex trafficking, and often dismissed victim testimony as unreliable due to a lack of understanding of trafficking. The national committee to coordinate anti-trafficking activities did not meet in 2016 and a national action plan remained in development.



RECOMMENDATIONS FOR CROATIA

Vigorously investigate and prosecute suspected traffickers; punish offenders with sentences commensurate with the severity of the crime, particularly labor traffickers; train judges to ensure the judiciary understands the severity of the crime when issuing sentences and sensitize judges about secondary trauma in sex trafficking testimony; increase efforts to identify victims among vulnerable populations, including street children, migrants, refugees, asylum-seekers, and Roma; allocate adequate funding for NGO-run shelters and victim protection efforts; finalize and adopt a national action plan; integrate the labor inspectorate into anti-trafficking efforts; inform all identified victims of their right to pursue compensation and encourage them to do so; and increase capacity of border police to screen irregular migrants for trafficking indicators.

PROSECUTION

The government maintained law enforcement efforts. Articles 105 and 106 of the criminal code criminalize all forms of trafficking and prescribe penalties of one to 15 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated seven trafficking cases, the same number investigated in 2015, involving 11 alleged perpetrators. The government prosecuted 11 defendants (five for child sex trafficking, two for sex trafficking, and four for forced labor), compared to four defendants in 2015. Courts convicted seven traffickers (eight in 2015), five of which were appealable verdicts and two were final verdicts with sentences of one year of community service for a forced labor case and six years imprisonment for a sex trafficking case. As in past years, sentences for labor traffickers remained lower than the prescribed minimum of one year imprisonment. Government officials reported difficulties in receiving information on final verdicts due to a lack of formal procedures, electronic case management systems, and standardized databases.

The government continued to organize counter-trafficking trainings for police, mobile teams, social workers, NGOs, labor association officials, and workers from the tourism industry. The government maintained law enforcement cooperation with foreign governments, EUROPOL, INTERPOL, and the Southeast Law Enforcement Center. Experts reported that some Croatian judges lacked an understanding of the impact of psychological trauma on victims' ability to consistently and clearly relate the circumstances of their exploitation and inappropriately dismissed as unreliable victim testimony. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained victim protection efforts. Police identified 30 trafficking victims (13 forced labor victims, 16 sex trafficking victims, and one victim of both), compared to 38 sex trafficking victims in 2015. However, the government made efforts to identify more victims among demographics for which it had been lacking in the past: nine victims were male, compared to zero in 2015; eight victims were foreign victims, compared to three in 2015; 11 victims were children, compared to four in 2015. The Ministry of Demography, Family, Youth and Social Policy (MDFYSP) spent approximately 400,000 kunas (\$56,740) to support two shelters and provide monthly stipends for victims, compared to 446,541 kunas (\$63,340) in 2015. The government provided shelter for one child, two females, and one male.

Croatian law enforcement and social service personnel followed a standard operating procedure for identifying and referring victims to services, which included instructions on activating the national referral mechanism when indicators of trafficking were present. Regional mobile teams consisting of social workers and NGO and Red Cross representatives traveled to meet the victims in person and coordinate victim care and placement. The Office for Human Rights and Rights of the National Minorities (OHRRNM) and the Croatian Red Cross organized two two-day regional seminars for relevant institutions involved in the national referral mechanism. Observers reported the need to continue strengthening coordination between social workers and law enforcement when approaching victims. NGOs involved in the mobile unit reported two years of training was required to join the mobile team and needed more funding to train staff in a shorter amount of time.

Croatian law entitles trafficking victims to safe accommodation, medical and psychological support, and legal aid. The government, in cooperation with NGOs, provided psychological and financial support and guardianship for children. Shelters operated in cooperation with professionals from MDFYSP and NGOs. One shelter accommodated adult trafficking victims with the capacity for five victims with separate rooms for women and men and service staff who were available 24 hours a day, seven days a week. OHRRNM created a roster of pro bono legal counsel available for victims. Foreign victims are entitled to receive a renewable residence permit for a year. The government reported no trafficking victims filed for compensation but all victims were informed of their right to compensation; however, observers reported the government did not proactively inform victims on compensation measures. The Office of the Chief State Prosecutor issued written instructions that victims not be prosecuted for crimes committed as a result of being subjected to trafficking. The government informed victims of their rights and had the option to testify via video link; cooperation was not a precondition to obtain services and temporary residence permits.

Authorities continued to screen migrants during the 2015-2016 migration wave for possible traffickers and victims, but authorities reported difficulties during the screening process as a significant portion of migrants did not possess valid travel and identification documents. The government, in cooperation with an NGO, developed indicators for identifying potential victims amongst migrants in transit and asylum-seekers and trained first responders on the indicators. NGOs reported first responders often encountered migrants and asylum-seekers who displayed multiple indicators of trafficking including debt bondage and labor exploitation.

PREVENTION

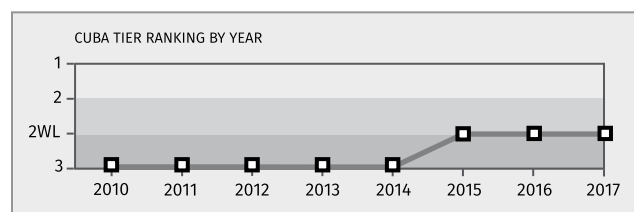
The government maintained prevention efforts. OHRRNM served as the secretariat for the senior-level national coordinating committee; the national committee did not meet in 2016 due to political instability at the highest levels of the Croatian government. The committee's working-level operational team was supposed to meet monthly; however, NGOs reported the operational team only met seven times during 2016. The labor inspectorate was not included in the national committee or the operational team despite its potential role in detecting victims of human trafficking. The government increased funding for prevention efforts to 197,000 kunas (\$27,940), compared to 78,600 kunas (\$11,150). The government did not adopt a new national action plan, but worked on finalizing a national action plan for 2017-2020. NGOs reported the government did not provide adequate financial support for the NGO-run hotline, which can only operate from 10am to 6pm due to the lack of funds. The government systematically monitored its anti-trafficking efforts and posted information on ministries' websites. The Ministry of the Interior has a specific unit for prevention activities consisting of 80 prevention officers and continued outreach programs for students and the service sector. The government continued to implement an awareness building campaign targeted towards Roma. The Ministry of Education certified the Croatian Red Cross to train teachers on indicators of trafficking. OHRRNM continued a campaign sensitizing the public, including potential customers, to the reality that persons engaged in prostitution may be trafficking victims. The government did not make efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Croatia is a destination, source, and transit country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. In 2016, identified victims included more from Asia, male victims, and victims exploited for labor than previous years. Migrants in transit, particularly from Afghanistan and Pakistan, are forced into debt bondage by their smugglers to pay off smuggling fees. Croatian women and girls, some of whom respond to false job offers online, are exploited in sex trafficking within the country and elsewhere in Europe. Economically marginalized Romani children from Croatia are at particular risk of forced begging in Croatia and throughout Europe. In previous years, traffickers target Croatian girls in state institutions and subjected them to sex trafficking. Croatian, Bosnian, and Romanian women and men have been subjected to forced labor in the Croatian agricultural sector. Women and girls from the Balkans and Central Europe are subjected to sex trafficking in Croatia.

CUBA: TIER 2 WATCH LIST

The Government of Cuba does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by prosecuting and convicting sex traffickers; providing services to sex trafficking victims; releasing a written report on its anti-trafficking efforts; and coordinating anti-trafficking efforts across government ministries. In addition, the government investigated indicators of trafficking exhibited by foreign labor brokers recruiting Cuban citizens. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The penal code does not criminalize all forms of human trafficking. The government did not prohibit forced labor, report efforts to prevent forced labor domestically, or recognize forced labor as a possible issue affecting its nationals in medical missions abroad. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Cuba was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore, Cuba is placed on Tier 2 Watch List for the third consecutive year.



RECOMMENDATIONS FOR CUBA

Draft and enact a comprehensive anti-trafficking law that prohibits and sufficiently punishes all forms of human trafficking, including forced labor, sex trafficking of children ages 16 and 17, and the full range of trafficking "acts" (recruiting, transporting, transferring, harboring, or receiving persons); vigorously investigate and prosecute both sex trafficking and forced labor offenses; provide specialized training for managers in state-owned or -controlled enterprises on identifying and

referring victims of forced labor for services; implement policies to prohibit force, fraud, or coercion in recruiting and retaining employees in such enterprises; train those responsible for enforcing the labor code to screen for trafficking indicators and educate workers about trafficking indicators and where to report trafficking-related violations; implement the 2017-2020 national anti-trafficking action plan in partnership with international organizations; implement formal policies and procedures on the identification of all trafficking victims and their referral to appropriate services, and train officials, including first responders, in their use; and adopt policies that provide trafficking-specific, specialized assistance for male and female trafficking victims, including measures to ensure identified sex and labor trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to sex trafficking or forced labor.

PROSECUTION

The government maintained law enforcement efforts by prosecuting and convicting sex traffickers, but took no new action to address forced labor. The penal code does not criminalize all forms of trafficking, in particular forced labor and sex trafficking of children ages 16 and 17. In January 2017, the government reported it continued its work to amend the criminal code to address trafficking as defined in international law, but it had not amended the criminal code by the end of the reporting period. Cuba prohibits some forms of trafficking in its penal code provisions, including article 302 (procuring and trafficking in persons); article 310.1 (corruption of minors younger than 16 for sexual purposes); article 312.1 (corruption of minors younger than 16 for begging); and article 316.1 (sale and trafficking of a child younger than 16). The penal code's definition of sex trafficking conflates sex trafficking with prostitution and pimping. The law criminalizes inducement to or benefiting from prostitution, but treats force, coercion, and abuse of power or vulnerability as aggravating factors rather than an integral part of the crime. These provisions prescribe penalties ranging from four to 10 years imprisonment with more severe penalties for complicit government officials, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Legal provisions addressing "corruption of minors" criminalize many forms of child sex trafficking but define a child as an individual younger than 16 years of age, below the age set in international trafficking law, which is 18. Forced prostitution is illegal irrespective of the victim's age, and the penal code enables the government to prosecute individuals benefiting from sex trafficking. Provisions for adult and child sex trafficking do not explicitly criminalize the acts of recruitment, transport, and receipt of persons for these purposes. Article 346.1 of the criminal code mandates sentences of five to 12 years imprisonment for various crimes, including for laundering funds obtained from trafficking in persons. The penal code prohibits the deprivation of freedom (article 279.1), coercion (article 286.1), extortion (article 331), and arbitrary exercise of rights (article 159.1). Labor code article 116 prohibits entities from directly establishing labor relations with adolescents younger than age 17. However, Cuban law does not prohibit forced labor as defined in international law.

In January 2017, the government publicly presented official data on prosecutions and convictions of sex traffickers during calendar year 2015, the most recent data available. Authorities reported 10 prosecutions and 17 convictions of sex traffickers, compared with 13 prosecutions and 18 convictions in 2014. At least six convictions in 2015 involved suspects accused of subjecting children to trafficking within Cuba, including the

facilitation of child sex tourism in Cuba. The average sentence was 12 years imprisonment, compared to seven years in 2014. The government investigated 37 cases and prosecuted four cases of Cubans and foreign nationals recruiting and transporting women with false promises of employment and fraudulent work contracts to subject the victims to debt bondage and forced prostitution. The government did not report any domestic labor trafficking investigations, prosecutions, or convictions.

Students at the Ministry of Interior academy and police assigned to tourist centers reportedly received specific training in anti-trafficking and victim assistance. The government maintained bilateral cooperation agreements and extradition agreements with more than 15 countries demonstrating its willingness to cooperate with other governments on criminal investigations; however, these agreements are not specific to trafficking. The Cuban government cooperated with foreign law enforcement in investigating foreign citizens suspected of sexual crimes against children, including child sex trafficking. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking in 2015.

PROTECTION

The government maintained efforts to identify and protect sex trafficking victims, but did not make efforts to identify or protect victims of forced labor. Authorities identified at least seven child sex trafficking victims and four adult sex trafficking victims in 2015, compared to 11 and four, respectively, in 2014. The government did not identify any labor trafficking victims or male sex trafficking victims inside Cuba. The government reported it provided assistance to the 11 identified sex trafficking victims but did not provide detailed information on assistance provided. The government reported having procedures to proactively identify sex trafficking victims; police and medical professionals identified and evaluated potential sex trafficking victims and referred them to other professionals for medical, psychological, psychiatric, educational, family, or social services. Other government-organized NGOs, like the Federation of Cuban Women (FMC), the Prevention and Social Assistance Commission, and the Committees for the Defense of the Revolution, referred trafficking victims to state authorities and provided victim services. Independent members of civil society expressed concern about the government's anti-trafficking efforts and limited information on the scope of sex trafficking and forced labor in Cuba given sparse independent monitoring by NGOs and international organizations.

The government did not report having procedures to identify victims of forced labor. In 2015, Cuba reinstituted restrictions on travel for specialized doctors and some medical personnel, requiring them to obtain an exit permit from their superiors before leaving the country. On September 9, 2015, the government agreed to reinstate medical personnel who had left their positions while abroad. As of April 1, 2016, the Cuban authorities claimed that 274 medical professionals who returned to Cuba and were rehired at the same salary and level of responsibility they had before leaving. More recent data was not available.

The government provided funding for child protection centers and guidance centers for women and families, which serve all crime victims, including trafficking victims. These centers had the ability to screen cases, make referrals to law enforcement, assist with arranging cooperation with law enforcement in preparation for prosecution, and provide victim services. The FMC continued to receive funding from international

organizations and operated centers for women and families nationwide to assist individuals harmed by violence, including victims of sex trafficking. These centers provided services such as psychological treatment, health care, skills training, and assistance in finding employment. The government developed a process to refer trafficking victims to law enforcement to secure evidence for prosecutions and provide victim services and follow-on care. Neither the government nor the government-organized NGOs operated shelters or provided services specifically for male trafficking victims. Police encouraged child sex trafficking victims under the age of 16 to assist in prosecutions of traffickers by gathering testimony through psychologist-led videotaped interviewing, usually removing the need for children to appear in court. There were no reports of the government punishing sex trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government reported some foreign sex trafficking victims in Cuba, but did not report whether it offered these victims repatriation or services.

PREVENTION

The government maintained prevention efforts to combat sex trafficking; however, authorities did not make efforts to prevent or address the demand for forced labor. The government worked across the ministries of justice, information and communications, health, education, tourism, and the attorney general's office to combat trafficking and for the fourth consecutive year published an annual report of its efforts in the areas of prosecution, protection, prevention, and partnerships. The government and the FMC continued to operate a 24-hour telephone line for individuals needing legal assistance, including sex trafficking victims, but did not report whether any calls related to potential trafficking cases in 2015 led to investigations or identifying victims. State media continued to produce newspaper articles and television and radio programs to raise public awareness about sex trafficking. Authorities maintained an office within the Ministry of Tourism charged with monitoring Cuba's image as a tourism destination, combating sex tourism, and addressing the demand for commercial sex acts; that office also trained law enforcement officials assigned to the tourism sector on trafficking indicators. Under Cuban law, authorities may deny entry to suspected sex tourists and expel known sex offenders, but reported no related convictions in 2015. The government did not report providing anti-trafficking training for its diplomatic personnel. In March 2015, authorities invited the UN special rapporteur on trafficking in persons to visit, and the visit took place in April 2017, after the conclusion of the reporting period. The government did not report specialized training for labor inspectors to screen for indicators of potential forced labor.

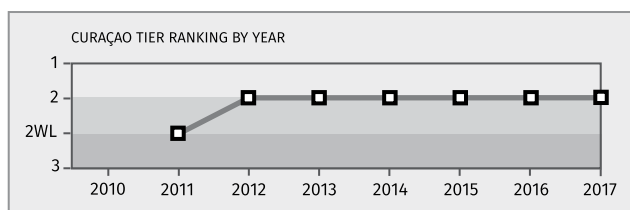
TRAFFICKING PROFILE

As reported over the past five years, Cuba is a source and destination country for adults and children subjected to sex trafficking and forced labor. Child sex trafficking and child sex tourism occur within Cuba. Cuban authorities report people from ages 13 to 20 are most vulnerable to human trafficking in the country. Traffickers also subject Cuban citizens to sex trafficking and forced labor in South America, the Caribbean, and the United States. Traffickers recruit Cuban citizens through promises of work abroad, providing fraudulent contracts and immigration documents for a fee, and subsequently coercing these individuals into prostitution to pay off these debts. The government reported foreign national sex trafficking victims in Cuba. The government is the primary employer in the

Cuban economy, including in foreign medical missions that employ more than 84,000 workers in more than 67 countries, including Bolivia, Brazil, Colombia, and Venezuela. These medical missions constitute a significant source of Cuban government income. Some participants in foreign medical missions as well as other sources allege that Cuban officials force or coerce participation in the program; the government has stated the postings are voluntary, and some participants also have stated the postings are voluntary and well paid compared to jobs within Cuba. The Cuban government acknowledges that it withholds passports of overseas medical personnel in Venezuela due to security concerns; the government provided ID cards to such personnel in place of passports. There are also claims about substandard working and living conditions in some countries. In the past, there have been claims that Cuban authorities coerced participants to remain in the program, including by allegedly withholding their passports, restricting their movement, using “minders” to monitor participants outside of work, or threatening to revoke their medical licenses or retaliate against their family members in Cuba if participants leave the program. The government uses some high school students in rural areas to harvest crops and does not pay them for their work but claims this work is not coerced.

CURAÇAO: TIER 2

The Government of Curaçao does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Curaçao remained on Tier 2. The government demonstrated increasing efforts by initiating more trafficking investigations, one of which involved three allegedly complicit police officers, and providing assistance and care to increasing numbers of trafficking victims. However, the government did not meet the minimum standards in several key areas. It did not prosecute or convict any traffickers for the second consecutive year; did not finalize standard operating procedures on victim identification; and did not address sex trafficking within the unregulated commercial sex industry.



RECOMMENDATIONS FOR CURAÇAO

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

campaigns directed at vulnerable groups, the general public, and potential buyers of commercial sex acts; provide specialized care and assistance for victims of trafficking; and allocate an independent budget to the National Taskforce to Combat Trafficking In Persons and Human Smuggling to improve anti-trafficking efforts.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Article 2:239 of the criminal code prohibits all forms of trafficking in persons, which prescribes penalties ranging from nine to 24 years imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated two sex trafficking cases, compared to none in 2015, but for the second consecutive year, did not initiate any prosecutions or convict traffickers. In November 2016, the government initiated an investigation of one case involving five suspects, including three police officers, for the sex trafficking of a Venezuelan woman fraudulently recruited for a restaurant job; the officers remained on suspension at the close of the reporting period as the investigation was ongoing. Beyond this case, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. In March 2017, the government initiated an investigation of a Venezuelan woman allegedly running an illegal brothel and facilitating the sex trafficking of women, predominantly from Venezuela. The government trained approximately 20 police officers with a focus on the investigation and prosecution of sex trafficking offenses, and trained 30 officials on victim identification and the special needs of trafficking victims.

PROTECTION

The government maintained efforts to identify and assist trafficking victims. It reported identification of four trafficking victims and six potential victims intercepted transiting Curaçao en route to France; this is compared to zero identified in 2015 and seven in 2014. During the reporting period, the national taskforce drafted but did not finalize standard operating procedures on victim identification for all front-line responders. In the interim, it maintained informal agreements to coordinate ad hoc victim referral among community-based organizations and government departments. Various divisions of the Curaçao Police Force, such as the immigration department, the organized crime department, and the Department of Intelligence identified victims and, on an ad hoc basis, referred victims to the Bureau for Victim Assistance for care. While the government did not operate any specialized shelters for trafficking victims, it had capacity to host trafficking victims in shelters for domestic violence victims, which restricted victims' movements if their safety was at risk. There were no specialized shelters for male victims; however, the Bureau for Victim Assistance funded shelter for victims in private accommodations. It also partnered with NGOs to provide victims with wide-ranging and comprehensive care and assistance, which included legal assistance, shelter, food, clothing, medical care, and counseling among other services; four victims of trafficking received care and assistance. The government had a policy to protect victims from being punished for crimes committed as a direct result of being subjected to human trafficking and reportedly allowed foreign victims to temporarily remain in the country to assist in law enforcement investigations. Victims could provide written testimony in court proceedings. Should victims choose not to assist, they were still provided protections and support to depart the country; the government provided legal assistance

to three victims in an ongoing investigation. Trafficking victims could seek restitution from the government and file civil suits against traffickers; however, there were no reported cases of them doing so in 2016.

PREVENTION

The government maintained efforts to prevent trafficking. While the interagency taskforce lacked sufficient funds and resources to combat trafficking, it continued to coordinate national anti-trafficking efforts and implement the Administrative Report on Trafficking in Persons, its existing anti-trafficking action plan; it completed a revised draft for 2016-2017, which now awaits approval by the Minister of Justice. The government operated a trafficking tip hotline, although no tips were received during the reporting period. The government did not report new efforts to reduce demand for forced labor, or commercial sex.

In Curacao, prostitution is legal but underage prostitution is not. The government continued to keep an official register of individuals in prostitution working in Campo Alegre. These individuals, whose ages range from 18-50, are allowed a three-month residence permit and are restricted to working in Campo Alegre. The government reported no registered cases of underage prostitution. The Ministries of Justice and of Social Development, Labor, and Welfare continued cooperation in conducting full review of all work permit applications and jointly managing issuance of work and residence permits. The Ministry of Labor allowed foreign migrant laborers to request residence permits independent of their employers to ensure employees had better knowledge regarding the terms of work within contracts. The government provided anti-trafficking training for its diplomatic personnel.

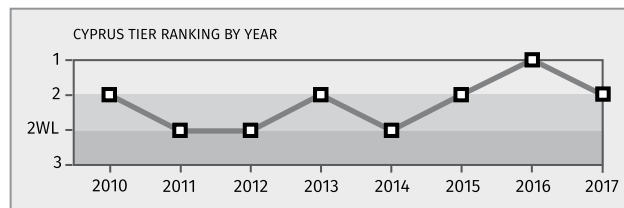
TRAFFICKING PROFILE

As reported over the past five years, Curaçao is a source and destination country for women, children, and men subjected to sex trafficking and forced labor. Vulnerable populations include women and girls in the unregulated commercial sex industry; foreign women from South America and other Caribbean countries in the regulated commercial sex industry; and migrant workers, including from other Caribbean countries, South America, India, and China in the dry dock, construction, landscaping, minimarket, retail, and restaurant industries. Media accounts indicate an increase in the number of Venezuelan women who work illegally at roadside bars ("snacks") and are subjected to prostitution in both legal and illegal brothels in Curacao. These women, who may be engaged in prostitution or overstay their visas while in Curaçao and become undocumented, are vulnerable to human trafficking.

CYPRUS: TIER 2

The Government of the Republic of Cyprus does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made significant efforts to meet the minimum standards during the reporting period by developing protocols of cooperation to formalize NGOs into the national referral mechanism in areas of housing and general support and increasing funds to an NGO-run shelter. The government improved efforts to assist victims including by streamlining the process to disperse financial support to victims, providing foreign victims residence permits and the right to work, and paying travel

and accommodation expenses for a victim to testify in the first civil case against a trafficker. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. The government convicted fewer traffickers, initiated fewer prosecutions, and identified fewer victims. A police officer employed interview tactics that may have re-traumatized victims. Three NGOs withdrew from the Multidisciplinary Coordinating Group (MCG) due to the non-substantive role of NGOs and infrequent meetings. Therefore, Cyprus was downgraded to Tier 2.



RECOMMENDATIONS FOR CYPRUS

Vigorously investigate, prosecute, and convict traffickers under law 60(I) and train judges and prosecutors on its application; provide specialized training for law enforcement, including best practices for interviewing trafficking victims; proactively investigate potential labor trafficking of domestic workers and individuals in agriculture; train staff at the government-run shelter to increase the quality of support services available to victims, particularly psychological support; proactively identify victims among vulnerable populations, including among domestic and agricultural workers; reduce delays in court proceedings; and ensure cooperation of all relevant actors, including NGOs, in the MCG.

PROSECUTION

The government decreased law enforcement efforts. Law 60(I) of 2014 prohibits all forms of trafficking and prescribes penalties of up to 20 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. The government investigated 26 suspected traffickers, compared to 31 suspected traffickers in 2015; authorities investigated 13 suspects for sex trafficking and 13 for forced labor (seven for sex trafficking and 24 for forced labor in 2015). The government also investigated 113 suspects for forced marriage in 2016, which authorities considered to be trafficking under their law. The government initiated prosecutions against 10 defendants (30 defendants in 2015). Thirty-seven prosecutions remained pending at the end of the reporting period. Courts convicted one trafficker, compared to 31 in 2015, nine in 2014, and two in 2013. The trafficker received a sentence of one year imprisonment, which was suspended for three years. Observers reported key witnesses left the country before trial due to long delays, hindering prosecution efforts. In previous years, authorities did not investigate potential trafficking cases among domestic workers or individuals in agriculture because officials perceived all such cases to be labor disputes. The government trained first responders on a wide range of trafficking issues, including 40 first responders on labor trafficking within agriculture. The police academy trained police officers on trafficking issues, including financial investigations to combat trafficking and a refresher training for police officers working in detention centers. The government, together with an international organization, conducted training for immigration officials on identifying potential victims

at airports. The government extradited four traffickers from Romania to stand trial for trafficking. It did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government increased victim protection efforts, but identified fewer victims. The government identified 21 trafficking victims, compared to 40 in 2015. Of these, 10 women were subjected to sex trafficking, three men to forced labor, and seven women and one man to forced criminality (16 men and six women to forced labor, 13 women to sex trafficking, two children and a woman to forced criminality, and two children to forced begging in 2015). The government allocated €254,560 (\$268,240), compared to €133,750 (\$140,940) in financial assistance to victims through a public benefit scheme known as guaranteed minimum income created to gradually replace most forms of public assistance. The government provided an additional €14,325 (\$15,090), compared to €116,988 (\$123,280) in the form of public assistance to victims. The government spent €294,941 (\$310,790), compared to €269,900 (\$284,400) to operate the trafficking shelter.

A multi-disciplinary national referral mechanism, established in the previous reporting period, provided standard operating procedures for identifying and referring victims to services. First responders carried out the preliminary identification of potential victims and contacted Social Welfare Services (SWS). SWS officers provided potential victims with information and notified the police anti-trafficking unit, who officially identified victims. SWS referred 169 potential victims to the police; of these, NGOs identified 52 potential victims and the government identified 117 potential victims. Specialized personnel in the police anti-trafficking unit, including a forensic psychologist, conducted interviews with potential and identified victims before taking an official statement. Observers reported some of the police officers within the anti-trafficking unit conducted insensitive interviews that may have re-traumatized victims. In previous years, observers reported interpreters used in the interview process did not have sufficient knowledge of local dialects, particularly for Francophone African countries, and made translation mistakes, which made victims' testimony appear inconsistent. In 2016, however, police reported replacing the translators, as well as requiring victims' consent for use of the translator and giving victims the right to choose the translator's gender. The government provided police officers with identification manuals and operation guides to assist with the identification and referral procedures. Police and immigration officials interviewed arriving domestic and agricultural workers and ensured they possessed a contract and informed workers of their rights. Observers reported many potential forced labor victims remained undetected due to an inadequate number of labor inspectors.

SWS evaluated the needs of victims and potential victims and referred them to the appropriate government agencies and NGOs for assistance. SWS operated a specialized shelter for sex trafficking victims and victims of forced marriage; the SWS-run shelter accommodated 53 official and potential victims during the reporting period. Victims may stay for one month or longer, as appropriate, in the shelter for a reflection period. The government provided a rent subsidy and a monthly allowance for female sex trafficking victims who chose not to stay in the SWS-run shelter as well as to female labor trafficking victims and all male victims, as there were no specialized facilities for these victims. The government

developed protocols of cooperation to formalize NGOs into the national referral mechanism in areas of housing and general support. The government allocated €15,000 (\$15,810) to an NGO-run shelter to accommodate these victims and informally partnered with other NGOs to place them in apartments. Shelters allowed adult victims to voluntarily leave the shelter. As a matter of law, victims are entitled to psycho-social services, health care, translation and interpretation services, education, vocational training, and financial assistance. Experts reported SWS and the labor office exhibited greatly improved service quality for victims; however, observers reported staff at the government-run shelter were not adequately trained to provide the necessary psychological support to victims. Employment counselors trained to handle sensitive cases sought suitable employment for each victim; however, finding employment for victims remained a challenge. Benefits to victims were not, as in previous years, automatically discontinued if a victim refused a job offer; rather, an employment counselor and a SWS officer examined each case. The government provided education and specialized medical and psycho-social care for child victims. The government streamlined the process for providing financial support to victims and prioritized public benefit applications from trafficking victims. NGOs confirmed all identified victims received a monthly allowance and delays in receiving allowances were rare. SWS reported victims received emergency financial assistance in cases of delayed distribution of monthly allowances.

The government voluntarily repatriated or granted residence permits and work authorization to foreign victims including those who decided after their reflection period not to cooperate with the police. The government extended the residence and work permit for four victims and subsequently granted asylum to three of the victims. Fourteen victims assisted in investigations and six victims chose not to cooperate. The government permitted victims to leave Cyprus and return for trial, and police remained in contact with victims while they were abroad. Victims can receive restitution through civil suits; the government covered travel and accommodation expenses for a victim to testify in the first civil case against a trafficker. There were no reports of victims penalized for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government maintained prevention efforts. The government adopted the 2016-2018 national action plan (NAP). The MCG to combat trafficking, comprises relevant government agencies and NGOs, met twice during the reporting period and coordinated and monitored the implementation of the NAP; however, three of the four NGOs in the MCG withdrew because NGOs were not given a substantive role and meetings were infrequent. Police signed protocols of cooperation with 12 NGOs on a wide range issues including trafficking. The government continued to print and distribute brochures in 11 languages aimed at potential victims on their rights and assistance available to them. Cypriot diplomatic and consular missions distributed the booklets to visa applicants. The government-funded the publication of an anti-trafficking poster in newspapers and magazines and co-funded an anti-trafficking campaign in Nicosia and a social media campaign. The Ministry of Labor (MOL) inspected 117 employment agencies and revoked the licenses of nine employment agencies' for labor violations. The government did not report efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Cyprus is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Victims identified in Cyprus were primarily from India, Latvia, Bangladesh, Dominican Republic, China, Bulgaria, Turkey, Romania, Philippines, Cameroon, Cote d'Ivoire, Slovakia, Togo, Paraguay, and Czechia. Women, primarily from Eastern Europe, Vietnam, India, and sub-Saharan Africa, are subjected to sex trafficking. Sex trafficking occurs in private apartments and hotels, on the street, and within commercial sex outlets in Cyprus including bars, pubs, coffee shops, and cabarets. Some female sex trafficking victims are recruited with false promises of marriage or work as barmaids or hostesses. Foreign migrant workers—primarily from South and Southeast Asia—are subjected to forced labor in agriculture. Migrant workers subjected to labor trafficking are recruited by employment agencies and enter the country on short-term work permits; after the permits expire, they are often subjected to debt bondage, threats, and withholding of pay and documents. Asylum-seekers from South East Asia, Africa, and Eastern Europe are subjected to forced labor in agriculture and domestic work. Unaccompanied children, children of migrants, Romani, and asylum-seekers are especially vulnerable to sex trafficking and forced labor. Romani children are vulnerable to forced begging.

AREA ADMINISTERED BY TURKISH CYPRIOTS

The northern area of Cyprus is administered by Turkish Cypriots. In 1983, the Turkish Cypriots proclaimed the area the independent "Turkish Republic of Northern Cyprus" ("TRNC"). The United States does not recognize the "TRNC," nor does any other country except Turkey. The area administered by Turkish Cypriots continues to be a zone of impunity for human trafficking. The area is increasingly a destination for women from Central Asia, Eastern Europe, and Africa who are subjected to forced prostitution in nightclubs licensed and regulated by the Turkish Cypriot administration. Nightclubs provide a significant source of tax revenue for the Turkish Cypriot administration; media reports estimated nightclub owners pay between 20 and 30 million Turkish lira (\$5.7-8.5 million) in taxes annually. This presents a conflict of interest and a deterrent to increased political will to combat trafficking. Men and women are subjected to forced labor in industrial, construction, agriculture, domestic work, restaurant, and retail sectors. Victims of labor trafficking are controlled through debt bondage, threats of deportation, restriction of movement, and inhumane living and working conditions. Labor trafficking victims originate from China, Pakistan, Philippines, Turkey, Turkmenistan, and Vietnam. Migrants, especially those who cross into the Turkish Cypriot community after their work permits in the Republic of Cyprus have expired, are vulnerable to labor trafficking. Romani children and Turkish seasonal workers and their families are also vulnerable to labor exploitation. Women issued permits for domestic work are vulnerable to forced labor. As in previous years, NGOs reported a number of women entered the "TRNC" on three-month tourist or student visas and engaged in prostitution in apartments in north Nicosia, Kyrenia, and Famagusta; some may be trafficking victims. Migrants, asylum-seekers, refugees, and their children are also at risk for sexual exploitation.

If the "TRNC" were assigned a formal ranking in this report, it would be Tier 3. Turkish Cypriot authorities do not fully meet the minimum standards for the elimination of trafficking and are not making significant efforts to do so. The area administered by the Turkish Cypriots lacked an anti-trafficking "law." Turkish Cypriots did not keep statistics on law enforcement efforts

against trafficking offenders. The area administered by Turkish Cypriots lacked shelters for victims and social, economic, and psychological services for victims. Local observers reported authorities were complicit in facilitating trafficking, and police continued to retain passports upon arrival of women working in night clubs.

Turkish Cypriots do not have a "law" that specifically prohibits trafficking in persons. Were there any trafficking-related cases, they would be tried under the "TRNC criminal code," which prohibits living off the earnings of prostitution or encouraging prostitution and forced labor. The "Nightclubs and Similar Places of Entertainment Law of 2000" provides the most relevant legal framework vis-à-vis trafficking and stipulates that nightclubs may only provide entertainment such as dance performances. Turkish Cypriots did not enforce this law, nor did the "TRNC" prosecute nightclub owners, bodyguards, or clients during the reporting period. The authorities made no efforts to punish labor recruiters or brokers involved in the recruitment of workers through knowingly fraudulent employment offers or excessive fees for migration or job placement. There was no "law" that punished traffickers who confiscate workers' passports or documents, change contracts, or withhold wages to subject workers to servitude. Turkish Cypriots did not provide any specialized training on how to investigate or prosecute human trafficking cases.

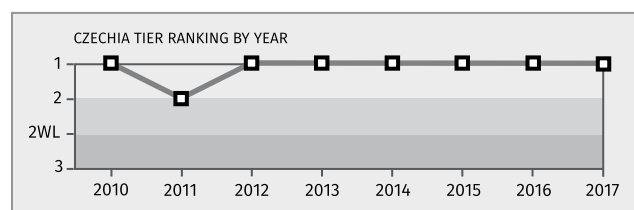
Turkish Cypriot authorities did not allocate funding to anti-trafficking efforts, police were not trained to identify victims, and authorities provided no protection to victims. Police confiscated passports of foreign women working in nightclubs and issued them identity cards, reportedly to protect them from abuse by nightclub owners who confiscated passports. NGOs reported women preferred to keep their passports but police convinced them to render passports to police to avoid deportation. Foreign victims who voiced discontent about the treatment they received were routinely deported. Trafficking victims serving as material witnesses against a former employer were not entitled to find new employment and resided in temporary accommodation arranged by the police; experts reported women were accommodated at nightclubs. The Turkish Cypriot authorities did not encourage victims to assist in prosecutions against traffickers, and all foreign victims were deported. If the police requested a victim to stay to serve as a witness, the police were required to provide temporary accommodation. The only shelter accepting trafficking victims closed in July 2016.

During the reporting period, "TRNC" authorities issued 1,314 six-month "hostess" and "barmaid" work permits for individuals working in nightclubs and two pubs operating in the north. During the reporting period, 351 women worked under such permits. Nightclub owners hired female college students during the reporting period to bypass the cap on the number of employees legally permitted in each club and avoid taxes and monitoring. An NGO reported authorities did not consistently document the arrival of women intending to work in nightclubs. Most permit holders came from Moldova, Morocco, and Ukraine, while others came from Belarus, Kazakhstan, Kenya, Kyrgyzstan, Paraguay, Russia, Tajikistan, Tanzania, and Uzbekistan. Reportedly some "parliament" members were clientele of the nightclubs. Women were not permitted to change location once under contract with a nightclub, and Turkish Cypriot authorities deported 445 women who curtailed their contracts without screening for trafficking. While prostitution is illegal, female nightclub employees were required to submit to weekly health checks for sexually transmitted infection

screening, suggesting recognition and tacit approval of the prostitution industry. Victims reported bodyguards at the night clubs accompanied them to health and police checks, ensuring they did not share details of their exploitation with law enforcement or doctors. Turkish Cypriots made no efforts to reduce demand for commercial sex acts or forced labor. The “law” that governed nightclubs prohibited foreign women from living at their place of employment; however, most women lived in group dormitories adjacent to the nightclubs or in other accommodations arranged by the establishment owner. The “Nightclub Commission,” comprises “police” and “government officials” who regulate nightclubs, prepared brochures on employee rights and distributed them to foreign women upon entry. The “Nightclub Commission” met monthly and made recommendations to the “Ministry of Interior” regarding operating licenses, changes to employee quotas, and the need for intervention at a particular establishment. The “Social Services Department” in the “Ministry of Labor” continued to run a hotline for trafficking victims; however, it is inadequately staffed by one operator who had not received any training on trafficking. A total of 30 women were repatriated during the reporting period. An expert reported trafficking victims were afraid to call the hotline because they believed it was linked to authorities. During the reporting period, the TRNC issued 2383 work permits to domestic workers.

CZECHIA: TIER 1

The Government of the Czechia, or Czech Republic, fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Czechia remained on Tier 1. The government demonstrated serious and sustained efforts by approving a new action plan, providing comprehensive care for victims, obtaining victim cooperation with law enforcement, and implementing a multitude of public awareness campaigns, particularly in areas with vulnerable populations. Although the government meets the minimum standards, judges and prosecutors continued to enforce trafficking legislation unevenly. While progress was shown, in a minority of cases, the courts suspended the sentences of convicted traffickers weakening the deterrent effect of the penalties. The government did not have sufficient collaboration and coordination between labor inspectors and police, or training to improve victim identification and evidence gathering in labor trafficking cases.



RECOMMENDATIONS FOR CZECHIA

Vigorously investigate and prosecute suspected offenders of both sex and labor trafficking, using the anti-trafficking statute; sensitize judges to the severity of this crime to ensure convictions result in proportionate and dissuasive sentences; increase training for prosecutors and judges on applying the anti-trafficking statute; enhance collaboration between the labor inspectorate and police on investigating potential labor

trafficking cases; improve victims’ ability to access court-ordered restitution; train first responders, including labor inspectors, police, and state contracting officers, on labor trafficking victim identification criteria and evolving trends in labor trafficking; disaggregate sex and labor trafficking data in both law enforcement and victim protection efforts and consider the creation of a central database for trafficking data.

PROSECUTION

The government improved its law enforcement efforts. Section 168 of the criminal code criminalizes all forms of trafficking and prescribes punishments of up to 16 years imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2016, police initiated 22 investigations into suspected trafficking cases, compared with 18 cases in 2015. Authorities prosecuted 19 defendants for trafficking crimes under Section 168 of the penal code in 2016, compared with 12 in 2015 and six in 2014. In 2016, eight cases resulted in convictions (19 in 2015 and six in 2014). Of the eight convictions in 2016, courts sentenced six individuals to prison time: four received sentences of five to 15 years, and two received five-year sentences. In two cases, judges fully suspended the sentences of two convicted traffickers. This is an improvement from the last reporting period when more than one-third of convicted traffickers received suspended prison sentences. The government did not disaggregate sex and labor trafficking data. The government seized 150,000 koruna (\$5,989) and land valued at 580,000 koruna (\$23,158) from suspected traffickers; this was a decrease from 36,673,000 koruna (\$1,464,284) in assets seized in 2015. Authorities collaborated with foreign governments on three transnational investigations.

The organized crime branch of the police was the lead law enforcement investigative agency for trafficking; regional police were responsible for smaller-scale cases. The government trained more than 200 law enforcement officials, labor inspectors, and prosecutors involved in investigating and prosecuting human trafficking crimes, on par with training efforts in 2015. Authorities reported the need for better collaboration between the police and labor inspectors, as well as enhanced training for inspectors on labor trafficking indicators. Observers reported prosecutors and judges pursued trafficking cases unevenly due to lack of familiarity with the law, unfamiliarity with labor trafficking, and a preference to prosecute traffickers for non-trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained victim protection efforts. Police identified 38 victims during the reporting period, one man and 37 women (92 victims in 2015 and 67 in 2014). Authorities referred all victims to services. Of the victims identified in this reporting period, 14 chose to cooperate with law enforcement and entered the Ministry of Interior’s (MOI) program for victim services (four victims entered the program in 2015 and 43 in 2014). In 2016, government-funded NGOs provided services to 139 newly identified potential victims, of which 125 victims were identified by NGOs; this compared to 171 newly identified potential victims in 2015, 79 of whom were directly identified by NGOs.

The MOI program for victim services was available to both foreign and Czech adult victims of sex and labor trafficking regardless of their country of origin or legal status. There

was a different national referral mechanism for children and youth, in which identified child victims received care outside of the MOI's program through publicly funded NGOs that provided shelter, food, clothing, and medical and psychological counseling. Those victims who enter the MOI program must cooperate with law enforcement; all victims are encouraged to cooperate with Czech authorities. Authorities provided victims with a 60-day reflection period, in which victims received care and determined whether to cooperate with law enforcement; victims with a medically recognized disability, including trauma, received an additional 30 days. Under the law, a victim cannot be deported during this period. Victims unwilling to cooperate with law enforcement were still eligible to receive services via NGOs, but these were located outside of the MOI's victim services program. However, to be eligible for these alternative short-term victim services, trafficking victims must reside legally in Czechia; victims not participating in the MOI program were ineligible for long-term assistance. The government provided medical care, psychological and crisis counseling, housing, legal representation, vocational training, and other specialized services to victims. Victims could voluntarily withdraw from victim services at any time.

The MOI funded the costs for the victim assistance program, and the Ministry of Labor and Social Affairs (MLSA) provided additional funding for actual day-to-day social services provided by NGOs. In 2016, the MOI allocated approximately 1.2 million koruna (\$47,914), comparable to the 1.18 million koruna (\$47,115) allocated in 2015. An international organization also received additional funding from the MOI for repatriation costs. Some experts noted a lack of funding for victim housing, especially female victims with more than one child, and a lack of expertise among counselors providing services. In 2016, the MOI changed how it provided services to victims. Rather than granting funds to multiple NGOs to provide services, the MOI released a tender inviting NGOs to submit bids; one NGO was selected to serve as the prime agent to manage victim services. NGOs and government stakeholders reported this new funding mechanism worked well.

During legal proceedings, victims were eligible to receive free legal aid. A witness protection law allows the government to conceal the identity of the witness, provides a new identity to the victim, and can assign bodyguards. Foreign victims who cooperated with investigators could receive temporary residence and work visas for the duration of the relevant legal proceedings. Upon conclusion of court proceedings, victims could apply for permanent residency; one victim received permanent residency in 2016, compared with no victims in 2015, and one in 2014. Victims had the legal option of seeking court-ordered compensation from their traffickers in both civil and criminal proceedings, although such restitution was rare as victims often feared retribution from their traffickers during criminal cases and could not afford attorney fees for a civil suit. To seek civil damages, the law requires a finding of criminal misconduct against the defendant. The government did not report any victims received compensation during the reporting period. There were no reports the government penalized identified victims for unlawful acts committed as a direct result of being subjected to trafficking. The MLSA created working groups focused on forced labor. The government-funded anti-trafficking training to 70 health practitioners and to 20 members of an international organization.

PREVENTION

The government maintained prevention efforts. The MOI chaired

an inter-ministerial body that coordinated national efforts and approved the 2016-2019 national strategy in April 2016. A unit in the MOI served as the national rapporteur and prepared a comprehensive annual report on patterns and programs, which it released publicly. The government continued to fund an NGO-run hotline to identify victims of trafficking and domestic violence, which received approximately 600 calls in 2016. The law did not criminalize confiscation of workers' passports. MOI funding was also available to support trafficking prevention campaigns; the government-funded NGOs to conduct 60 public awareness and prevention campaigns across regions in Czechia. The new national action plan approved in April 2016 included a new focus on gathering data on trafficking vulnerabilities and, based upon the data, developing a list of recommendations to eliminate these risks. The government did not maintain a central database that would allow it to better analyze data about traffickers and victims. To increase foreign workers' awareness regarding their rights, the MLSA and the State Labor Inspection Office published information on its website in multiple languages about laws governing the employment of foreigners. The government did not make any efforts to reduce the demand for commercial sex acts or forced labor during the reporting period. The government provided anti-trafficking training for its consular and diplomatic staff, and military personnel participating in international peacekeeping efforts.

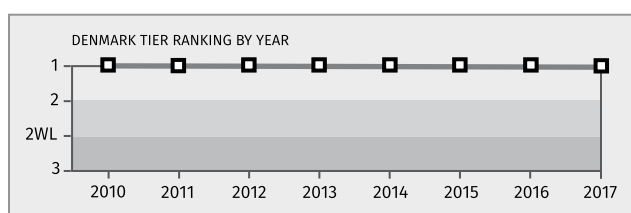
TRAFFICKING PROFILE

As reported over the past five years, Czechia is a source, transit, and destination country for women and children subjected to sex trafficking and a source, transit, and destination country for men and women subjected to forced labor. Women, girls, and boys from Czechia, Slovakia, Ukraine, Romania, Bulgaria, Nigeria, the Philippines, and Vietnam are subjected to sex trafficking in Czechia and also transit through Czechia to other European countries where they are subjected to sex trafficking. Men and women from Czechia, Ukraine, Romania, Bulgaria, Moldova, Mongolia, the Philippines, Russia, and Vietnam are subjected to forced labor in Czechia, typically through debt bondage, in the construction, agricultural, forestry, manufacturing, and service sectors, including in domestic work. They may also transit through Czechia to other countries in Europe where they are exploited. Most identified victims in the country are Czech, although law enforcement reported an increase in European Union victims. Romani women from Czechia are subjected to forced prostitution and forced labor internally and in destination countries, including the UK. Most traffickers are Czech citizens, and foreign traffickers often recruit victims from their own home countries and work in cooperation with a local Czech citizen; women comprise a large percentage of sex trafficking perpetrators. Law enforcement have seen an increase in "marriages of convenience" among Czech women that involve sex trafficking. Private, unregistered labor agencies often used deceptive practices to recruit workers from abroad as well as from inside the country.

DENMARK: TIER 1

The Government of Denmark fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Denmark remained on Tier 1. The government demonstrated serious and sustained efforts by continuing to implement its 2015-2018 national action plan

against human trafficking and passing a spending resolution that increased funding through 2020 for counter-trafficking efforts. For the first time, the government offered trafficking victims temporary residence under section 9(c) of the Danish Aliens Act, which gives authorities the ability to stay deportation for victims to assist in an investigation. The government identified more trafficking victims and continued to fund victim service providers. Although the government meets the minimum standards, it continued to focus on foreign trafficking victims' illegal immigrant status, often incarcerating them while pending review of their status and repatriating non-EU resident victims to their countries of origin without proper screening. This impeded the ability of law enforcement to pursue traffickers and left victims vulnerable. Victim identification methods were convoluted and involved NGO partners too late in the process. In the last five years, only four victims had been granted asylum, despite the government officially identifying more than 400 victims; no victims were granted asylum during the reporting period.



RECOMMENDATIONS FOR DENMARK

Increase incentives for victims to cooperate in the prosecution of traffickers, including by permitting temporary residency for victims while they assist law enforcement; more vigorously prosecute trafficking offenses and convict sex and labor traffickers; sentence traffickers in accordance with the gravity of the offense; cease penalization of victims for crimes committed as a direct result of being subjected to trafficking, such as migration offenses, including assessing if new guidelines concerning withdrawal of charges against trafficking victims prevent their penalization and detention; strengthen and streamline victim identification procedures, including expanding law enforcement efforts to proactively identify and expeditiously transfer potential trafficking victims, especially those without legal status, from police or immigration custody to crisis centers or care providers to facilitate trust among this vulnerable group.

PROSECUTION

The government maintained law enforcement efforts. Section 262(a) of the criminal code prohibits all forms of trafficking and prescribes punishments of up to 10 years imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities investigated 25 trafficking cases in 2016, an increase from three in 2015. The government initiated prosecutions of three trafficking suspects, compared with 58 in 2015, when the Danish National Police conducted two major anti-trafficking operations. The government reassigned a large number of police units to border security duties due to the refugee crisis, which hindered the number of officers available to conduct trafficking investigations. Courts convicted 17 traffickers in 2016 (16 in 2015), all of whom received the full prison sentences permitted by law. Sentences ranged from 3 years to 7 years, 11 months imprisonment. Experts reported few trafficking cases were brought to trial because of the lack of incentives for victims to participate in the investigation of their traffickers,

such as residence permits for victims. In 2016, however, the government offered a family of two trafficking victims (one adult and one minor) temporary residence under section 9(c) of the Danish Aliens Act, which the victims accepted. This was the first time the government implemented the 2013 amendment to the Aliens Act, allowing authorities to issue temporary residency to trafficking victims without legal status in Denmark assisting law enforcement and testifying in a trial. Authorities cooperated in one transnational investigation and began extradition proceedings against three individuals wanted for human trafficking violations in Romania. In February 2015, authorities arrested 26 individuals during a nationwide human trafficking sting. Ongoing investigations and court cases continued through the end of the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Police received instruction on trafficking at the police academy and again after their first year on the job.

PROTECTION

The government maintained efforts to protect victims. Authorities identified 121 trafficking victims in 2016, compared with 93 victims in 2015. Eight of the identified victims were minors (five of sex trafficking, one of forced criminal activity, and two trafficked for "other" purposes), compared with six in 2015. Authorities did not identify any Danish trafficking victims in 2016. The government provided a list of indicators for police to reference for initial identification and procedures to guide officials in proactive victim identification. When police suspected they had a victim in custody, they called government anti-trafficking experts to assist in questioning and explain the victim's rights; each police district appointed a trafficking expert. NGOs noted the onus of victim identification remained on trafficking victims rather than officials' proactive identification. Government guidelines for identifying victims required shuffling victims between law enforcement and government agencies before referring them to NGOs. NGOs stated victim identification methods were convoluted and involved NGO partners too late in the process. NGOs contended authorities primarily treated trafficking victims as illegal immigrants subject to the justice system. The Danish Institute for Human Rights stated victims had been incarcerated pending review of their immigration status and as part of the process for identifying their traffickers. According to NGOs, the current laws and identification process incentivized police officers to treat victims as illegal immigrants. A third-party audit of the identification process revealed the government did not effectively disseminate current statistics and reports or manage its long-term planning.

Government-funded, NGO-operated facilities provided trafficking victims care services, including medical, psychological, and legal assistance; these facilities were dedicated to trafficking victims. The Danish Red Cross assisted unaccompanied children and child victims in another facility partially funded by the government. Victims could apply for compensation through a state fund and through civil suits against their traffickers; however, no victims pursued these in 2016. To help prevent trafficking victims from being penalized for crimes committed as a result of being subjected to trafficking, the director of public prosecutions distributed guidelines on the identification of victims and the withdrawal of charges against them to the police and prosecution service. Some observers reported increased willingness by prosecutors to drop charges against trafficking victims. The government did not implement efforts to provide alternatives to victims' removal, resulting in few protections for victims.

While the government reported asylum or humanitarian residence permits could be used as alternatives to removal for victims who lacked legal status in Denmark, trafficking victims could not qualify for these provisions or receive these protections solely on the basis of being subjected to trafficking crimes. The government required victims to prove they were persecuted in their home countries on the basis of Refugee Convention grounds. In 2016, the government offered a family of two trafficking victims (one adult and one minor) temporary residence under section 9(c) of the Danish Aliens Act, which the victims accepted. The government continued to offer trafficking victims a 120-day “extended time limit for departure” as part of its prepared return program for trafficking victims ordered to leave Denmark; the prepared return gave victims a specified period of time to receive services before their eventual deportation. Regional anti-trafficking experts, including the Council of Europe, emphasized this period does not refer to a period of reflection and recovery necessary to determine whether victims will cooperate in the investigation of their cases; rather it is a period of time the victims have to cooperate in their repatriation. During 2016, the Council of Europe criticized Denmark for failing to honor the required 120-day period of recovery and reflection prior to deportation of trafficking victims. In 2016, 12 trafficking victims accepted a prepared return (43 in 2015). Authorities deported victims without legal residency who did not accept a prepared return unless they were assisting in the prosecution of a trafficker. Some victims chose not to participate in the program, reportedly based on the perception it was merely a preparation for deportation. Victims’ debt bondage to their traffickers and lack of protection in their home countries served as significant deterrents from accepting the prepared return. The effective lack of alternatives to removal impeded the ability of law enforcement to pursue traffickers and left victims vulnerable to re-trafficking.

PREVENTION

The government increased prevention efforts. The government allotted 88.3 million Danish Kroner (\$12.5 million) for its 2015-2018 national action plan for trafficking protection and prevention programs. In addition, parliament passed an omnibus social spending resolution in November 2016, which allocated 9.4 million Danish Kroner (\$1.33 million) to counter-trafficking efforts through 2020; this initiative included provisions for identification, outreach, and shelter. As part of the 2015-2018 national action plan, the government provided anti-trafficking training to police, diplomats, and other government personnel. The government conducted training for health service providers at clinics, shelters, and hospitals on how to identify trafficking victims and notify authorities. In May 2016, a government-assisted NGO launched a public exhibit focused on human trafficking and forced prostitution. Authorities posted guidelines for the hospitality sector to assist employers in the prevention of labor exploitation. Authorities conducted public information campaigns aimed at curbing demand for trafficking, provided public education about the signs of possible trafficking, and publicized through social media a hotline for reporting trafficking cases. Authorities continued to train tax and labor inspectors on labor trafficking indicators. The government did not take measures to reduce the demand for commercial sex.

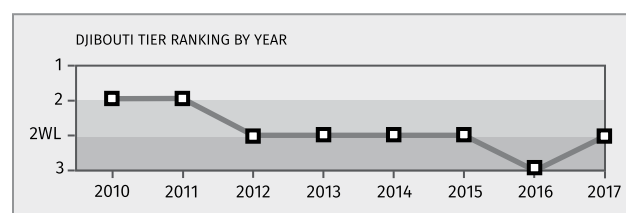
TRAFFICKING PROFILE

As reported over the past five years, Denmark is primarily a destination and transit country for men, women, and children subjected to forced labor and sex trafficking from Eastern Europe,

Africa, Southeast Asia, and Latin America. Migrants are subjected to labor trafficking in agriculture, domestic service, restaurants, hotels, and factories through debt bondage, withheld wages, abuse, and threats of deportation. Unaccompanied migrant children are vulnerable to sex trafficking and forced labor, including theft and other forced criminality. Since 2009, 33 children have been identified as trafficking victims in Denmark: nine forced into pickpocketing, three into cleaning restaurants, six into forced criminal activity, 13 into sex trafficking, and two trafficking for uncategorized purposes. Copenhagen’s relatively small red-light district represents only a portion of the country’s larger commercial sex industry, which includes sex trafficking in brothels, bars, strip clubs, and private apartments. The rise in migrants, asylum-seekers, and refugees entering and transiting Denmark has increased the size of the population vulnerable to human trafficking.

DJIBOUTI: TIER 2 WATCH LIST

The Government of Djibouti does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore, Djibouti was upgraded to Tier 2 Watch List. These achievements included increased investigations and prosecutions of trafficking cases and expanded trainings for law enforcement, prosecutorial, and judicial officials primarily on the 2016 anti-trafficking law. Officials partnered with an international organization to assist trafficking victims. Additionally, the government implemented a national identification and referral mechanism during the year—developed by an international organization—and continued to partner collaboratively with civil society stakeholders to organize diverse anti-trafficking awareness raising events throughout the year. The anti-trafficking working group met more than ten times during the year under the direction of the newly appointed national coordinator for anti-trafficking and anti-smuggling efforts. Despite these achievements, the government did not amend its anti-trafficking law, which does not incorporate the international law definition of trafficking, nor did it convict any traffickers after passing the law in March 2016. In addition, the government’s identification of potential victims remained sporadic and protective services largely insufficient. The government did not fully operationalize its national action plan to combat trafficking for the second consecutive year and the general lack of capacity and coordination among relevant government agencies continued to hinder progress in national anti-trafficking efforts.



RECOMMENDATIONS FOR DJIBOUTI

Strictly enforce the anti-trafficking law through investigations and prosecutions of trafficking offenders; widely implement standardized procedures for government personnel to proactively identify potential victims and transfer them to care; expand protective services for victims, through partnerships

with NGOs or international organizations, and implement the protections mandated by the anti-trafficking law; amend the anti-trafficking law to comport with the international law definition, specifically to remove the requirement that the government prove that force, fraud, or coercion were used in cases of child sex trafficking, and repeal contrary provisions of existing laws; expand training for judges, prosecutors, and police on the distinctions between trafficking and migrant smuggling; compile and publicize data on convictions and sentences of trafficking offenders; implement the extended national action plan; institute a module on human trafficking as a standard component of the mandatory training program for new police and border guards; and develop and launch a nationwide anti-trafficking awareness campaign.

PROSECUTION

The government modestly increased law enforcement efforts to combat trafficking, although some provisions of its anti-trafficking law remained inconsistent with international law. The 2016 Law No. 133, On the Fight Against Trafficking in Persons and Illicit Smuggling of Migrants, criminalizes all forms of trafficking; it prescribes penalties of five to 10 years imprisonment, and 20 when aggravating factors are present, which are sufficiently stringent and commensurate with those for other serious crimes, such as rape. However, contrary to the international definition, Law No. 133 requires the government prove that force, fraud, or coercion were used when children are subjected to sex trafficking. Law No. 111, Regarding the Fight Against Terrorism and Other Serious Crimes of 2011, remains in effect and also prohibits all forms of trafficking with the same problem regarding child sex trafficking, and prescribes penalties of 10 to 15 years imprisonment, which are also sufficiently stringent and commensurate with the penalty for other serious crimes. These two similar laws have some divergent definitions and penalties, which risk generating confusion and raising legal issues, making it difficult for law enforcement, prosecutorial, and judicial officials to effectively prosecute human traffickers.

During the reporting year, the government investigated nine trafficking cases, an increase from none the previous year. While the government reported prosecution of 10 suspected traffickers in seven cases, judges convicted all defendants for smuggling crimes due to insufficient evidence of exploitation. It did not initiate trafficking prosecutions or secure convictions in 2015. Two prosecutions, one of which commenced in 2012, remained ongoing from previous reporting periods. The government did not report any new investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses in 2016. In 2014, the government arrested five military officials for alleged trafficking crimes. However, the government reported they subsequently returned to their jobs and never appeared when summoned to court in 2015; this case was dismissed without criminal action during the reporting period.

To better delineate between trafficking and smuggling, more than 300 national police personnel attended an open discussion organized by Djibouti's National Police Chief in Djibouti's National Police academy and led by local experts on the differences between these crimes. During the reporting period, the Ministry of Justice (MOJ) coordinated a roundtable for approximately 80 officials and civil society stakeholders to socialize the 2016 anti-trafficking law and mechanisms to investigate potential trafficking crimes; for this event the government paid for promotional materials, the event facility, refreshments, and 300 printed booklets containing the anti-

trafficking law. In the bi-annual MOJ general assembly, the president of the Court of First Instance and State Prosecutor discussed effective application of the anti-trafficking law with judges and prosecutors. In collaboration with an international organization, the centrally-appointed regional governors of Tadjourah, Dikhil, and Obock hosted three separate trainings in their respective regions and each provided a venue for training sessions for roughly 40 participants from civil society and law enforcement focusing on the anti-trafficking law. In addition, the government provided in-kind contributions to support anti-trafficking trainings facilitated and funded by international organizations.

PROTECTION

The government took steps to strengthen its victim protection infrastructure, but efforts to identify and provide protective services for trafficking victims were conducted on an ad hoc basis and remained largely insufficient. In December 2016, the government implemented a national identification and referral mechanism developed and funded by an international organization; however, it did not enact or routinely implement this mechanism during the reporting year, which likely left some individuals vulnerable to exploitation and potential re-victimization. Furthermore, the government granted authority to another international organization to conduct trafficking screenings of all transiting migrants. It partnered with this entity to provide water, food, and temporary shelter for an unknown number of potential trafficking victims in more than 200 cases reportedly involving indicators of trafficking; in 2015, the government did not identify or provide protective services to victims. Separately, an international organization referred nine potential victims to the national police; while investigations were ongoing, the victims remained under direct care of the organization. The *gendarmerie* continued its coordination with an international organization to transfer migrants, including potential trafficking victims, on an ad hoc basis to either medical facilities or the Migrant Response Center (MRC) in Obock—an office staffed and operated by an international organization along the route most heavily traversed by migrants from Somalia and Ethiopia en route to Yemen. In October 2016, the Ministry of the Interior provided this international organization with a building to create a second MRC after unprecedented migrant arrivals in Obock, a population vulnerable to trafficking. Djibouti remains without a shelter in which to house trafficking victims. The government also allocated an unspecified funding amount to local Djiboutian NGOs, which operated counseling centers and other programs that may have assisted trafficking victims during the year. The 2016 anti-trafficking law's provisions for establishment of victim assistance programs for trafficking victims, funded through asset seizure, remained unimplemented for the second consecutive year.

The 2016 anti-trafficking law established provisions allowing trafficking victims temporary residency during judicial proceedings and permanent residency as necessary as legal alternatives to removal to countries where they may face hardship or retribution; however, these provisions were not employed during the reporting year. Additionally, the 2016 law directs that necessary legal assistance and an interpreter be provided to victims; the government did not report providing such assistance during the reporting period. The government agency that assists refugee and disaster victims, the Ministry of Interior, the national *gendarmes* and police force, the Coast Guard, the Ethiopian embassy in Djibouti, and an international organization coordinated efforts to facilitate more than 1,000 voluntary returns of migrants, mainly Ethiopians, including 388

unaccompanied minors and 54 women, to their countries of origin in 2016. Some of these individuals reportedly encountered violence, coercion, or exploitation during their travels through multiple countries and, thus, may have been exploited in trafficking.

PREVENTION

The government increased efforts to prevent trafficking. During the reporting year, the government extended its 2015 national action plan to combat trafficking through 2020 but did not fully operationalize it. The anti-trafficking working group met more than ten times during the year under the direction of the newly appointed national coordinator for anti-trafficking and anti-smuggling efforts; however, the general lack of capacity and coordination among relevant government agencies continued to hinder progress in national anti-trafficking efforts. The government-sponsored newspaper included numerous articles on trafficking and groups vulnerable to trafficking such as street children and refugees. In coordination with the government, an international organization sponsored a documentary and panel discussion on trafficking; various civil society organizations and officials from several ministries attended. In addition, the government and a local charity co-conducted anti-trafficking awareness raising activities in refugee camps across Djibouti. As part of the World Day against Trafficking, the government produced a three-part newspaper series on street children to raise awareness among the public about the plight of this vulnerable group. The government did not undertake significant efforts to reduce the demand for commercial sex acts. Through a train-the-trainer program, international experts provided Djiboutian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. English and Amharic language teachers at the Ministry of Foreign Affairs' training center for diplomatic personnel included information on trafficking and domestic servitude in their course material.

TRAFFICKING PROFILE

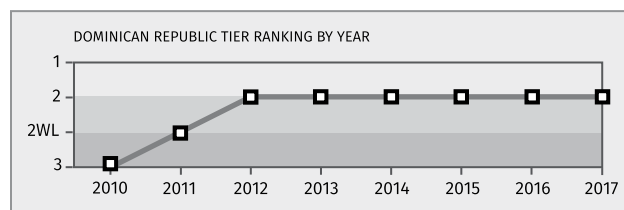
As reported over the past five years, Djibouti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking, although limited data on trafficking cases has complicated efforts to determine the full scope of the phenomenon. Men, women, and children, primarily from Ethiopia and Somalia, and to a lesser extent from Eritrea, transit Djibouti voluntarily en route to Yemen and other locations in the Middle East, particularly Saudi Arabia, to seek work. An unknown number of these migrants are subjected to forced labor and sex trafficking in their intended destinations. In 2016, more than 117,000 people embarked on the sea crossing from the Horn of Africa to Yemen, marking the highest annual total of the past decade. In addition to this unprecedented influx of migrants, the 2015 crisis in Yemen created a reverse flow of persons from Yemen to Djibouti. The government allowed over 30,000 people of diverse nationalities to enter freely and take refuge; some of them had endured various types of exploitation, possibly including trafficking, before their arrival in Djibouti. Given instability in Ethiopia's Oromia region that commenced in November 2015, more Ethiopians journeyed on foot from Ethiopia to Djibouti to either claim asylum with their families or continue onward to destination countries in the Gulf, thereby causing an uptick in refugee camp population; austere conditions in refugee camps made this group highly vulnerable to trafficking.

Djiboutian and migrant women and street children are vulnerable to domestic servitude or sex trafficking in Djibouti

City, the Ethiopia-Djibouti trucking corridor, and Obock, the main departure point for Yemen. Some migrants intending to be smuggled may be transported or detained against their will and subsequently subjected to trafficking and other forms of abuse in Djibouti. Smuggling networks, some of whose members are likely Djiboutian, sometimes charge exorbitantly high rents or kidnap and hold migrants, including children, for ransom in countries neighboring Djibouti. In addition, some migrant women reportedly were subjected to domestic servitude and forced prostitution in Djibouti. Traffickers based in Yemen or Saudi Arabia, who reportedly intend to exploit migrants or sell women into prostitution or domestic servitude upon their arrival there, sometimes pay these ransoms. Parents sometimes compel their children to beg on the streets as a source of familial income; children may also travel from foreign countries—including Ethiopia and Somalia—for begging in Djibouti. Children are also vulnerable to forced labor as domestic servants and, at times, coerced to commit petty crimes, such as theft.

DOMINICAN REPUBLIC: TIER 2

The Government of the Dominican Republic does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, the Dominican Republic remained on Tier 2. The government demonstrated increasing efforts by prosecuting traffickers—including an allegedly complicit official, convicting traffickers, identifying victims, and launching a national anti-trafficking awareness campaign, which increased calls to the government hotline. However, the government did not meet the minimum standards in several key areas. The government did not report any new prosecutions or convictions for forced labor. It did not provide sufficient funds, training, or equipment to conduct law enforcement efforts or provide adequate victim protection or specialized services. It also did not take action to remedy gaps in law enforcement efforts identified by the attorney general's office review of 2010-2014 trafficking cases.



RECOMMENDATIONS FOR THE DOMINICAN REPUBLIC

Vigorously prosecute and convict traffickers involved in forced labor and sex trafficking, including complicit government officials; fully implement protocols to identify adult and child trafficking victims, including in commercial sex, domestic servitude, and the agriculture and construction sectors, and refer them to protective services; adequately fund and train law enforcement, including on how to better identify victims of forced labor; amend the 2014 anti-trafficking law to remove the requirement to prove force, fraud, and coercion of sex trafficking victims under 18 years of age and consistent with international law; adequately fund and coordinate specialized services for adult and child trafficking victims; work with NGOs to provide adequate shelter and services to adult and child victims; address

the gaps identified in the attorney general's office review of 2010-2014 trafficking cases; screen for trafficking indicators among working children and undocumented or stateless persons at risk of deportation, including those of Haitian descent to identify victims and prevent re-trafficking; and conduct forced labor and sex trafficking awareness campaigns in Spanish and Creole.

PROSECUTION

The government maintained law enforcement efforts by investigating, prosecuting, and convicting sex traffickers, but did not investigate, prosecute, or convict any labor traffickers. The 2003 Law on Human Smuggling and Trafficking (Law 137-03) prohibits most forms of trafficking in persons and prescribes penalties of 15 to 20 years imprisonment and fines—penalties sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, in contrast to the international definition of trafficking in persons, the law requires prosecutors to prove that a trafficker used the means of force, fraud, or coercion for sex trafficking of individuals under 18 years of age. It also defines trafficking more broadly to include forced marriage and illegal adoption without requiring that either marriage or adoption have exploitation as a purpose. Prostitution is legal, but promoting the prostitution of others is prohibited by article 334 of the penal code, which prescribes penalties of six months to three years imprisonment and fines. Article 25 of the Child Protection Code of 2003 prohibits the offering, delivering, or accepting, without regard to means used, anyone under 18 years of age for the purpose of sexual exploitation, forced labor, or any other purpose that demeans the individual, for remuneration or any other consideration, and prescribes a penalty of 20 to 30 years imprisonment and a fine. Prosecutors may use these provisions to charge and prosecute sex traffickers in addition to or instead of Law 137-03.

In 2016, the government initiated 25 investigations—23 for sex trafficking and two for forced begging—and prosecuted 40 alleged traffickers, compared with 15 investigations and prosecutions of 49 alleged traffickers in 2015. The government secured convictions of 13 defendants in seven cases, compared to 20 defendants convicted in seven cases in 2015; sentences ranged from five to 20 years imprisonment. The national police anti-trafficking unit, in cooperation with an NGO, planned and conducted investigations, which resulted in the arrest of six traffickers and identification of eight victims. The government, in cooperation with a foreign government, conducted two major operations resulting in the identification of 61 victims and the arrest of nine alleged traffickers, including an army official. Observers and prosecutors reported human and financial resource shortages impeded law enforcement efforts.

An attorney general's office review of 2010-2014 trafficking cases, conducted during the prior reporting period, revealed a number of gaps in law enforcement efforts: inadequate investigation resulting in a lack of evidence to prosecute; insufficient efforts to secure the cooperation of victims and families; and cases prosecuted under inappropriate provisions of the law. The government prosecuted a police officer for participating in a sex trafficking ring that involved child victims, but the officer was acquitted. The government cooperated with governments in the Caribbean, Europe, and Central and South America on investigations of transnational trafficking cases. The government offered anti-trafficking courses at the National Defense Institute, Police Institute, School of Justice, School of Public Ministry, Intelligence School of the Navy, and Judiciary School. Police recruits, prosecutors, judges, and court staff participated in trainings offered by NGOs.

PROTECTION

The government increased slightly the identification of trafficking victims, but decreased other victim protection efforts and services. Authorities identified 157 sex trafficking victims—137 female and 20 male; 83 children and 74 adults—compared with 101 victims in 2015. The Attorney General's Anti-Trafficking Unit (ATU) coordinated with other government agencies, international organizations, and NGOs that provided trafficking victims temporary accommodation in shelters, psychological and legal assistance, reintegration, medical services, and support for higher education. However, NGOs reported these services were ad hoc, not well coordinated or specialized, and the government often returned child victims to their families without follow-up care or education about the risks of re-trafficking. The Ministry of Women through its Center for Orientation and Comprehensive Investigation provided victims shelter, limited legal services, and psychological assistance. The government provided short-term services to the 157 identified trafficking victims.

Government officials reported having protocols to identify and assist adult and child trafficking victims; however, authorities did not fully implement the protocols across all levels of government nationwide. The government encouraged victims to participate in investigation and prosecution efforts by offering all victims lodging and security in the courtroom and immigration relief for foreign victims. The ATU opened a shelter twice in 2016 to house 60 foreign national victims identified during law enforcement operations, but closed the shelter once the cases concluded due to a lack of long-term funding. The government lacked funding, trained personnel, and equipment to provide adequate victim protection. The anti-trafficking law contains victim protection provisions, including restitution; however, no victims obtained restitution in 2016, compared to at least one trafficking victim obtaining restitution in 2015. The government offered foreign victims identified in cases investigated during the reporting period the same services available to Dominican victims; however, most victims chose to return to their own countries, and only one victim accepted temporary residency in the country in 2016 before returning to her home country. There were no reports of victims being punished for unlawful acts committed as a direct result of being subjected to trafficking. Undocumented Haitian victims faced deportation and other penalties resulting from their irregular immigration status, increasing vulnerability to trafficking.

PREVENTION

The government increased prevention efforts. The inter-institutional anti-trafficking and anti-smuggling commission met periodically to discuss ongoing commitments. The government published an annual report of its efforts under the 2009-2014 plan, which remained in effect. NGOs assessed government implementation efforts were uncoordinated and underfunded. In partnership with and with funding from an international organization, the government completed but will not publish a baseline study of the judicial system's handling of child sex trafficking cases. The government began to develop a new national anti-trafficking action plan. The government, in cooperation with an international organization, launched a national campaign to raise awareness of child sexual exploitation, including sex trafficking. NGOs reported prevention efforts did not target youth and students or Creole speakers, key vulnerable groups, and did not target social media often used by traffickers to recruit victims. The government operated a national hotline, which received 176 calls before the start of the national campaign and 324 after the campaign

launched; 493 of the 550 calls were trafficking-related, 61 of which led to new investigations. The government did not gather comprehensive data or statistics to help it gauge the effectiveness of anti-trafficking efforts.

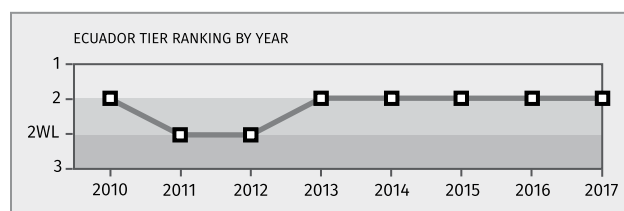
During the reporting period, the government extended the benefits of the National Regularization Plan to offer an additional year of legal residency status to approximately 240,000 beneficiaries. In addition, the government approved 55,000 birth certificates for documented individuals born in the country to immigrant parents and reissued about 20,000 birth certificates for those individuals. The government planned to offer permanent residency to 8,755 of the individuals who had not obtained birth certificates. These actions reduced the recipients' risk of statelessness and deportation and their vulnerability to trafficking. The government made efforts to reduce the demand for forced commercial sex by charging two tourists—an American and a Canadian—with child sexual exploitation and improved monitoring of tourist areas. The government maintained a national plan to reduce child sex tourism and a detection system for foreign travelers who are registered sex offenders in their countries. The government did not report efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, the Dominican Republic is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Large numbers of Dominican women and children are subjected to sex trafficking in the Dominican Republic, the Caribbean, Europe, South and Central America, the Middle East, Asia, and the United States. Foreign national victims from the Caribbean, Asia, and South America are subjected to trafficking in the Dominican Republic. Commercial sexual exploitation of Dominican children by foreign tourists from the United States, Canada, and Europe, and by Dominican residents persists, particularly in coastal resort areas of the Dominican Republic. NGO research indicates sex trafficking of 15- to 17-year-old girls occurs in streets, in parks, and on beaches. Government officials and NGOs report an increase in Colombian and Venezuelan women brought to the country to dance in strip clubs who are subjected to forced prostitution. Traffickers lure Dominican women to work in night clubs in the Middle East, the Caribbean, and Latin America and subject them to sex trafficking. Dominican officials and NGOs documented cases of children forced into domestic service, street vending, begging, agricultural work, construction, and moving illicit narcotics. There are reports of forced labor of adults in construction, agricultural, and service sectors. Populations vulnerable to trafficking include women and girls, working children and street children, migrant workers, and undocumented or stateless persons of Haitian descent. Haitian women report smugglers often become traffickers for the purpose of sexual exploitation along the border, and observers note traffickers operate along the border with impunity and sometimes with the assistance of corrupt government officials who accept bribes to allow undocumented crossings. Unofficial border crossings remain unmonitored and porous leaving migrants, including children recruited to work in the agricultural and construction sectors, vulnerable to trafficking. NGOs report police complicity in areas known for child sex trafficking.

ECUADOR: TIER 2

The Government of Ecuador does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous period; therefore, Ecuador remained on Tier 2. The government demonstrated increasing efforts by conducting more anti-trafficking law enforcement operations leading to an increased number of convictions, and by enacting a law to enhance assistance and protection efforts for trafficking victims and those vulnerable among migrant populations. However, the government did not meet the minimum standards in several key areas. Specialized services for victims were unavailable in most of the country and official complicity remained a challenge. For the fourth year in a row, authorities failed to approve the revised anti-trafficking plan, and government agencies lacked adequate resources to implement anti-trafficking efforts.



RECOMMENDATIONS FOR ECUADOR

Strengthen the provision of specialized services for trafficking victims, including for adults, and increase funding for services, including for those provided by civil society organizations; increase efforts to hold criminally accountable public officials complicit in trafficking; amend anti-trafficking statutes for consistency with the international definition of trafficking and to make the prescribed penalties commensurate with other serious crimes such as rape and kidnapping; increase use of the national protocol for protection and assistance to trafficking victims, including identifying trafficking victims among vulnerable populations, such as LGBTI individuals, irregular migrants, and individuals in prostitution; increase anti-trafficking training for police officers, judges, labor inspectors, immigration officials, social workers, and other government officials, particularly to enhance victim identification; enhance data collection and interagency coordination; partner with civil society to finalize, resource, and implement the national anti-trafficking action plan; and take steps to retain expertise among members of the anti-trafficking unit such as extending their rotation period.

PROSECUTION

The government increased law enforcement efforts. Article 91 of Ecuador's 2014 criminal code prohibits all forms of trafficking and prescribes penalties ranging from 13 to 16 years imprisonment. These penalties are sufficiently stringent, but not commensurate with those for other serious crimes, such as rape. Article 91 does not require the means of force, fraud, or coercion for sex trafficking of adults or for forced labor, and it includes all labor exploitation, child labor, illegal adoption, servile marriage, and the sale of tissues, fluids, and genetic materials of living persons. The criminal code allows for additional investigation techniques for trafficking, such as undercover investigations and wiretapping, and penalizes those who contract with workers using knowingly fraudulent or

deceptive offers with a penalty of 10 to 13 years imprisonment. The criminal code also separately penalizes sexual exploitation (article 100), forced prostitution (article 101), sexual tourism (article 102), and forced labor and other forms of exploitative labor (article 105), including all labor of children younger than 15 years of age. Penalties under articles 101 and 102 are 13 to 16 years imprisonment, while penalties for forced labor under article 105 are 10 to 13 years imprisonment—less than the penalties for forced labor under article 91. The definitions used in these laws to prohibit trafficking may cause confusion for officials charging and prosecuting such offenses and may hinder efforts to hold perpetrators accountable. The Children and Adolescents Code contains definitions of child sexual exploitation (article 69), child labor exploitation (article 81), and child smuggling (article 70); however, the latter conflates smuggling and trafficking, which may cause confusion for officials implementing this code. In particular, the definition of child sexual exploitation is not consistent with the definition of sexual exploitation in article 91.

The anti-trafficking and human smuggling police unit (ATU) reported arresting 56 suspected traffickers and conducting 52 anti-trafficking operations in 2016, an increase from 10 anti-trafficking operations in 2015 and 19 in 2014. Authorities reportedly prosecuted 18 cases of trafficking and convicted 40 traffickers, compared with 64 prosecutions and 31 convictions in 2015 and 95 prosecutions and 20 convictions in 2014. In 2016, the average sentence for trafficking crimes was 16 years. The ATU in Quito focused on cases involving adult victims, while police units for crimes against children investigated cases of child trafficking, sometimes in coordination with the specialized anti-trafficking police. The national organized crime prosecutorial unit in Quito handled trafficking cases in partnership with local prosecutors across the country. Limited resources, limited presence in parts of the country, inadequate victim services, bureaucratic delays, and the frequent rotation of specialized police hampered law enforcement efforts during the reporting period. Authorities did not report any new investigations into government complicity; however, NGOs indicated that corruption and official complicity of government officials in trafficking crimes continued and impacted victims and witnesses' willingness to report cases. Most complicity cases from prior years remained open, including the 2015 prosecution of a police officer for sex trafficking, the case of the three civil registry officials for falsifying and altering documents used by international traffickers, the 2013 prosecution of two active and two former police officers for their involvement in sex trafficking, and the 2012 investigation of a judge for trafficking-related complicity. Authorities provided 17 training events reaching 537 government officials, including staff from the attorney general's office and members of the public. An NGO and an international organization with foreign donor funding provided specialized training to law enforcement officials in the province of Sucumbios and Esmeraldas. The Ministry of Interior (MOI) provided mandatory specialized training as part of basic curriculum for all ATU officers; however, frequent rotations impede the development and retention of expertise.

PROTECTION

The government decreased protection efforts. The government used the "National Unified Protocol for Integral Protection and Assistance to Victims of Trafficking" to refer victims. Authorities regularly referred victims to one of five government ministries responsible for victim assistance and referral, as well as NGOs who provided shelter and assistance. The government identified

and assisted 75 potential trafficking victims, a decrease from 117 potential child trafficking victims in 2015. NGOs identified and assisted an additional 75 potential trafficking victims, compared to 63 in 2015. It was unclear how many government- and NGO-identified cases involved trafficking as defined in international law given the overlapping trafficking-related criminal offenses. During the reporting period, observers reported authorities charged two trafficking victims as criminals rather than identify them as victims.

Authorities, in partnership with NGOs, continued to provide emergency services to trafficking victims, including legal, psychological, and educational support, in addition to shelter for underage female victims. Lack of specialized shelters, especially for adult victims of trafficking, continued to be a concern. Male victims had limited options for services through care centers providing ambulatory services. Police reported challenges finding shelters for trafficking victims, particularly outside the capital; as a result, police sometimes placed victims in non-specialized shelters. The government provided an unspecified amount of funding for shelters and services for trafficking victims. NGOs reported government funding decreased in 2016 compared to the year before. An NGO reported assisting a transgender victim from Colombia who was mistreated by police on both sides of the border and unable to find shelter until the NGO helped her return to Colombia.

The Office of the Prosecutor General continued to support a formal witness protection program (SPAVT) and provided immediate support to victims. During the reporting period, the SPAVT program assisted 47 victims, a decrease from 72 victims in 2015 and 66 victims and dependents in 2014. The government granted a 30-day reflection period allowing victims to receive SPAVT protection while deciding whether to participate in the penal process against their traffickers. Many victims chose not to participate in investigations due to fear of threats, inadequate protections in the SPAVT program, or lack of faith in the judicial system. It was unclear how many victims participated during the reporting period. NGOs reported victims often sought NGO-provided or private legal assistance due to the public defender providing limited and poor quality legal assistance to victims. Foreign victims were entitled by law to the same services as domestic victims, but in practice, NGOs reported the government treated foreign victims as irregular migrants violating immigration law rather than as crime victims. Young foreign victims lacking personal identification documents can be considered minors and therefore have access to specialized state care, shelters, and psychological and legal assistance. NGOs reported a lack of specialized health professionals and denial of medical services to victims without legal presence in the country. The MOI reported it had mechanisms to repatriate trafficking victims and Ecuadorian diplomatic and consular missions abroad had funding to provide food, lodging, and airplane tickets to Ecuadorian victims seeking repatriation; however, the government did not use these mechanisms during the reporting period. According to authorities, financial restitution was not available for trafficking victims. In January 2016, the government enacted the Human Mobility Law, which guaranteed the non-return of people to countries where their lives or relatives are at risk, including foreign victims of trafficking. Authorities reported they could grant temporary or permanent residency to foreign victims, but did not report how many foreign victims received residency in 2016. The mobility law prevented re-victimization and penalization of victims by establishing a registry of identified trafficking victims and assigning responsibilities to state agencies to provide protection

and reintegration in addition to prevention education. It was unclear if any of these requirements were implemented during the reporting period.

PREVENTION

The government decreased prevention efforts. The MOI anti-trafficking sub-directorate coordinated anti-trafficking efforts, although civil society organizations continued to note a lack of coordination among government actors. During the reporting period, the government did not approve the revised version of the 2013-2017 national action plan and the interagency committee could not provide funding until its approval. Government agencies were required to dedicate their own resources for the implementation of the plan, which hindered anti-trafficking efforts. National authorities conducted awareness campaigns in public schools, including one in public schools reaching over 2,000 students. The criminal code prohibits sex tourism, but the government did not provide information on investigations, prosecutions, or convictions of child sex tourists in 2016. The mobility law requires the Ministry of Labor to register all cases of job placement abroad. Travel agencies were required to complete an online course on detecting trafficking victims in order to obtain a working license from the Ministry of Tourism. The government did not make efforts to reduce the demand for commercial sex. In July, the MOI and a university hosted a seminar on human trafficking trends and using social media to improve victim assistance. In September, authorities from Peru and Ecuador held a bi-national dialogue on human trafficking. The government did not provide anti-trafficking training for its diplomatic personnel.

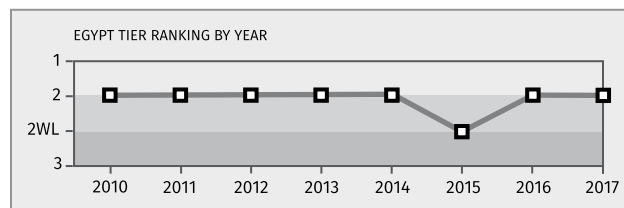
TRAFFICKING PROFILE

As reported over the past five years, Ecuador is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Ecuadorian men, women, and children are exploited in sex trafficking and forced labor within the country, including in domestic servitude, forced begging, on banana and palm plantations, in floriculture, shrimp farming, sweatshops, street vending, mining, and in other areas of the informal economy. Indigenous and Afro-Ecuadorians, as well as Colombian refugees and migrants, are particularly vulnerable to human trafficking. Women, children, refugees, and migrants continued to be the most vulnerable to sex trafficking; however LGBTI individuals remain vulnerable to sex trafficking. Smugglers promising a better life confiscate documents, impose debts, and threaten or force into prostitution nationals of Cuba, Ghana, Cameroon, Nigeria, Chad, China, Pakistan, the Dominican Republic, Peru, Colombia, Venezuela and Haiti, in Ecuador. Ecuador is also a destination for Colombian, Peruvian, Dominican, Venezuelan, Mexican, Haitian, Paraguayan, and Cuban women and girls exploited in sex trafficking, domestic servitude, and forced begging. Haitians migrate through Brazil into Ecuador to seek jobs on banana plantations, where they are vulnerable to forced labor. Traffickers use Ecuador as a transit route for trafficking victims from Colombia, Cuba, Haiti, and the Dominican Republic. Traffickers recruit children from impoverished indigenous families under false promises of employment and subject them to forced labor in begging, domestic servitude, in sweatshops, or as street and commercial vendors in Ecuador or in other South American countries. Ecuadorian children are subjected to forced labor in criminal activity, such as drug trafficking and robbery. Traffickers threaten these children's families. Ecuadorian men, women and children are exploited in forced labor and sex trafficking abroad, including in the United States, Europe

and in other South American countries, particularly in Chile. Some Ecuadorian trafficking victims are initially smuggled and later exploited in prostitution or forced labor in third countries, including forced criminality in the drug trade. Allegedly, corrupt Ecuadorian officials have alerted traffickers prior to some law enforcement operations, and some local authorities assisted traffickers to get falsified identity documents, which resulted in victims' lack of confidence in the police and a reluctance to report potential cases.

EGYPT: TIER 2

The Government of Egypt does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Egypt remained on Tier 2. The government demonstrated increasing efforts by creating three specialized courts to prosecute human trafficking cases, prosecuting a government official for alleged complicity in trafficking crimes, adopting a new national anti-trafficking action plan, and conducting several trafficking awareness campaigns and training programs that addressed various forms of trafficking. However, the government did not meet the minimum standards in several key areas. The government did not report what services, if any, it provided to the majority of the victims it identified. It did not provide shelter services specifically for trafficking victims. The government developed guidance on victim identification and referral procedures, but it did not begin to implement such procedures, and as a result, authorities continued to punish unidentified victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration violations.



RECOMMENDATIONS FOR EGYPT

Improve efforts to proactively identify victims of all forms of trafficking and implement standard operating procedures (SOPs) for officials to use the national victim referral mechanism to identify and refer to protection services trafficking victims among vulnerable groups; ensure trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; provide and allocate adequate resources for protection services—including shelter—for victims of all forms of trafficking, including both Egyptian and foreign victims; increase investigations, prosecutions, and convictions of all forms of trafficking and adequately punish offenders, including complicit officials; increase training for all government officials, including judges in the specialized trafficking courts, on implementation of the anti-trafficking law and victim identification and referral procedures; provide a clear legal basis for NGOs to provide victim services; further extend employment protections to cover domestic workers; raise awareness of the specialized trafficking courts among judicial and law enforcement officials; encourage trafficking victims to

assist in investigations and prosecutions of their traffickers; and increase ongoing nationwide awareness campaigns.

PROSECUTION

The government maintained its anti-trafficking law enforcement efforts. The 2010 anti-trafficking law prohibits all forms of human trafficking and prescribes penalties from three to 15 years' imprisonment and fines, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The child law prohibits sex trafficking and forced labor of children and prescribes sentences of at least five years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Articles 80 and 89 of the constitution prohibit sex trafficking, compulsory exploitation, and forced labor. In May and June 2016, the government created three specialized courts within existing appellate courts to prosecute human trafficking cases; however, the government did not report if any trafficking cases were tried in these courts during the reporting period. The government continued to conduct a nationwide data call to gather information on trafficking cases in 2016.

In 2016, the government investigated 23 cases of potential forced child labor, sex trafficking, and domestic servitude crimes, some of which were referred for prosecution; however, these cases also included perpetrators suspected of other crimes such as illegal adoption and organ trafficking, it was unclear how many of the 23 cases actually involved trafficking. This compares to 21 prosecutions in 2015. The government cooperated with the Jordanian government on a potential trafficking case involving the extradition of an Egyptian national; the case was pending at the end of the reporting period. The government reported convicting five Egyptians for trafficking crimes in 2016—compared to three traffickers convicted in 2015. All convicted in 2016 were sentenced to life imprisonment. Three other prosecutions ended in acquittal during the reporting period. The government reported the investigation and prosecution of a government employee complicit in human trafficking offenses. In December 2016, the Public Prosecutor referred to criminal court an Egyptian law enforcement official working in passport control at Cairo International Airport for his involvement with two Saudi Arabian nationals who allegedly operated a gang that fraudulently recruited Indonesian domestic workers to be exploited in Egypt; the three individuals were charged for human trafficking and bribery, and the case remained pending at the end of the reporting period. Some trafficking cases were settled out of court, resulting in a lack of adequate punishment for trafficking offenders. The Ministry of Justice's Center for Judiciary Studies continued to provide compulsory training on human trafficking for newly appointed prosecutors as a part of its curricula; the center also provided training for 84 judicial officials, in collaboration with an NGO. During the reporting period, the government provided 23 anti-trafficking trainings for 331 law enforcement, judicial, and military officials, an increase from 222 personnel trained in the previous reporting period. Additionally, the government provided in-kind support to an NGO that conducted a trafficking workshop in May 2016 for 31 judges covering international trafficking protocols and measures to combat trafficking, strategies to interview trafficking suspects and witnesses, and international cooperation to combat trafficking.

PROTECTION

The government did not improve its weak protection services. The government's national anti-trafficking strategy, adopted

in October 2016, provides policy guidance to formalize SOPs to guide officials on proactive victim identification and protection, as well as guidance on operationalizing a National Victim Referral Mechanism. In December 2016, the General Prosecutor's Office began developing guidelines to train its staff on implementation of the SOPs. The national strategy and accompanying law on combating irregular migration includes guidance for officials to protect, rather than treat as criminals, irregular migrant children, a population vulnerable to trafficking. Through the government's anti-trafficking hotline, it identified 65 potential trafficking cases in 2016 among reported cases of child exploitation, organized begging, sexual exploitation, and summer marriages, a decrease from the 173 it identified in 2014 which is the government's most accurate victim identification figure in the last two years. Of the 65 identified victims, the National Council for Childhood and Motherhood (NCCM)—the government agency leading anti-trafficking efforts—referred eight victims to an unspecified government-run shelter or other protective service providers and 16 cases to the Prosecutor General for investigation, but it was unclear if these victims received protection services. The government did not report what protection services—if any—it provided to the other 41 identified victims. The government repatriated 453 Egyptian nationals from Italy in 2016, an unidentified number of which were identified as trafficking victims. Although Ministry of Manpower inspectors were trained to investigate employers suspected of child labor or trafficking crimes, it did not report identifying any potential trafficking victims or cases during routine inspections in 2016. The government continued to operate a telephone hotline to report trafficking abuses, which included live counseling and legal aid, as well as referrals to law enforcement and NGOs for victim assistance; the hotline received 85 calls during the reporting period. The government did not implement the national victim referral mechanism, which included the services provided by the national anti-trafficking hotline. Ineffective victim identification and referral procedures contributed to authorities punishing some victims for unlawful acts committed as a direct result of being subjected to human trafficking. Authorities continued to treat and punish some unidentified trafficking victims as criminal offenders, while foreign trafficking victims remained vulnerable to detention and deportation for illegal immigration or employment violations. The government did not have a policy in place to waive visa overstay fines for foreign trafficking victims that may have accrued during their exploitation. Foreign trafficking victims were not offered legal alternatives to removal to countries in which they faced hardship or retribution. The government reported that it could provide unspecified temporary residency status to trafficking victims, but it did not report if any victims received this status during the reporting period. The anti-trafficking law guarantees protection of witnesses of trafficking crimes, but the government did not report if it provided protection to any witnesses during the reporting period.

Continued funding constraints hindered NCCM's provision of adequate protection services to victims. The government did not provide shelter services specifically for trafficking victims in 2016, but the NCCM continued to operate a shelter jointly with an NGO that provided services to at-risk children, including potential male child trafficking victims. The government reported 5,590 children received services at this shelter in 2016, but it did not specify how many of them were trafficking victims. The Ministry of Health—with international assistance—continued to operate a medical recovery unit for foreign and Egyptian, male and female trafficking victims at a Cairo hospital; however, the government did not report if any

trafficking victims received assistance at this unit in 2016. The government continued to operate numerous facilities for victims of sexual and physical violence, but it did not report if these facilities assisted any trafficking victims during the reporting period. The government continued to rely on international organizations and civil society to fund victim assistance, and in some cases it publicly acknowledged and cooperated with NGOs in their efforts to provide assistance to victims, but it did not—in turn—provide financial assistance to these organizations, which affected their ability to offer protective services to victims. Moreover, Egypt's Law on Non-Governmental Organizations hindered legal approvals and registrations for NGOs operating in Egypt, thereby impeding their efforts to provide essential services to victims.

PREVENTION

The government sustained efforts to prevent human trafficking. In October 2016, the government adopted a 2016-2021 national strategy to combat and prevent trafficking, which was approved by the Prime Minister; however, it did not allocate resources towards implementation of the plan. In November 2016, the national anti-trafficking committee merged with the national committee to combat and prevent irregular migration; this newly merged committee falls under the direction of the Prime Minister and is chaired by an ambassador seconded from the Ministry of Foreign Affairs. The government conducted 90 anti-trafficking public awareness campaigns, including educational events in schools, during the reporting period. In June 2016, the government hosted a regional conference that addressed migration, smuggling, and human trafficking issues affecting the Horn of Africa and Europe. The Ministry of Manpower reported that it conducted regular surprise labor inspections, including at worksites that employ foreign workers; it did not report, however, if it identified any potential trafficking victims through these inspections. The government did not make efforts to reduce the demand for forced labor or commercial sex acts, but it raised awareness of the problem of child sex tourism, specifically regarding "temporary" or "summer" marriages of girls for the purpose of commercial sex. The government provided anti-trafficking training for Egyptian troops before their deployment on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

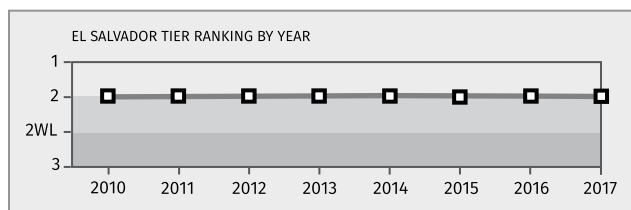
As reported over the past five years, Egypt is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Egyptian children are vulnerable to sex trafficking and forced labor in domestic service, street begging, and agricultural work. Individuals from Saudi Arabia and other Gulf countries purchase Egyptian women and girls for "temporary" or "summer" marriages for the purpose of commercial sex, including cases of sex trafficking, as well as forced labor; these arrangements are often facilitated by the victims' parents and marriage brokers, who profit from the transaction. Child sex tourism occurs primarily in Cairo, Alexandria, and Luxor. Egyptian men are subjected to forced labor in construction, agriculture, and low-skilled service jobs in neighboring countries. In 2016, there was a reported increase in Egyptian migrants, including unaccompanied children, arriving in Italy and Greece; these migrants are vulnerable to trafficking in the countries to which they migrate. In 2015, the media reported migrant Egyptian children, including unaccompanied minors, in Italy selling goods in marketplaces and streets, some of whom are vulnerable to sexual exploitation

and forced labor; the media also reported criminal networks force some Egyptian children in Italy into criminal activity.

Men and women from South and Southeast Asia and East Africa are subjected to forced labor in domestic service, construction, cleaning, and begging. Foreign domestic workers—who are not covered under Egyptian labor laws—from Indonesia, the Philippines, Sri Lanka, Bangladesh, and Ethiopia are highly vulnerable to forced labor, experiencing excessive working hours, confiscation of passports, withheld wages, denial of food and medical care, and physical and psychological abuse. Women and girls, including refugees and migrants, from Asia, sub-Saharan Africa, and the Middle East endure sex trafficking in Egypt. Syrian refugees who have settled in Egypt remain increasingly vulnerable to exploitation, including forced child labor, sex trafficking, and transactional marriages of girls—which can lead to sexual exploitation, including sex trafficking, and forced labor. Irregular migrants and asylum-seekers from the Horn of Africa, who transit Egypt en route to Europe, are increasingly vulnerable to exploitation along this migration route. From 2011 to 2013, thousands of cases of forced labor and sexual servitude, smuggling, abduction, and extortion of African migrants in the Sinai Peninsula occurred at the hands of criminal groups. International organizations observed the flow of these migrants into the Sinai declined substantially in 2015, due in part to continued Egyptian military operations. Anecdotal reports suggest these criminal groups have relocated from the Sinai to Egypt's border with Libya, where migrants remain vulnerable to the same abuses, including trafficking. However, Israeli NGOs report that Bedouin groups in the Sinai resumed abuse—including trafficking crimes—against asylum seekers on a limited scale in 2015. According to victim testimonies, Bedouin groups forced approximately 61 Sudanese asylum-seekers to work in agriculture, tree lumbering, and marijuana growing; these groups physically abused the victims, including beatings and deprivation of food and water and extorted money from them for their release. On average, the Bedouin held the victims captive for one month before releasing them.

EL SALVADOR: TIER 2

The Government of El Salvador does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous period; therefore, El Salvador remained on Tier 2. The government demonstrated increasing efforts by convicting an official who engaged in commercial sex with a trafficking victim, investigating more trafficking cases, prosecuting child sex trafficking crimes, and providing services to some girl victims. The government promulgated regulations to further implement the 2014 anti-trafficking law intended to strengthen its interagency anti-trafficking council. However, the government did not meet the minimum standards in several key areas. The government did not investigate and has never prosecuted any labor trafficking cases. The judicial system's overreliance on victim testimony contributed to victims facing threats of reprisal from traffickers, which undermined efforts to hold traffickers accountable. Services for adults, boys, and LGBTI victims were severely lacking. The government did not follow up on investigations of official complicity from previous years, constraining overall efforts to combat trafficking.



RECOMMENDATIONS FOR EL SALVADOR

Provide comprehensive protection services for all trafficking victims, including adults and boys, and increase funding for specialized services; strengthen efforts to proactively investigate and prosecute trafficking offenses and to convict and sentence traffickers, especially for forced labor; implement procedures to proactively identify victims among vulnerable groups, including children apprehended for illicit gang-related activities, irregular migrants returning to El Salvador, and individuals in the sex trade; conduct thorough criminal investigations and prosecutions of alleged government complicity in trafficking offenses and convict and punish complicit officials; enforce laws punishing local labor brokers for illegal practices that facilitate trafficking, such as fraudulent recruitment or excessive fees for migration or job placement; increase training for public officials on victim identification and assistance, trafficking investigations, and provisions in the new law; amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law; strengthen anti-trafficking coordination between government entities and with civil society organizations, particularly outside the capital; and implement measures to prevent trafficking by raising awareness, educating youth, and increasing victim advocacy.

PROSECUTION

The government slightly increased law enforcement efforts to combat child sex trafficking, but did not investigate any cases of forced labor or government complicity; authorities have never prosecuted a labor trafficking case. The Special Law Against Trafficking in Persons prescribes penalties of 10 to 14 years imprisonment for human trafficking crimes, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Although it prohibits all forms of human trafficking, the law defines trafficking inconsistently with international law: it treats force, fraud, and coercion as aggravating factors rather than essential elements of most trafficking crimes.

Similar to previous years, the government exclusively investigated and prosecuted sex trafficking crimes. In 2016, authorities investigated 55 sex trafficking cases, compared to 43 sex trafficking cases in 2015. Authorities prosecuted seven cases and convicted six sex traffickers in 2016, compared to eight cases and 19 sex traffickers convicted in 2015. Offenders convicted in 2016 received sentences ranging from eight to 10 years imprisonment. Despite evidence of force or coercion used by gangs to compel children to engage in illicit activities, authorities did not investigate or prosecute any such crimes as trafficking. Some officials, particularly judges, demonstrated a limited understanding of trafficking, which impeded efforts to hold traffickers accountable. During the year, the government provided anti-trafficking training to 2,718 government employees, including police, prosecutors, judges, labor inspectors, immigration officials, physicians, nurses, students, and teachers. The National Civil Police (PNC) Specialized Human Trafficking and Related Crimes unit comprises 32 persons in four groups that focus on trafficking,

human smuggling, sexual crimes, and special/international investigations. The PNC reported a need to increase staffing in order to deal with an accumulation of cases during 2016.

A government official was convicted for purchasing sexual services from a trafficking victim and received a sentence of five years imprisonment. The government did not provide any updates on two investigations from previous years, one involving several officials for the alleged purchase of sex acts from trafficking victims and a second involving a public official suspected of sex trafficking. It did not report any developments in a 2012 case of three prison guards arrested for facilitating sex trafficking or a 2009 investigation of trafficking-related complicity by the former head of the prosecutorial anti-trafficking unit.

PROTECTION

The government maintained victim protection efforts. It provided assistance primarily to girls subjected to sex trafficking; services remained inadequate overall. Immigration officials continued efforts to identify possible trafficking victims in border regions; however, the government lacked formal procedures to identify trafficking victims among vulnerable groups, including individuals in commercial sex. In 2016, the government reported identifying 53 sex trafficking victims, an increase from 49 victims identified in 2015, but a decrease from 87 victims identified in 2014. Those identified included 18 women and 35 girls; 48 were Salvadoran and five were from other Latin American countries. Authorities did not identify any forced labor victims in 2016 or 2015, compared with three in 2014.

During the year, the government developed two immediate response teams to coordinate victim assistance and referral and formulated a protocol on the care of trafficking victims. The government maintained a budget of \$270,000 for victim assistance in 2016. The government offered no specialized services or shelter to boys, adults, or LGBTI victims, although NGOs and officials reported these populations needed shelter, rehabilitation, and mental health services. The government shelter for girl sex trafficking victims offered psychological and medical care to 15 victims in 2016. The government provided shelter in a Migrant Attention Center to three adult female victims identified by immigration officials, but 15 adult female victims did not receive services. Throughout the investigation and intake process, residents of the center were required to recount their trafficking experience multiple times to various government entities, highlighting a lack of interagency coordination and leading to re-traumatization. There were few long-term support or reintegration services available for victims, leaving them vulnerable to re-trafficking. Authorities made efforts to screen for trafficking indicators among Salvadorans returned from abroad and repatriated Salvadoran victims could be referred to services and the police to investigate their cases, but the government did not report doing so in 2016.

The judicial system's inexperience with trafficking cases, overreliance on victim testimony, and threats of reprisal from traffickers undermined the effectiveness of the judicial system's response to trafficking. Judges in criminal courts could order civil compensation awards in trafficking cases; however, victims had to work through the civil courts to receive payment. In 2016, no sentences included such compensation. The government reported having procedures to protect victims' identities in court and allow for victims to provide testimony via teleconference, but did not report using these procedures. Identified trafficking

victims generally were not charged, jailed, or penalized for unlawful acts committed as a direct result of being subjected to human trafficking. However, due to the lack of a formal mechanism to screen vulnerable populations, some unidentified victims may have been punished for such crimes. Furthermore, civil society organizations reported the government treated as criminals children forced to engage in illicit activity by criminal groups, rather than providing them protection as trafficking victims. The 2014 trafficking law provides foreign trafficking victims the right to seek residency status, which would allow them to work legally, but no victims had received such benefits.

PREVENTION

The government slightly increased prevention efforts. The government promulgated regulations to further implement the 2014 law, specifically, to facilitate investigations of forced child labor cases and improve coordination between law enforcement and prosecutors. The anti-trafficking council, whose 2015 budget was roughly \$25,000, coordinated anti-trafficking activities and developed a national action plan for 2016-2019, which includes objectives related to prosecution of traffickers, protection of victims, prevention, and interagency coordination. The government did not report its 2016 budget. However, government entities continued to lack adequate funding to fulfill their responsibilities and interagency cooperation remained weak. While the 2014 law mandates an annual report on government efforts, the council had not yet published such a report. Government agencies partnered with NGOs to conduct campaigns using television, radio, and print media to warn the public against the dangers of labor and sex trafficking. An international organization reported the government formed a sub-commission to address migration policies that could facilitate forced labor, but this body did not report any related outcomes during the year. The government conducted 13 inspections for labor violations and forced labor involving 133 workers, but did not identify any instances of forced labor. In response to press reports highlighting working conditions in strip clubs, the Labor Ministry conducted an inspection of such a club, but did not publicize the results of the inspection. The government did not punish labor recruiters for illegal practices that contribute to trafficking or enforce labor migration policies that could decrease migrants' vulnerability to exploitation abroad. It did not report identifying, investigating, or prosecuting any cases of child sex tourism during the year. The government provided anti-trafficking training for its diplomatic personnel. The government provided anti-trafficking training to troops prior to their deployment abroad as part of international peacekeeping missions. Authorities did not report any specific efforts to reduce the demand for commercial sex acts or forced labor; however, highlighted the anti-trafficking law allows for the prosecution of those purchasing sexual services of a trafficking victim.

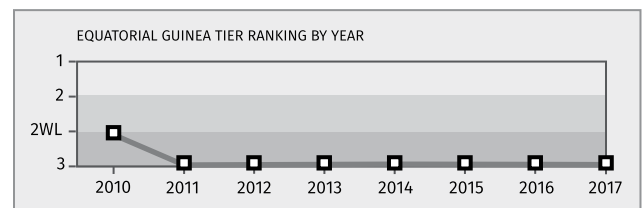
TRAFFICKING PROFILE

El Salvador is a source, transit, and destination country for women, men, and children subjected to sex trafficking and forced labor. Women, men, and children are exploited in sex trafficking within the country; LGBTI persons, especially transgender individuals, are at particular risk. Salvadoran adults and children are subjected to forced begging and forced labor in agriculture, domestic service, and the textile industry. Some men, women, and children from neighboring countries—particularly Nicaragua, Guatemala, and Honduras—are subjected to sex trafficking, domestic servitude, or forced labor in construction or the informal sector. Traffickers use employment agencies

and social media to lure victims with promises of lucrative employment; one organization noted traffickers are increasingly targeting people in the regions of the country with high levels of violence and coercing victims and their families through threats of violence. Gangs subject children to forced labor in illicit activities, including selling or transporting drugs. Salvadoran men, women, and children are subjected to sex trafficking and forced labor in Guatemala, Mexico, Belize, and the United States. Media and government officials report organized criminal groups, including transnational criminal organizations, are involved in trafficking crimes. Some Salvadorans who irregularly migrate to the United States are subjected to forced labor, forced criminal activity, or sex trafficking en route to or upon arrival in the country. Some Latin American migrants transit El Salvador to Guatemala and North America, where they are exploited in sex or labor trafficking. Corruption, particularly within the judiciary, remained a significant obstacle to law enforcement efforts. In 2014, media reported several public officials—including legislators, political party officials, and a mayor—purchased commercial sex acts from trafficking victims. Prison guards and justice officials have been investigated for trafficking-related complicity.

EQUATORIAL GUINEA: TIER 3

The Government of Equatorial Guinea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Equatorial Guinea remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including: investigating one potential trafficking case; adopting a national action plan to train government officials; increasing numbers of those targeted by awareness-raising; and conducting and funding two multi-day trainings to improve victim identification and case investigation techniques for all border and port officials. These steps demonstrate increased interest in addressing trafficking by the government; however, the government did not prosecute or convict any traffickers. It did not make efforts to develop standard operating procedures (SOPs) to identify or protect trafficking victims or prosecute traffickers. The government continued to deport undocumented migrants without screening them to determine whether they were victims of trafficking or referring them to assistance services.



RECOMMENDATIONS FOR EQUATORIAL GUINEA

Use the 2004 anti-trafficking law to prosecute and convict traffickers including complicit officials; develop formal procedures to identify trafficking victims, especially among child laborers, undocumented immigrants, women in prostitution, and children exploited for commercial sex; train social workers, law enforcement, and immigration officials in the use of trafficking victim identification and referral procedures; dedicate more funding to shelter and protect trafficking victims, including male victims, and develop a formal system to refer victims to care; develop and implement SOPs for screening foreigners

before deportation to ensure trafficking victims are provided appropriate care and safe, voluntary repatriation; develop and implement procedures for law enforcement officials to systematically notify embassies when their nationals have been detained; revive the inter-ministerial anti-trafficking commission and dedicate resources to implement the national action plan to combat trafficking in persons; research the extent and nature of the crime within the country; launch a nationwide anti-trafficking public awareness campaign.

PROSECUTION

The government made limited anti-trafficking law enforcement efforts. The 2004 Law on the Smuggling of Migrants and Trafficking in Persons prohibits all forms of trafficking and prescribes penalties of 10 to 15 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government investigated one suspect, who had allegedly purchased for sexual and labor exploitation three children from the Central African Republic (CAR). After initial arrest, officials released the suspect on bail and did not issue a formal charge by the end of the reporting period. The government did not maintain law enforcement statistics and, as in the previous year, did not report any prosecutions or convictions of suspected traffickers. General corruption and official complicity in trafficking-related offenses occurred. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Nonetheless, the government conducted two multi-day trainings to raise awareness about trafficking, as well as increase officials' ability to identify victims and investigate cases; 215 law enforcement officers, including all border and port officials, and other government officials participated in the trainings.

PROTECTION

The government made limited efforts to protect trafficking victims. It did not identify or refer any victims to protective services. Although the 2004 anti-trafficking law mandates the government to provide legal assistance, psychological and medical care, lodging, food, access to education, training, and employment opportunities to trafficking victims, it did not provide these services directly. However, the government provided funding to an NGO shelter for female victims of violence including trafficking victims. After questioning, law enforcement officials sent the three potential trafficking victims to the embassy of CAR, where they received shelter and services, prior to their repatriation. Law enforcement authorities did not have procedures to identify trafficking victims nor did they make efforts to refer victims to organizations providing care. The government penalized victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government routinely detained foreign nationals, including possible trafficking victims, at police stations for periods of several days to several months, and seldom notified their embassies of their detention or deportation. In many of these cases, police and border officials solicited bribes from detainees and deported those who did not pay; the overwhelming majority of those detained were young men, though children and women were also sometimes detained and deported. The government did not provide foreign trafficking victims legal alternatives to their removal to countries where they might face retribution or hardship.

PREVENTION

The government increased efforts to prevent trafficking. In May 2016, the government partnered with an international organization to train 600 community leaders on prevention of trafficking in persons. The government broadcasted these anti-trafficking trainings on television and radio programs, as well as on its official website, in an effort to raise awareness among the general public. The government approved a national action plan in April 2016 focused on training officials and awareness-raising campaigns and allocated \$762,000 to fund their anti-trafficking and anti-organized crime efforts. The government continued implementing regulations requiring all commercial sex establishments to register and provide contracts to their workers in an attempt to reduce the demand for commercial sex acts and exploitation in the sex industry. In October 2016, the Ministry of Labor implemented regulations for all companies to sign formal labor contracts with their employees in order to reduce vulnerability to labor trafficking. Using these new regulations, the general director of the national financial research agency and Ministry of Labor inspected an undisclosed number of Chinese-owned construction companies for labor violations. At the end of the reporting period, the investigations were ongoing. However, the Inter-Ministerial Commission to Combat Trafficking in Persons remained inactive. The government did not implement any programs to address forced child labor despite having 13 labor inspectors dedicated to documenting labor infractions. The government did not provide anti-trafficking training for its diplomatic personnel.

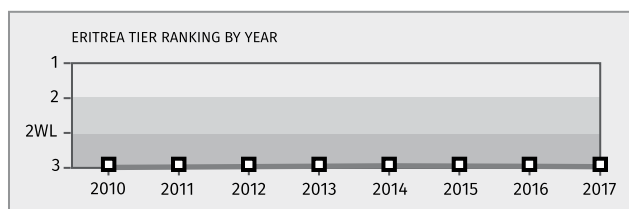
TRAFFICKING PROFILE

As reported over the past five years, Equatorial Guinea is a source country for women and girls vulnerable to sex trafficking and a destination country for men, women, and children, who may be vulnerable to forced labor. The majority of trafficking victims are exploited in the cities of Malabo, Bata, and Mongomo, where construction and economic activity funded by oil wealth contribute to increases in the demand for labor and prostitution. However, lower oil prices and lower oil production in recent years have caused a deep contraction of the country's economy leading to a decreased government budget and reprioritized activities. Equatoguinean women are exploited in the sex trade in these cities, often by foreigners. Children from nearby countries—primarily Nigeria, Benin, Cameroon, Togo, and Gabon—may be subjected to forced labor as domestic workers, market laborers, vendors, and launderers. Women from Cameroon, Benin, and other neighboring countries are recruited for work in Equatorial Guinea and subsequently subjected to forced labor or forced prostitution. Significant numbers of Chinese women migrate to Equatorial Guinea for work or to engage in prostitution, and some are subject to passport confiscation, increasing their vulnerability to forced labor. Sub-contractor staff in the oil services and construction sectors from other parts of Africa, Asia, and the Americas may be subject to passport confiscation and, in some instances, may be vulnerable to forced labor. General corruption and complicity by government officials in trafficking-related offenses occurred during the reporting period.

ERITREA: TIER 3

The Government of Eritrea does not fully meet the minimum standards for the elimination of trafficking and is not making

significant efforts to do so; therefore, Eritrea remained on Tier 3. The government continued to subject its nationals to forced labor in its citizen militia and compulsory national service; many citizens are forced to serve for periods of indefinite duration under harsh conditions. While senior Eritrean officials claimed many Eritrean nationals are currently serving prison sentences in Eritrea for the crime of trafficking, the government did not report any trafficking investigations, prosecutions, or the identification and protection of any victims. Authorities continued to demonstrate a lack of understanding of the crime, regularly conflating it with transnational migration or smuggling.



RECOMMENDATIONS FOR ERITREA

Develop, enact, and enforce an anti-trafficking statute that criminalizes all forms of trafficking, including sex trafficking and forced labor, clearly differentiating between emigration, smuggling, and human trafficking; enforce existing limits on the length of active national service to 18 months and cease the use of threats and physical punishment for non-compliance; investigate allegations of conscripts being forced to perform duties beyond the scope of the national service program and hold accountable those responsible; exclude children younger than 18 at Sawa training academy from participation in activities that amount to military service; ensure victims and their families are not punished for crimes committed as a result of being subjected to trafficking or for fleeing government-sponsored forced labor; extend existing labor protections to persons performing national service and other mandatory citizen duties; with assistance from international organizations, provide training to all levels of government, including law enforcement officials and diplomats, on identifying and responding to trafficking crimes; and provide protective services to trafficking victims.

PROSECUTION

The government maintained negligible anti-trafficking law enforcement efforts. Article 605 of the Eritrean Criminal Code prohibits trafficking in women and young persons for sexual exploitation, which is punishable by up to five years imprisonment; these penalties are sufficiently stringent, but not commensurate with punishments prescribed for other serious crimes, such as rape. Article 565 prohibits enslavement and prescribes penalties of five to 20 years imprisonment, which are sufficiently stringent. Labor Proclamation 118 of 2001 prohibits forced labor and child labor, but specifically excludes compulsory national and military service or other civic obligations from the definition of forced labor.

The government did not report investigating, prosecuting, or convicting suspected trafficking offenders during the reporting period. The government stated national security forces are empowered to investigate relevant crimes, including trafficking. It did not report providing any trafficking-specific training for judicial, prosecutorial, or law enforcement personnel; government-sponsored organizations incorporated anti-

trafficking information into regular programming during the previous reporting period. Officials continued to conflate transnational migration and human trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking; however, sources indicate Eritrean military officers remained complicit in trafficking offenses.

PROTECTION

The government did not report any efforts to identify or protect trafficking victims. During the previous year, the government reportedly provided limited assistance to Eritrean female victims subjected to sex trafficking in Gulf states, but the specifics of these provisions were unknown. Eritrean officials had no procedures to identify potential trafficking victims among vulnerable groups, particularly Eritreans deported from other countries and those fleeing the country, primarily to Sudan, Ethiopia, and Djibouti; some of these nationals were vulnerable to being arrested, detained, harassed, or forcibly recalled into national service. The government did not report developing a systematic referral mechanism for referring identified trafficking victims to care. It did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

PREVENTION

The government maintained minimal efforts to prevent trafficking. The government reportedly continued its education for citizens on the dangers of trafficking through awareness-raising events and poster campaigns through the Women's Association, Youth Association, and Workers' Federation; however, such efforts conflated transnational migration and human trafficking. While the Proclamation of National Service 11/199 prohibits the recruitment of children younger than 18 years of age into the armed forces and applies sufficiently stringent penalties for this crime, reports allege children younger than age 18 are sent to Sawa military and training academy for completion of their final year of secondary education. The country remained without an independent monitoring body to verify ages of new recruits into governmental armed forces and lacked transparency on efforts to ensure children did not participate in compulsory activities amounting to military service or other forms of forced labor. The government did not report on its efforts to reduce the demand for commercial sex acts or forced labor, or its provision of anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Eritrea is a source country for men, women, and children subjected to forced labor. To a lesser extent, Eritrean adults and children are subjected to sex and labor trafficking abroad. The government continues to subject its citizens to forced labor through the national policies and mandatory programs, which cause many citizens to flee the country and subsequently increases their vulnerability to trafficking abroad, primarily in Sudan, Ethiopia, and Libya. Proclamation 82 of 1995 requires persons aged 18 to 40 years to perform compulsory active national service for a period of 18 months—six months of military training followed by 12 months of active military and development tasks in military forces or in a government-run work unit, including the Eritrean defense forces. However, the 18-month timeframe is arbitrary and unenforced; many individuals are not demobilized from government work units after their mandatory period of service

but rather forced to serve indefinitely under threats of detention, torture, or familial reprisal. In 2012, the government instituted a compulsory citizen militia, requiring medically fit adults up to age 70 not currently in the military to carry firearms and attend military training or participate in unpaid national development programs, such as soil and water conservation projects. Working conditions are often harsh and sometimes involve physical abuse.

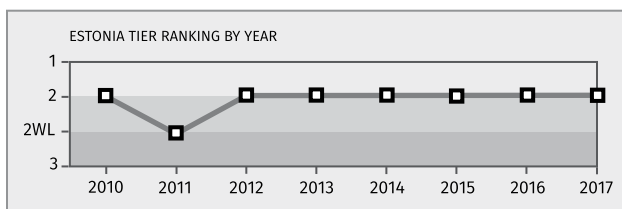
All 12th-grade students, including some younger than age 18, are required to complete their final year of secondary education at the Sawa military and training academy; those who refuse to attend cannot receive high school graduation certificates, attain higher education, or be offered some types of jobs. Government policy bans persons younger than 18 from military conscription; however, during some round-ups, the government detains children younger than age 18 and sends them to Sawa. Reports indicate some male and female recruits at Sawa were beaten, and female recruits sexually abused and raped in previous years. The government continued *Maetot*, a national service program in which secondary-school children are assigned to work in public works projects, usually within the agricultural sector, during their summer holidays. Some Eritrean children are subjected to forced labor, including forced begging, and some women and girls are subjected to sex trafficking within the country.

Perennially, thousands of Eritreans flee the country over land to Sudan, Ethiopia, and—to a lesser extent—Djibouti, to escape forced labor or government persecution, as well as to seek better economic opportunities; for many, their ultimate goal is to attain asylum in Europe—predominantly in Italy, Sweden, Norway, Switzerland, the United Kingdom, and Germany—or North America, or at minimum, achieve refugee status in Sudan, Ethiopia, Kenya, Egypt, Israel, or Uganda. Unaccompanied minors are increasingly at risk of being subjected to violence and exploitation. The government's strict exit control procedures and limited issuance of passports and departure visas prevent most Eritreans who wish to travel abroad from doing so legally, increasing their vulnerability to trafficking. Children who attempt to leave Eritrea are sometimes detained or forced to undergo military training despite being younger than the minimum service age of 18. Some Eritrean women and girls travel to Gulf States for domestic work but are subsequently subjected to sex trafficking. Smaller numbers of Eritrean women and girls are subjected to sex trafficking in South Sudan, Sudan, and Israel; reportedly, some Eritrean men are vulnerable to sex trafficking in Israel. International criminal groups kidnap vulnerable Eritreans living inside or in proximity to refugee camps, particularly in Sudan, and transport them primarily to Libya, where they are subjected to human trafficking and other abuses, including extortion for ransom. Some migrants and refugees report being forced to work as cleaners or on construction sites during their captivity. Reports allege Eritrean diplomats, particularly those posted in Sudan, provide travel documents and legal services to Eritrean nationals in exchange for bribes or inflated fees, potentially facilitating their subjection to trafficking. Some Eritrean military and police officers are complicit in trafficking crimes along the border with Sudan.

ESTONIA: TIER 2

The Government of Estonia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period;

therefore, Estonia remained on Tier 2. The government demonstrated increasing efforts by opening the first fully state-funded center dedicated to treating victims of child abuse, including sexual violence and trafficking. Estonian authorities investigated, prosecuted, and convicted more trafficking cases and provided training on labor trafficking in each of its counties. However, the government did not meet the minimum standards in several key areas. In 2016, the government required police to initiate an investigation for presumed victims to receive trafficking-specific services, though general victim support services were available, including counseling and legal assistance. This requirement discouraged victims from coming forward and limited the publicly funded services available to trafficking victims.



RECOMMENDATIONS FOR ESTONIA

Further amend the Victim Support Act to remove barriers to victim identification and government-funded assistance; increase efforts to investigate, prosecute, and convict traffickers under section 133 of the penal code; increase specialized training for investigators and prosecutors on applying section 133 and working with victims serving as witnesses; encourage police and the labor inspectorate to investigate labor trafficking, including labor recruiters engaging in fraudulent practices; provide training for judges to ensure the judiciary understands the severity of the crime when issuing sentences; encourage more victims to assist prosecutions by facilitating access to effective legal counsel; and inform victims of the option to pursue court-ordered compensation from their traffickers.

PROSECUTION

The government increased law enforcement efforts. Sections 133 and 175 of the penal code criminalize sex and labor trafficking and prescribe a maximum penalty of up to 15 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Section 133 criminalizes the use of force, threats, or other forms of coercion to make a person engage in prostitution, begging, criminal offenses, or other labor. Section 175 criminalizes trafficking as a person who influences a child (under the age of 18) to engage in a criminal offense, begging, prostitution; or the production of pornography. Police investigated 15 new cases under section 133 in 2016, an increase from four in 2015. Authorities also registered 59 crimes under section 175, most of which involved the same perpetrators and victims. In 2016, the government prosecuted 14 cases under section 133, an increase from three cases over the past three years. Authorities also began prosecutions in 32 cases under section 175. Courts convicted 11 traffickers under section 133 in 2016, nearly tripling its four convictions in 2015. Eight traffickers received prison sentences, which ranged from 16 months to five years. Courts also convicted eight individuals under section 175. The government provided training sessions for 45 law enforcement officials to facilitate cooperation on forced labor cases, but it did not provide training to the judiciary. All of Estonia's counties received training on labor trafficking, specifically on how to identify, investigate,

and improve cooperation between different organizations. Authorities cooperated in three transnational investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained protection efforts. Per the Victim Support Act, a police report must be filed for presumed victims of trafficking to be eligible for government-funded, trafficking-specific services. This requires victims to divulge personal, traumatizing information early in their recovery, which serves as a disincentive for victims to come forward. A provision to the Victim Support Act passed during the reporting period allowed victims to receive services for up to 60 days before, during, or after criminal proceedings. Fourteen victims received government-sponsored assistance, compared with 16 in 2015. The government newly identified nine victims of which eight were victims of child sex trafficking and one was a male third-country-national victim of labor exploitation. In 2016, authorities identified one foreign child victim, who did not receive a temporary residency permit; in 2015, authorities identified two foreign victims and provided them temporary residence permits, accommodation, and education.

In 2016, the social security board allotted approximately €196,050 (\$206,590) on trafficking victims support, whereas the government allotted €86,000 (\$90,620) in 2015. In addition, the Ministry of Social Affairs provided approximately €99,000 (\$104,320) to an NGO providing support services to women in prostitution, some of whom may have been sex trafficking victims. In 2016, the government amended the Victim Support Act; further amendments are anticipated in 2017. Authorities placed unaccompanied children and child victims in alternative care facilities. The government opened the first fully state-funded, dedicated center for victims of child abuse, including sexual violence and trafficking; it provided psychological, physical, and social needs evaluations and services. Adult male victims had access to legal counseling and other services. A witness protection law allows trafficking victims to provide testimony anonymously, but it was unknown whether this has ever been applied in a trafficking case or whether victims had ever served as witnesses in criminal trials. Victims did not receive restitution in 2016.

PREVENTION

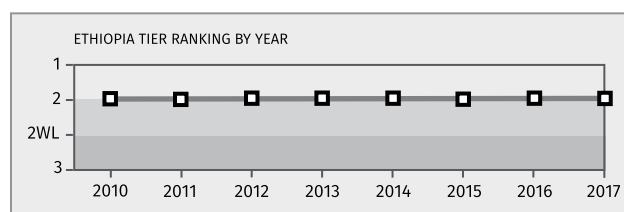
The government increased prevention efforts. Authorities ran multiple awareness campaigns targeting schoolchildren, specialists working with children, and labor workers, and in collaboration with IOM and an NGO, released a creative call, asking young people to produce trafficking-related videos and art work. Objectives for the 2015-2020 plan for reducing violence, including trafficking, included amending the Victim Support Act to provide trafficking victims with easier access to services. The anti-trafficking working group, with 35 government agencies and NGOs, continued to meet regularly and published an annual public report of its activities. The government provided an NGO with approximately €40,000 (\$42,150) to operate an anti-trafficking hotline; the hotline received 420 calls from individuals vulnerable to trafficking during the reporting period. The government provided anti-trafficking training for its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex acts and forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Estonia is a source, transit, and destination country for women and girls subjected to sex trafficking and for men, women, and children subjected to forced labor. Estonian women and girls are subjected to sex trafficking within Estonia and in other European countries. Men and women from Estonia are subjected to conditions of forced labor within Estonia and elsewhere in Europe, particularly in the construction, cleaning, and social welfare sectors, as well as in seasonal jobs. Estonian children are forced to commit crimes, such as theft, to benefit their exploiters. Men from Ukraine and Moldova are subjected to labor exploitation within Estonia, particularly in construction. Vietnamese nationals subjected to forced labor and sexual exploitation transit Estonia en route to other EU countries.

ETHIOPIA: TIER 2

The Government of Ethiopia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Ethiopia remained on Tier 2. The government demonstrated increasing efforts by assisting in the interception of more than 30,000 individuals vulnerable to trafficking and convicted 640 traffickers, an increase from 69 convicted during the previous year. The government made robust efforts to prevent and raise awareness on trafficking and trafficking-related crimes through its community conversations project and media campaigns, and trained government officials on various elements of the crime. However, the government did not meet the minimum standards in several key areas. It did not sufficiently address internal trafficking, including child sex trafficking. It remained without standard procedures for front-line responders to proactively identify trafficking victims among vulnerable intending migrants. For the second consecutive year, the government did not implement the revised overseas employment proclamation that provides for improved oversight of and more strenuously penalizes illegal recruitment.



RECOMMENDATIONS FOR ETHIOPIA

Increase efforts to convict traffickers, including for trafficking within Ethiopia, and compile and publicize trafficking statistics; improve the investigative capacity of police throughout the country to increase prosecutions of internal child trafficking offenses; continue to implement and train law enforcement and judicial officials on the anti-trafficking proclamation; fully implement the 2016 national referral mechanism; partner with local NGOs to improve services available to trafficking victims, including allocating funding to enable the continuous operation of a government or NGO-run shelter; improve oversight of overseas recruitment agencies and implement the overseas employment proclamation, assign and train labor attaches, and investigate and prosecute illicit recruiters;

expand trafficking awareness training for labor officials who validate employment contracts or regulate employment agencies; improve screening procedures in the distribution of national identification cards and passports to prevent their fraudulent issuance to children; allocate appropriate funding for the deployment of labor attaches to overseas diplomatic missions to assist Ethiopians seeking work or employed overseas; and incorporate information on human trafficking and labor rights in Middle Eastern and other countries into pre-departure training provided to all migrant workers.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts; however, it continued to focus on transnational labor trafficking, with negligible investigation or prosecution of sex trafficking or internal forced labor cases. The 2015 Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants, No. 909/2015, criminalizes all forms of trafficking, prescribing penalties of 15-25 years imprisonment and a fine of 150,000 to 300,000 birr (\$6,696 to \$13,393), which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Employment Exchange Services Proclamation No. 632/2009, which governs the work of licensed labor recruitment agencies, remained unimplemented during the year.

In 2016, federal and regional justice officials investigated 1,392 potential trafficking cases and convicted 640 traffickers under the 2015 anti-trafficking law, a significant increase from 69 convictions in 2015; however, an unknown number fell outside the reporting period, and some cases in both years likely involved smuggling. A March 2015 investigation of two Ethiopian smugglers suspected of moving 38,000 Ethiopians, potentially including trafficking victims, to South Africa and the Middle East for unknown purposes, remained open. Financial and capacity constraints continued to impede data compilation by regional police, and poor communication and coordination between the regions and the federal government also hindered effective law enforcement efforts. The government continued to partner with international organizations to conduct and fund trainings for regional and federal government personnel on the anti-trafficking proclamation and on victim-centered investigative skills for detecting trafficking crimes. The government provided space, technical and logistical support for two trainings conducted by an international organization; these trainings targeted approximately 35 police, prosecutors, and judges. Another international organization, in partnership with the government, facilitated two workshops for 61 labor inspectors and other relevant officials on how to combat child trafficking. During the year, in Bahir Dar, approximately 60 regional officials attended a government-organized training on child trafficking, and an Ethiopian delegation traveled to the Philippines to learn best practices for curbing child trafficking. The government did not report any investigations, prosecutions, or convictions of public officials allegedly complicit in human trafficking offenses.

PROTECTION

The government maintained modest efforts to protect trafficking victims. The national committee to coordinate anti-trafficking efforts, chaired by the deputy prime minister, was fully operational during the year; however, the government did not report if the Council of Ministers issued the implementing regulations to the anti-trafficking proclamation pertaining to protective services for victims. The government continued to

partner with international organizations and NGOs to provide services to victims; although it did not allocate funding to these entities, it provided some in-kind support, including land, facilities, staff, and other logistical services on an ad hoc basis. The 2009 charities and societies proclamation, which prohibits organizations receiving more than 10 percent of their funding from foreign sources from engaging in activities that promote human rights, restricted some NGOs' ability to provide protective services to trafficking victims. The government lacked standard procedures for front-line responders to identify trafficking victims among vulnerable outbound populations. In 2016, federal and regional governments intercepted approximately 30,000 persons in the border areas of Ethiopia, the vast majority of whom were intending to depart for work in Gulf states and other African countries, and many were minors—a population vulnerable to trafficking; however, an unknown number were intercepted outside of the reporting period. The government continued to jointly operate two migration response centers in Afar and Metema with an international organization. The government operated child protection units in Addis Ababa and several major cities; staff was trained in assisting vulnerable children, including potential trafficking victims. Police and civil service transport workers—trained to recognize child trafficking victims—referred the majority of intercepted children to local shelters. Two NGOs in Addis Ababa provided comprehensive reintegration services, familial reunification, medical care, mental health counseling, legal counsel, food and housing, and vocational training to more than 900 women and child victims repatriated after enduring trafficking; these NGOs operated without any governmental funding or in-kind support. The government's assistance to repatriated victims improved. During the year, the government, in collaboration with an international organization, repatriated more than 3,700 Ethiopian trafficking victims from Djibouti, Egypt, Malawi, Mozambique, Yemen, Oman, Tanzania, Zambia, Zimbabwe, and Saudi Arabia. The government provided victim identification services and sometimes negotiated discounted air fares for returnees. Some Ethiopian missions in the Gulf states had shelters for trafficking victims on respective mission compounds.

In 2016, the government, in conjunction with an international organization, finalized a national mechanism for referring repatriated trafficking victims to social services; although it is in effect, reports suggest implementation is still nascent. While officials reported encouraging victims in some cases to assist in the investigation and prosecution of their traffickers, the number of victims who took an active role in these processes was unknown and it was unclear whether they were afforded legal assistance or other support to facilitate their doing so. The 2015 anti-trafficking proclamation extends to trafficking victims protections outlined under the Witness and Whistleblowers Protection Proclamation (No. 699/2010); it mandates extensive protections and rights for trafficking victims, including protection from prosecution for acts committed as a result of being subjected to trafficking. Ethiopian law does not provide alternatives to the deportation of foreign victims to countries where they may face hardship or retribution. There were no reports the government detained, jailed, fined, or otherwise penalized victims for unlawful acts committed as a direct result of being subjected to human trafficking in 2016, although the government housed some victims at police stations who were waiting to provide testimony in their respective trafficking cases.

PREVENTION

The government maintained robust efforts to prevent trafficking.

In 2016, Parliament approved a second National Human Rights Action Plan, spanning 2016-2020, which included various activities to curb trafficking, including a media campaign and increased efforts in urban centers to assist women and child victims. However, the government did not report allocating specific funding for the action plan. The attorney general's office, in conjunction with an international organization, organized a workshop for 80 members of the national media to increase awareness of the anti-trafficking proclamation. Local and regional state governments, employing community conversations as an awareness-raising mechanism, continued to host and facilitate hundreds of sessions throughout the country, reaching hundreds of thousands of Ethiopians. Officials produced television and radio public service announcements and interviews to elevate the public's awareness of the dangers of trafficking, which, in addition to the general public, strategically reached religious and traditional leaders, elders, and media personnel.

The government maintained its 2013 ban on the recruitment of low-skilled domestic workers to the Middle East, which it intended to keep until the establishment of all bilateral work agreements with destination countries and the enactment and implementation of a revised employment exchange proclamation. While the employment exchange proclamation came into effect in the previous reporting period, allowing for greater oversight of private employment agencies, placement of labor attaches in Ethiopian embassies, and establishment of an independent agency to identify and train migrant workers, it was largely unimplemented during the reporting period. Officials worked with approximately 100 private employment agencies, licensed to send workers abroad, to ensure the agencies understood their obligations under the revised overseas employment proclamation. In adherence to the proclamation, the government, in conjunction with an international organization, began training awareness-raising facilitators in specific migration prone localities on how to provide pre-employment and pre-departure training for potential migrant workers. In 2016, the government was still in negotiation with Saudi Arabia and the UAE on bilateral employment agreements; Ethiopia had such agreements in place with Qatar, Kuwait, and Jordan. These agreements require signatories to commit to ethical recruitment, legal remedies against those who violate the law, and equal protection of Ethiopian workers, to include equal wages for equal work, reasonable working hours, and leave time. Memoranda remained in place with neighboring African countries—particularly Djibouti, and on an ad hoc basis with Kenya and Sudan—aim to provide joint border management to include repatriation assistance for trafficking victims; however, workers' rights are not explicitly addressed. While the government reported conducting thousands of scheduled and random labor inspections, it did not report any suspension of licenses of labor recruitment agencies or employers for labor law violations.

Ethiopian officials continued efforts to implement a 2012 law requiring registration of all births nationwide; however, the lack of a uniform national identity card continued to impede implementation of the law and allowed for the continued issuance of district-level identity cards, whose dispersion is subject to fraud. The government made limited efforts to reduce the demand for commercial sex acts, forced labor, or child sex tourism during the reporting period. The government continued to include anti-trafficking training as a basic training requirement for its diplomatic personnel. A foreign donor and facilitator provided Ethiopian troops with anti-trafficking

training prior to their deployment abroad on international peacekeeping missions.

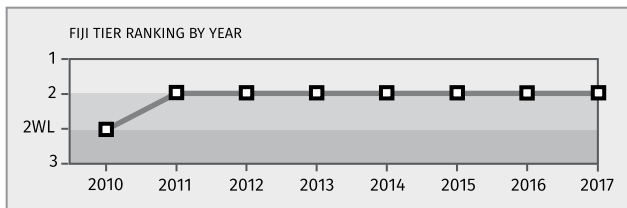
TRAFFICKING PROFILE

As reported over the past five years, Ethiopia is a source and, to a lesser extent, destination and transit country for men, women, and children subjected to forced labor and sex trafficking. Scarce economic opportunities and dire poverty coupled with familial encouragement compels thousands of Ethiopians, including a substantial percentage of minors, to transit, primarily via Djibouti or Somalia, to Yemen and onward to Saudi Arabia; to illegally cross the southern border into Kenya and further south into Tanzania with a final destination of South Africa; or, less commonly, to travel through Sudan and Libya with the hope of crossing the Mediterranean and ultimately reaching Europe. Reports suggest that along these three main routes, irregular Ethiopian migrants who began their journeys voluntarily are subsequently vulnerable to sexual exploitation or forced labor in transit countries and in their intended destinations. The Ethiopian government's 2013 ban on domestic worker employment in Gulf states remained in effect at the end of the reporting period, but irregular labor migration to these countries continued to be a significant problem resulting in increased vulnerability to trafficking. Saudi Arabia remains the primary destination for irregular migrants; reportedly, over 400,000 Ethiopians reside there. Saudi officials regularly deport Ethiopians in large numbers, and many of the deportees reported instances of sexual exploitation. Many Ethiopian women working in domestic service in the Middle East are subjected to severe abuses, including physical and sexual assault, denial of salary, sleep deprivation, passport confiscation, and confinement. Ethiopian women who migrate for work or flee abusive employers in the Middle East are also vulnerable to sex trafficking. Ethiopian men and boys migrate to the Gulf states and other African nations, where some are subjected to forced labor. An international organization claims that unrest in the Oromia region during the reporting period resulted in an uptick in ethnic Oromo migrants fleeing to Djibouti. Previous reports suggested district-level officials accepted bribes to alter ages on identification cards, allowing children to acquire passports without parental consent and enabling minors to leave the country for work.

An international organization assesses that most traffickers are small local operators, often from the victims' own communities, but that well-organized crime groups are also responsible for irregular migrants becoming highly susceptible to trafficking. Labor recruiters target young people from Ethiopia's vast rural areas with promises of a better life. Although reports remain anecdotal, the severe drought in 2015-2016 may have resulted in an increase in internal trafficking. Girls from Ethiopia's impoverished rural areas are exploited in domestic servitude and commercial sex within the country, while boys are subjected to forced labor in traditional weaving, construction, agriculture, and street vending. Addis Ababa's central market is the site of numerous brothels, where some young girls are exploited in commercial sex. Ethiopian girls are exploited in domestic servitude and commercial sex in neighboring African countries, particularly Sudan. Ethiopian boys are subjected to forced labor in Djibouti as shop assistants, errand boys, domestic workers, and street beggars, in addition to forced criminality. Child sex tourism continues to be a problem in major hubs, including Addis Ababa, Bahir Dar, Hawassa, and Bishoftu; reports identify mostly Ethiopian-born perpetrators, including members of the diaspora, with known links to local hotels, brokers, and taxi drivers.

FIJI: TIER 2

The Government of Fiji does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Fiji remained on Tier 2. The government demonstrated increasing efforts by identifying nine trafficking victims, investigating five trafficking cases, prosecuting three alleged traffickers, and conducting awareness campaigns targeted at children, parents, and Fijians working overseas. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers or proactively implement formal victim identification or referral procedures. Despite reporting an increase in child sex trafficking, the government only identified one victim.



RECOMMENDATIONS FOR FIJI

Increase efforts to investigate and prosecute trafficking offenses and convict and punish traffickers; develop and strengthen formal procedures for proactive victim identification, especially among vulnerable groups, such as foreign migrant workers on fishing vessels, those allegedly involved in prostitution, and exploited children; institute additional trainings for law enforcement, immigration officers, and labor inspectors on victim identification and protection; designate a government agency responsible for coordinating victim services; enhance efforts to provide access to interpretation services and legal, medical, and psychological assistance to victims; make efforts to allow identified trafficking victims to work and earn income while assisting with investigations; increase dissemination of anti-trafficking awareness campaigns directed at both families that may send children to live in cities and clients of prostitution; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained modest law enforcement efforts but did not convict any traffickers for the second year in a row. The 2009 Crimes Decree includes provisions that prohibit all forms of trafficking. The prescribed penalties of up to 25 years imprisonment and possible fines of up to 100,000 Fijian dollars (\$48,239) are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. The police anti-trafficking unit investigated five new cases (the same number as in 2015); four involved labor trafficking and one child sex trafficking. Two cases investigated in 2015 were closed due to insufficient evidence and three remained under investigation. The government initiated prosecutions of three alleged traffickers in two cases during the reporting period, compared to none in 2015. In one case, the defendant allegedly confiscated the passport of a Filipino man he recruited to work at his business. In the second case, two defendants allegedly confiscated the passport of a Bangladeshi man they brought to Fiji under false promises of work and demanded payment for it to be

returned; it was unclear if this case involved exploitation in forced labor. The government provided information to New Zealand authorities to assist in the investigation of a Fijian national who was subsequently prosecuted and convicted of subjecting 15 Fijians to forced labor in New Zealand. During the reporting period, a Fijian court overturned the convictions of four men convicted in 2013 for trafficking offenses. The government continued to fund anti-trafficking training for new police recruits. The police anti-trafficking unit did not dedicate adequate resources to trafficking investigations and training, and prosecutors often did not respond to police requests for guidance on trafficking cases in a timely manner. 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. The police anti-trafficking unit identified nine trafficking victims, a decrease from 13 victims identified in 2015. Eight victims were foreign nationals subjected to labor trafficking. Despite reporting an increase in the number of male and female victims of child sex trafficking, officials identified only one victim during the reporting period. The foreign victims were referred to government safe houses prior to returning to their country of origin and police did not pursue additional support for the child victim after the victim withdrew from the case. Police officials reported using informal guidelines to identify potential trafficking victims, but did not conduct training for labor inspectors on these guidelines as was done in the past. Authorities did not proactively identify victims of trafficking among vulnerable populations, such as women in prostitution and crew members who transit through Fijian ports on board vessels. The lack of proactive screening may have resulted in punishment of unidentified trafficking victims for actions they took as a direct result of being subjected to trafficking. Further, there is no legal alternative to foreign victims' removal to countries in which they would face retribution or hardship. The government did not develop a mechanism to refer victims to services systematically, an objective in its national anti-trafficking action plan.

The government apportioned funds to operate safe houses for trafficking victims, asylum-seekers, and migrants awaiting deportation. Four children's homes operated by the government were available to shelter victims younger than 21 years of age. Trafficking victims were eligible to apply for government legal aid and receive basic medical care. The government made available accommodation, medical care, interpreters, and allowances for basic necessities. However, officials reported the absence of a government agency responsible for connecting victims to services which limited the government's anti-trafficking efforts. In addition, because the government did not offer them permanent residency status, foreign victims were unable to work while assisting with investigations. Victims had the right to file for civil remedies, but none took advantage of that legal right.

PREVENTION

The government maintained modest efforts to prevent trafficking. Although the government has the authority to do so, it did not punish labor brokers involved in fraudulent recruitment during the reporting period. The police anti-trafficking unit began investigating a travel agency that allegedly facilitated the trafficking of 15 Fijians in New Zealand. The police anti-trafficking unit continued public awareness campaigns aimed at

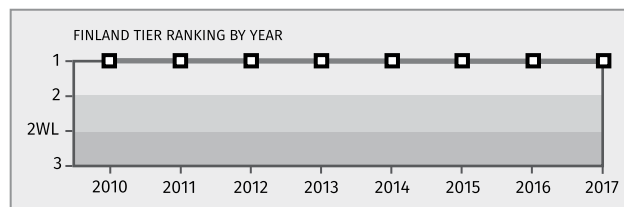
children and parents. Immigration and labor officials conducted awareness programs targeted at Fijians who work overseas to prevent labor exploitation. The government did not make efforts to reduce the demand for commercial sex acts, forced labor, or child sex tourism. The government did not provide anti-trafficking training to Fijian military personnel prior to their deployment abroad as part of international peacekeeping missions. The government provided anti-trafficking training to its diplomatic personnel. Fiji is not a party to the 2000 UN TIP Protocol; however, during the reporting period parliament initiated a review of a convention that would allow Fiji to accede to the Protocol.

TRAFFICKING PROFILE

As reported over the past five years, Fiji is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Fijian women and children are subjected to sex trafficking and domestic servitude abroad or in Fijian cities. Family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels have allegedly exploited Fijian children in sex trafficking. Some Fijian children are at risk of human trafficking as families follow a traditional practice of sending them to live with relatives or families in larger cities, where they may be subjected to domestic servitude or coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees. Women from China, Thailand, Malaysia, and other East Asian countries are deceptively recruited by the lure of legitimate jobs in their home countries or while visiting Fiji, sometimes by Chinese criminal organizations, and then exploited in illegal brothels (posing as massage parlors and spas), local hotels, private homes, small and informal farms and factories, and other rural and urban locations. Fijian adults working overseas, including in Australia and New Zealand, are vulnerable to forced labor, particularly in the construction and agriculture industries. Workers from other Asian countries are subjected to forced labor on fishing vessels that transit through Fiji or board fishing vessels from Fiji ports and waters. They live in poor conditions, accrue significant debts, and work for little or no compensation on foreign fishing vessels, mainly China and Taiwan-flagged, in Pacific waters. South Asian and East Asian men are fraudulently recruited to work in Fiji and find themselves in conditions of forced labor upon arrival.

FINLAND: TIER 1

The Government of Finland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Finland remained on Tier 1. The government demonstrated serious and sustained efforts by developing and publishing a new national action plan for 2016-2017 and allocating funds for its implementation. The government identified significantly more victims than in the previous reporting period; investigations, prosecutions, and convictions also increased. Although the government meets the minimum standards, courts continued to issue weak sentences for convicted traffickers, several of whom did not serve time in prison. Law enforcement pursued some trafficking cases under non-trafficking statutes, which affected victims' access to services and residency benefits. Victim identification among asylum-seekers remained a challenge and authorities applied laws and guidelines governing residency eligibility inconsistently, in some cases refusing entry to asylum-seekers despite trafficking indicators.



RECOMMENDATIONS FOR FINLAND

Vigorously investigate and prosecute sex and labor trafficking cases using the trafficking statute and impose sufficiently stringent sentences on convicted traffickers; develop and implement a national referral mechanism and train officials in its use to identify potential sex and labor trafficking victims proactively, especially children, and refer them to services to which they are legally entitled; offer all victims appropriate housing and specialized care and consistently notify them of available resources; increase the number of prosecutors, judges, and police that specialize in trafficking cases and consider creating specialized law enforcement units; train investigators, police, immigration officials, prosecutors, labor inspectors, and judges on applying the trafficking law and respecting victims' rights; institute a formal witness protection program to encourage greater victim participation in the criminal justice process; increase efforts to reduce the demand for forced labor; and expand worker protection laws to include seasonal workers on commission.

PROSECUTION

The government increased law enforcement efforts. Law 1889-39 of the penal code prohibits all forms of trafficking in persons and prescribes sentences of up to six years imprisonment (up to 10 years for aggravated trafficking) with the possibility of additional fines—penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government continued to use laws against pandering, discrimination, and usury, among others, to investigate and prosecute some suspected traffickers; the penalties for these crimes are generally far less severe than those for trafficking crimes. The government reported initiating 74 investigations of trafficking cases in 2016 (including at least 16 labor and 35 sex trafficking cases), compared with 32 cases in 2015 (including at least 19 labor and 12 sex trafficking cases). The national rapporteur noted, however, the quality of investigations conducted throughout the country varied from region to region. Authorities initiated prosecution of four cases (two labor and two sex trafficking) involving eight suspected traffickers in 2016 (four in 2015). Finnish courts convicted six traffickers (four for labor and two for sex trafficking) in 2016 (four in 2015). In those cases, the courts issued sentences of one year's imprisonment (suspended); 15, 12, and 12 months imprisonment (all suspended); 26 months imprisonment; and 11 years imprisonment.

Police officers in each of the 11 regions served as a national network of anti-trafficking experts and trainers and met twice annually to share best practices. The government provided annual training for prosecutors. Law enforcement and border guard personnel received anti-trafficking instruction as part of their basic training; law enforcement personnel receive additional trafficking awareness training throughout their careers. The government designated four special prosecutors from different regions to handle serious crimes including trafficking cases. GRETA's most recent report, however, recommended

further specialization among law enforcement, prosecutors, and judges to increase the government's capacity to investigate and prosecute trafficking offenses. NGOs recommended law enforcement agencies create specialized anti-trafficking units. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government increased protection efforts. The government provided both direct care and funding for third-party care through an asylum reception center that coordinated the national victim assistance system. Police were required to refer potential victims to the national assistance system immediately upon identification, where they were eligible for emergency assistance. The center offered shelter and psychological, medical, and legal assistance to identified victims. The staff of the reception center was empowered to identify and authorize emergency care for most victims, even when law enforcement authorities did not identify a person as a trafficking victim; however, victims subjected to trafficking within Finland must have law enforcement pursue their cases specifically as trafficking crimes in order to continue receiving services through the national victim assistance system beyond the initial emergency. There were no shelters specifically for trafficking victims. In 2016, the government allocated €815,800 (\$859,642) to the national assistance system, compared with €540,000 (\$569,020) in 2015. Local municipalities provided additional funding for victim services for Finnish citizens. The government increased its funding for one NGO providing trafficking victim services and training for Finnish authorities. The national victim assistance system admitted 130 potential trafficking victims in 2016 (86 women and 44 men, of whom 21 were children); most were exploited prior to their arrival in Finland, many as migrants seeking asylum. Some admitted to the assistance system were victims of forced marriage or organ trafficking, crimes that fall outside the U.S. definition of trafficking. The assistance system admitted 52 victims in 2015 (of whom none were children). Authorities used a series of written guidelines to assist in victim identification and referral to care and to ensure protection of victims' rights. Despite these measures, law enforcement and immigration officials noted victim identification remained a core challenge for the government; the increase in asylum applicants since 2015 continued to strain the government's capacity to identify potential victims among the migrant population and may have resulted in refusal of entry for some particularly vulnerable individuals. The January 2017 reorganization of the Finnish Immigration Service (FIS) integrated the national assistance system with the agency's overall operations; FIS assumed responsibility for asylum investigations, making it the primary actor in identifying trafficking victims among asylum-seekers. There were no reports the government penalized victims for unlawful acts committed as a direct result of being subjected to human trafficking. NGOs reported the law allowing authorities to refuse entry into Finland to persons suspected of engaging in prostitution may have resulted in penalizing unidentified sex trafficking victims and deterred some victims from seeking help from authorities. NGOs continued to advocate further training for officials, especially social service and healthcare providers, on victim identification and protection. The government created a working group in the Ministry of Social Affairs and Health to improve coordination between healthcare professionals on support and assistance for victims.

The government encouraged victims to assist in the prosecution

of their alleged traffickers. Courts had the authority to conceal witnesses' identities for their protection in cases involving severe criminal offenses, including trafficking, and police could place victims in temporary safe locations; however, there was no formal witness protection program. Finnish law allows foreign victims a six-month reflection period during which they can receive care and assistance while considering whether to assist law enforcement. Victims may receive renewable temporary residence permits, which are valid for six to 12 months and allow victims to seek employment. The FIS estimated it provided three victims with a reflection period in 2016. The government offered continuous residence permits to six victims in particularly vulnerable positions in 2016 (nine in 2015). Authorities provided temporary residence permits to four victims of trafficking and renewed five permits. In instances where victims do not possess a national passport, the government may grant a temporary alien passport, although GRETA noted victims whose cases were prosecuted under non-trafficking laws, such as pimping, were often treated solely as witnesses rather than victims, which affected their access to residence permits. The national rapporteur conducted a case study of victims of Nigerian origin to evaluate the application of laws governing residence permits for trafficking victims; the study found FIS did not consistently grant residency to asylum-seekers with trafficking indicators due to a lack of sufficient guidelines.

PREVENTION

The government increased prevention activities. The national anti-trafficking coordinator developed and published a new national action plan for 2016-2017. The plan included provisions to create a national referral mechanism for victim identification and assistance, as well as nine specific areas of focus spanning efforts for prosecution, protection, prevention, and partnerships. The government allocated €525,000 (\$553,214) for implementation and related programs, including trainings, awareness campaigns, victim support services, and research. The national coordinator also maintained a government-wide coordination structure of trafficking prevention offices within each ministry and engaged regularly with NGOs. The Non-Discrimination Ombudsman, in her capacity as the National Rapporteur on Trafficking in Human Beings, published an annual report on trafficking in Finland as part of the ombudsman's larger annual report. The national rapporteur also used its case study of victims of Nigerian origin to improve anti-trafficking cooperation with Italy. The government conducted a three-month awareness campaign against trafficking and smuggling aiming to reach smuggled migrants and trafficking victims and contributed funding and free airtime with the national broadcaster for an international organization's anti-trafficking campaign. The national assistance system maintained a hotline and website in multiple languages exclusively for trafficking victims. In response to the vulnerability facing berry pickers, who were not covered under worker protection laws, the government conducted assessments of berry industry companies to prevent labor exploitation and required companies to agree to a general code of conduct. In September, law enforcement authorities opened an ongoing investigation into possible labor violations by companies that hire berry pickers. The government assigned law enforcement personnel to its embassies to assist in trafficking prevention and victim identification during the visa application process. Finland's laws against child sex tourism have extraterritorial reach, although the government did not investigate or prosecute any perpetrators during the reporting period. The government did not make efforts to reduce demand for commercial sex acts or forced labor. The

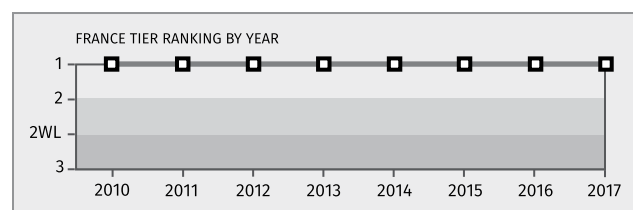
government provided anti-trafficking training to its diplomatic personnel and to its troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Finland is a transit, destination, and limited source country for women and girls subjected to sex trafficking and for men and women subjected to forced labor. Forced labor victims originate primarily in Eastern Europe, West Africa, and Asia. Foreign-born workers and immigrants are especially vulnerable; many victims arrive in Finland legally and are exploited in the construction, restaurant, agriculture, metal, and transport industries, and as cleaners, gardeners, and domestic workers. Authorities reported a surge in potential trafficking victims among asylum-seekers, including a rise in the number of individuals who were exploited prior to their arrival in Finland. Law enforcement note most labor trafficking involves small-scale operations in businesses such as restaurants and massage parlors, rather than larger criminal syndicates. Seasonal berry pickers, many of whom are Thai, are especially vulnerable to labor exploitation. Most work on commission and, because they are not considered employees under Finnish law, are not covered by worker protection laws governing minimum wage and maximum working hours. Female sex trafficking victims originate primarily in Eastern Europe, Southeast Asia, and West Africa, especially Nigeria; many were exploited in other countries, arriving in Finland after fleeing their traffickers. Finnish women and children, mostly girls, are increasingly vulnerable to sex trafficking. Although pimps cannot legally operate in Finland, they are able to operate from abroad using threats of violence, debt leverage, and other forms of coercion. In its 2015 report, GRETA highlighted forced begging and forced criminality as emerging problems.

FRANCE: TIER 1

The Government of France fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, France remained on Tier 1. The government demonstrated serious and sustained efforts by identifying more victims and allocating more funding to victim care services, as well as creating specialized care centers for child victims of trafficking. It also significantly increased its confiscation of assets from traffickers. Although the government meets the minimum standards, the government did not provide anti-trafficking training for its diplomatic personnel. Law enforcement officers regularly screened individuals in prostitution for trafficking indicators, but were less consistent in screening potential labor trafficking victims.



RECOMMENDATIONS FOR FRANCE

Strengthen victim protection for child victims of forced begging

and theft; train all incoming law enforcement officers to screen all individuals in prostitution for trafficking indicators; improve victims' access to restitution; offer all victims appropriate housing to which they are entitled under the law; continue outreach to potential victims in the labor sectors and identify forced labor; standardize residence permit issuance policies; screen all women and children arrested for soliciting or theft for trafficking indicators; and provide anti-trafficking training or guidance to diplomats.

PROSECUTION

The government increased law enforcement efforts. Article 225-4 of the penal code prohibits all forms of trafficking and prescribes maximum penalties of between seven years and life imprisonment for trafficking offenses. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The government arrested 253 suspected traffickers, prosecuted 231 suspected traffickers, compared with 278 in 2015; and convicted 75 traffickers, compared with 83 in 2015. The government did not report complete sentencing data but confirmed several cases in which traffickers received dissuasive sentences during the reporting period. For instance, in April 2016, the government sentenced 10 Romanian citizens to between eight months and seven years imprisonment for sex trafficking and ordered eight traffickers to pay €170,000 (\$179,140) in fines. In October, the government obtained a conviction of one man for sex trafficking, for which he was sentenced to two years imprisonment and another man to six years. In November, a court sentenced eight Bulgarian nationals to between two and six years imprisonment for child sex trafficking. In January 2017, a court sentenced nine Romanian nationals to up to five years imprisonment for sex trafficking.

During the reporting period, the Ministry of Interior's Central Office for Combating Human Trafficking (OCRTEH), a specialized body of law enforcement trained to combat human trafficking, trained 25 law enforcement officers as specialists in investigating trafficking networks. During the reporting period, OCRTEH regularly trained magistrates on human trafficking and participated in operational and strategic exchanges with EUROPOL and INTERPOL. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. NGOs reported law enforcement officers regularly screen individuals in prostitution for trafficking indicators, but were less consistent in screening potential victims of labor trafficking.

PROTECTION

The government increased protection efforts. The government identified 1,118 sex trafficking and aggravated pimping victims in 2016, compared to 712 in 2015. The victims identified in 2016 included 323 French, 202 Chinese, 114 Nigerian, 104 Romanian, and 375 were other nationalities. The government had a formal procedure for identifying victims and an NGO-run referral mechanism. The Ministry of Social Affairs, the Ministry of Health, and the City of Paris provided funding for the Ac-Se system, an NGO-managed network of 50 NGO-run shelters assisting adult victims of sex and labor trafficking. Ac-Se assisted 82 trafficking victims in 2016, compared with 92 in 2015, by providing them with shelter, legal, medical, and psychological services. Seventy-nine were victims of sex trafficking, two of labor trafficking, and one was forced to commit a petty crime. Seventy-three percent of those victims were Nigerian. The government repatriated eight victims to

multiple countries. The government increased Ac-Se's budget from €170,000 to €220,000 (\$179,140 to \$231,820) for 2017. Local governments provided French language classes to victims, and some victims could qualify for subsidized housing and job training programs. The government provided victims €350 (\$370) as an initial stipend, and €100 (\$110) per month thereafter. The central and municipal governments also partially funded the operation of a shelter in Paris and a small number of emergency apartments external to the Ac-Se system. The Mission for the Protection of Women against Violence and the Fight Against Human Trafficking (MIPROF) signed a pilot convention in October 2016 with an NGO, the Paris regional court, the Paris police, the Paris City Hall, and the Paris city council that will provide several places of accommodation in Paris dedicated to sex trafficking victims. MIPROF signed another pilot convention in June 2016 with an NGO, the Paris regional court, the Paris police, the Paris City Hall, the Paris Bar Association, the MOJ, and the Inter-ministerial Committee for the Prevention of Delinquency and Radicalization (CIPDR) that will provide training on identifying, integrating, educating, and housing child victims of trafficking. The convention provided additional secure accommodation for child trafficking victims. The care centers are run by child welfare services and provided access to health care, schooling, and rehabilitation and were equipped with specialized staff trained by MIPROF to educate and rehabilitate child trafficking victims. During the reporting period, 45 child trafficking victims benefitted from the special care centers. The government continued to operate a hotline for children in abusive situations, including trafficking. In 2015, hotline operators received 16 calls related to modern slavery. Ac-Se operated a separate hotline during the reporting period. In 2016, Ac-Se operators referred 82 trafficking cases for additional Ac-Se assistance, which assisted 76 individuals, including six children. The MOJ partnered with Ac-Se to train front-line responders, including labor inspectors and social workers, on the identification and referral of trafficking victims.

The government had an NGO-run referral program to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provided short-term care. A June 2016 law on organized crime and terrorism extended and strengthened the witness protection program for witnesses and their relatives in cases involving organized crime, including human trafficking. The April 2016 Law to Strengthen the Fight Against Prostitution allows the criminal trials for trafficking or aggravated pimping to be heard in private at the victim's request. NGOs reported children arrested or detained for soliciting or theft were not always screened for trafficking indicators by law enforcement officials. The law provides for a 30-day reflection period for identified victims, regardless of whether they choose to cooperate with law enforcement or not; however, some authorities were not familiar with the reflection period and did not offer it. Victims were eligible for temporary residence permits, regardless of whether they cooperated with police investigations. Trafficking victims were also eligible for international protection under refugee status or subsidiary protection status in cases where victims had a credible fear of retaliation, including from public authorities in their country of origin, if returned. Victims were eligible to receive restitution through the Crime Victims Compensation Program. In October, a labor court found in favor of five undocumented Moroccan workers in a civil case against their employer, awarding the plaintiffs between €20,000 (\$21,070) and €50,000 (\$52,690) in back-pay, paid leave, and damages for forced labor in a sawmill. The compensation request process often took several years to complete, and many victims had requests in progress.

PREVENTION

The government increased prevention efforts. In April 2016, the government passed the Law to Strengthen the Fight Against Prostitution, which penalizes purchasers of commercial sex, thereby reducing the demand for commercial sex. The government did not report investigating or prosecuting any cases of child sex tourism. In July, the government, in coordination with NGOs, launched a public awareness campaign on sex tourism during the Euro 2016 soccer championship that took place in France. The government funded programs through airlines and tourism operators describing the penalties for child sex tourism and funded poster and pamphlet campaigns by NGO partners to reduce the demand for child sex tourism. The Ministry of Foreign Affairs researched and reported on indicators of child sex tourism abroad and monitored increases in the crime. Tourism and hospitality students in France were obligated to take coursework on preventing child sex tourism. The government continued to fund a regional technical advisor on trafficking to the UNODC and OSCE. The French government provided anti-trafficking training to all peacekeeping troops prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

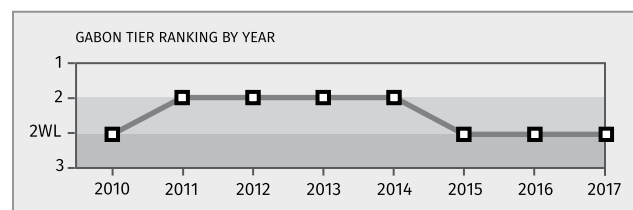
TRAFFICKING PROFILE

As reported over the past five years, France is a destination, transit, and a limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims from Eastern Europe, West and North Africa, Asia, and the Caribbean are subjected to sex trafficking and forced labor. Sex trafficking networks controlled by Bulgarians, Nigerians, Romanians, Chinese, and French citizens force women into prostitution through debt bondage, physical force, and psychological coercion, including the invocation of voodoo and drug addiction. The number of children exploited in commercial sex has increased in recent years. Children are forced to commit crimes, mainly petty theft, often as part of larger criminal networks. Traffickers force children living in migrant camps in northern France to commit crimes, including facilitating smuggling to the United Kingdom. Migrants from Africa and the Middle East, particularly women and children, were vulnerable to sex and labor trafficking in Calais. Some migrants who could not pay their smugglers are held in debt bondage. Reports indicate children, primarily from Romania, West and North Africa, and the Middle East, are victims of sex trafficking in France. The Government of France estimates the majority of the 30,000 people in France's commercial sex trade, about 90 percent of whom are foreign, are likely trafficking victims. Online-advertised prostitution organized by Russians and Bulgarians has increased, along with classified ads posted by organized networks controlled by Romanians, Bulgarians, Nigerians, and Brazilians; trafficking victims are likely involved in activities described in these ads. Roma and unaccompanied minors in France are vulnerable to forced begging and forced theft. Women and children are subjected to domestic servitude, mostly in cases in which families exploit relatives brought from Africa to work in their households. Trafficking networks have expanded to operate in large towns outside of Paris, including Lille, Marseille, Chartres, Toulouse, and Nice. Trafficking of male victims for sex and labor trafficking has increased, with males comprising approximately 28 percent of trafficking victims in France. Nigerian trafficking networks use migrant and drug trafficking routes through Libya and Italy to transport girls to France. Chinese victims often enter France on short-term student or tourist visas. Unaccompanied children that illegally

migrated with their parents to the overseas French Department of Mayotte were vulnerable to trafficking when their parents were deported.

GABON: TIER 2 WATCH LIST

The Government of Gabon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying and providing care to child trafficking victims, initiating trafficking prosecutions, and conducting awareness-raising campaigns. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not convict any traffickers or enact a proposed amendment to criminalize adult trafficking for the fourth consecutive year, and it decreased funding for victim shelters. The inter-ministerial child trafficking committee, which coordinates national anti-trafficking efforts, remained without sufficient funds to fulfill its mandate. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Gabon was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore, Gabon remained on Tier 2 Watch List for the third consecutive year.



RECOMMENDATIONS FOR GABON

Increase efforts to complete trafficking prosecutions and convict traffickers, including complicit officials and sex traffickers; use existing penal code articles criminalizing forced labor to investigate, prosecute, and convict traffickers who exploit adults in forced labor; draft and enact legislation to criminalize all forms of trafficking; expand training for social workers, law enforcement, labor inspectors, and judicial staff to include the identification and investigation of adult trafficking; increase financial or in-kind support to government-run and NGO shelters; increase communication among ministries to facilitate improved case management and data collection; reinvigorate collaboration with foreign governments to investigate transnational trafficking cases and repatriate foreign victims; train social workers and service providers on best practices in the provision of care for trafficking victims; expand the existing inter-ministerial committee's mandate to include adult trafficking, and include efforts to address adult trafficking in the next national action plan; expand awareness-raising campaigns to include information on adult trafficking; and develop a system to track trafficking cases and publicize relevant law enforcement and victim protection statistics, including on trafficking offenses prosecuted under other articles of the penal code.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Existing laws do not criminalize all forms of human

trafficking. Law 09/04 to Prevent and Combat Child Smuggling criminalizes selling children, subjecting them to debt bondage, and bringing them into the country and unlawfully employing them, and prescribes penalties of a "custodial sentence" and a fine of 10 to 20 million West African CFA francs (FCFA) (\$16,084-\$32,168). Title 1, article 4 of the Gabonese labor code criminalizes forced labor and prescribes penalties of one to six months imprisonment or a fine of 300,000 to 600,000 FCFA (\$483-\$965). Neither law appears to provide sufficiently stringent sentences that reflect the serious nature of the offense. Penal code article 261 criminalizes adult and child sex trafficking and prescribes penalties of two to five years imprisonment and a fine. Law 21/63-94 also prohibits forced prostitution of adults and prescribes penalties of two to 10 years imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. For the fourth consecutive year, the government did not pass the 2013 draft amendment to law 09/04 to criminalize the trafficking of adults and explicitly criminalize sex trafficking.

Only the high court is authorized to hear trafficking cases because it is a crime equivalent to murder; however, the high court was backlogged with cases and did not routinely meet, in part because of a shortage of funding. In addition, as a result of a lack of training and widespread corruption, the prosecutorial judges tasked with investigating trafficking cases often did not investigate cases brought to their attention, creating significant obstacles to prosecuting trafficking crimes. The government reported investigating and prosecuting eight individuals for child labor trafficking, a decrease from 16 investigations and 11 prosecutions in the previous reporting period. Judges subsequently dropped all of the investigations and prosecutions initiated during the reporting period. The government did not convict any traffickers for the fourth consecutive year. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, there were reports corruption and official complicity in trafficking crimes remained significant concerns. Judges were vulnerable to corruption by alleged traffickers and often failed to advance or dismissed trafficking cases. There were also allegations a Gabonese diplomat posted to the United Kingdom exploited a worker in domestic servitude. During the reporting period, the inter-ministerial committee conducted a two-day training for immigration law enforcement agents on identifying and investigating trafficking cases. Data on anti-trafficking law enforcement efforts was limited, in part due to poor communication among ministries. In contrast with previous years, the government did not report working with foreign law enforcement on trafficking cases.

PROTECTION

The government maintained modest protection efforts. Officials identified at least 15 child labor trafficking victims and referred all 15 to social services, compared with identifying 20 victims and referring 14 to social services in 2015. The government continued to fund and run two shelters, and provided an unknown amount of funding and in-kind support—including funding for social workers, medical support, psycho-social services, legal assistance, tuition, and food and furniture vouchers—to two NGO-run shelters offering services to orphans and street children vulnerable to trafficking. Nonetheless, NGOs that assisted trafficking victims relied primarily on donations from churches and private companies to finance their services, and some government workers used personal funds to assist victims. There continued to be a lack of shelter space to accommodate all trafficking victims, and for the third

consecutive year the government decreased funding to NGOs that provided shelter and services to victims. Male and female victims received the same services, as did foreign and domestic trafficking victims. There were no government or NGO-run shelters specifically designated for adult victims, but some allowed child trafficking victims to remain after they reached 18 years of age. Some shelters could have also provided shelter and services to adults, although it is unclear if law enforcement referred any adults to such facilities during the reporting period. In practice, authorities permitted adult male victims to leave shelters unchaperoned but not adult female victims, reportedly for their safety. Shelter and services were available to repatriated Gabonese victims, but it is unknown if any victims received these services during the reporting period.

The Ministry of Family and Social Development, in coordination with foreign embassies, assisted in the repatriation of four foreign trafficking victims. Authorities reported that a lack of cooperation with source-country governments, including agreement on who should fund the repatriation of foreign trafficking victims from Gabon, greatly lengthened the repatriation process; foreign trafficking victims remained in Gabonese centers on average between six months and three years before repatriation. If victim repatriation was not an option, the Ministry of Social Affairs could provide a victim with immigration relief and resettle them in Gabon, but it is unknown if any victims availed themselves of this legal alternative or had knowledge of this option during the reporting period. The government encouraged victims to cooperate when authorities needed their testimony for the prosecution of alleged traffickers. Prosecutors, police, and magistrates routinely took victims' testimonies at the time of the arrest of the suspected traffickers or identification of the victim, which is not considered the most effective nor a victim-centered approach. While the government has sought restitution for trafficking victims in the past, there were no reports this occurred during the reporting period. Victims can file civil suits against their traffickers, but there were no known cases of such action, in part due to victims' poverty and lack of knowledge of the option. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of being subjected to trafficking; however, due to the lack of focus on identifying adult trafficking victims, some victims may have remained unidentified in the law enforcement system.

PREVENTION

The government maintained modest prevention efforts. Through its local vigilance committees in nine provincial capitals, the inter-ministerial child trafficking committee continued to investigate child trafficking offenses and raise awareness of trafficking, but insufficient funding severely hampered its efforts. The government drafted and validated a 2016-2017 action plan to combat child trafficking; however, resource constraints prevented the inter-ministerial committee from implementing most action items within the plan, and the plan did not include actions to address adult trafficking. Local vigilance committees conducted two information campaigns in local languages to inform potential victims about available assistance and warn potential traffickers of the legal penalties for child trafficking. Unlike in previous years, the government did not partner with multilateral organizations and governments of source countries to combat trafficking. The government did not make any discernible efforts to reduce the demand for commercial sex acts. The government, with foreign donor support, provided anti-trafficking training to 450 Gabonese troops prior to their deployment abroad on an international peacekeeping mission in

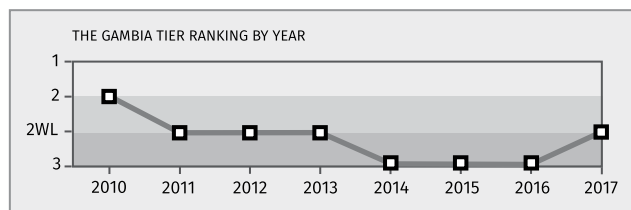
the Central African Republic (CAR). The government continued investigating 16 Gabonese peacekeepers formerly deployed to CAR that allegedly sexually exploited civilians during the previous reporting period, including purchasing commercial sex from underage girls exploited in sex trafficking. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Gabon is primarily a destination and transit country for West and Central African men, women, and children subjected to forced labor and sex trafficking and—to a lesser extent—a source country for children subjected to forced labor and sex trafficking. Boys are forced to work as street vendors, mechanics, or in the fishing sector. Girls are subjected to domestic servitude and forced labor in markets or roadside restaurants. Gabonese children are exploited as market vendors in eastern provinces of the country. West African women are forced into domestic servitude or prostitution in Gabon. Some foreign adults seek the help of smugglers for voluntary labor migration to Gabon but are subsequently subjected to forced labor or prostitution after arriving via plane or boat with falsified documents. Some victims transit Gabon en route to Equatorial Guinea. Traffickers appear to operate in loose, ethnic-based criminal networks, at times involving female traffickers—some of whom are former trafficking victims—in the recruitment and transportation of victims from their countries of origin. In some cases, families willingly give children to intermediaries who fraudulently promise education or terms of employment they ultimately do not provide, instead subjecting the children to forced labor through debt bondage. Some traffickers procure falsified documents for child trafficking victims to make them appear older than 18 years old to exempt the traffickers from prosecution under the child trafficking law, in case they are discovered. Some traffickers operate outside the capital to avoid detection by law enforcement. There were reports Gabonese officials, including diplomats and peacekeepers, were complicit in trafficking.

THE GAMBIA: TIER 2 WATCH LIST

The Government of The Gambia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore, The Gambia was upgraded to Tier 2 Watch List. These achievements included identifying and providing services to the first internal trafficking victims identified in four years; training law enforcement and border officials on identifying and referring cases of trafficking for investigation; and convicting and sentencing one trafficker to life imprisonment—its first reported conviction for a trafficking-related offense in four years. Despite these efforts, the government did not have formal procedures to identify trafficking victims and refer them to care; it did not complete any prosecutions or secure any convictions under the amended 2007 Trafficking in Persons Act, even though NGOs brought cases of child sex trafficking to law enforcement's attention; nor did it prosecute or convict any complicit officials. Additionally, the National Agency Against Trafficking in Persons (NAATIP) remained without sufficient funding and resources to coordinate inter-ministerial anti-trafficking efforts and investigate trafficking offenses nationwide.



RECOMMENDATIONS FOR THE GAMBIA

Vigorously investigate, prosecute, and convict traffickers—including allegedly complicit government officials and child sex traffickers—with sufficiently stringent sentences; train law enforcement and prosecutors to investigate and prosecute all types of trafficking, and ensure they have the resources to do so; develop standard procedures for identifying trafficking victims, including those among vulnerable populations, and referring them to care, train government officials on such procedures, and ensure no victims are detained before referred to services; significantly increase awareness of trafficking among the general public, including of child sex trafficking and how to report cases; increase funding and training for social workers to ensure trafficking victims, including those outside the capital, receive adequate social services; provide adequate funding and resources to NAATIP to ensure effective implementation of the anti-trafficking national action plan; amend the labor law to extend its protections to domestic workers; and improve data collection and public reporting on victim identification and law enforcement efforts.

PROSECUTION

The government modestly increased anti-trafficking law enforcement efforts. The 2007 Trafficking in Persons Act, as amended in 2010, criminalizes all forms of trafficking and prescribes penalties of 50 years to life imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The 2005 Children's Act also prohibits child trafficking—although it does not include forced labor in its definition of trafficking—and prescribes a penalty of life imprisonment. Other articles of the 2005 Children's Act also criminalize child sex trafficking offenses with penalties of 10 years imprisonment. The 2003 Tourism Offenses Act criminalizes child sex trafficking, prescribing a penalty of 10 years imprisonment. The penalties in both the 2005 and 2003 acts are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape.

The government investigated, prosecuted, and convicted one trafficker under the 2005 Children's Act and continued, from previous reporting periods, three labor trafficking investigations under the 2007 trafficking act, compared with one investigation, one prosecution, and zero convictions for trafficking offenses the previous reporting period. A judge sentenced one convicted trafficker to life imprisonment for rape under the 2005 Children's Act. The trafficker, a Scandinavian child sex tourist, sexually exploited two Gambian girls in exchange for paying their schooling fees. A judge adjourned indefinitely the prosecution of four defendants charged with exploiting 59 women in Lebanon and Kuwait initiated in a previous reporting period because three of the suspects remained at large. Despite identifying 40 children as potential forced begging victims, officials did not report investigating any suspects in connection with those cases.

NAATIP trained 60 security personnel, including police and immigration officers, on the 2007 trafficking act and how to report suspected trafficking cases to NAATIP for investigation;

however, authorities acknowledged law enforcement and judicial personnel continued to lack adequate training to investigate and prosecute trafficking offenses. NGOs reported alleged child sex traffickers and child sex tourists to law enforcement but claimed police would not provide updates on the cases, calling into question if law enforcement were investigating such cases. Due to a lack of training on human trafficking, authorities investigated and prosecuted some potential sex trafficking cases as rape. Despite reports of official complicity, the government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

Additionally, law enforcement officials acted with impunity, and corruption remained a problem. The government collaborated with two foreign governments on transnational trafficking investigations during the reporting period.

PROTECTION

The government increased efforts to protect trafficking victims. The government identified and referred to services two sex trafficking victims and 40 child potential forced begging victims. The lack of formal identification procedures likely resulted in victims remaining unidentified in the law enforcement system. The Department of Social Welfare (DSW) operated a shelter for trafficking victims, abandoned children, and victims of domestic violence, as well as a drop-in center for street children; these facilities cared for the 40 child potential forced begging victims during the reporting period, including assistance with repatriation and family re-integration. The government provided two million dalasi (\$45,455) to the shelter and paid the salaries of eight nurses and 30 other staff members. The shelter offered 24-hour services to children, adults, males, and females; authorities did not allow victims to leave without a chaperone. The shelter could assist Gambian victims exploited abroad after repatriation, and it reported providing initial screening, psychological counseling, and victims' assistance funds to support vocational training for 10 victims repatriated by an international organization during the reporting period. The government referred the two child sex trafficking victims to an NGO shelter for care. Shelters were concentrated around the capital, leaving some victims in rural areas without access to assistance. In addition, many shelters lacked social workers trained to assist trafficking victims. NAATIP trained law enforcement and social services personnel on victim identification. The government maintained an electronic child protection database, which included information on trafficking cases. The 2007 trafficking act allows foreign victims to obtain temporary residence visas for the duration of legal proceedings, but the government did not offer any other legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution. Victims could file civil suits against their traffickers, although there were no reports that any such cases were filed during the year. There were reports police detained potential child trafficking victims in the course of investigations.

PREVENTION

The government made uneven prevention efforts. The government allocated 1.84 million dalasi (\$41,818) to NAATIP in 2016 for salaries and administrative costs; this was insufficient to fund law enforcement training, investigations, and prevention activities, however, so NAATIP continued to rely on donors for additional support. In consultation with NGOs, NAATIP updated the government's national action plan to cover 2016-

2020 and began implementation. In 2017, the government began disbursing to NAATIP approximately 160,000 dalasi (\$3,636) monthly for the plan's implementation. NAATIP officials traveled to key border posts to sensitize civil society groups, security personnel, government officials, and local communities on human trafficking and the need to report suspected cases directly to NAATIP. The Ministry of Education continued to encourage reputable Quranic school teachers, called *marabouts*, to educate students and not force them to beg by providing monthly cash transfers and food rations to 17 schools that it verified did not employ forced begging. The ministry also provided science, math, and English teachers to these Quranic schools to broaden their curriculums. It estimated 1,000 children were benefitting from the program. The government did not have effective policies to regulate foreign labor recruiters and penalize them for fraudulent recruiting. The 2015 draft MOU between the Gambian government and Lebanon to improve the regulation of labor recruiters and law enforcement cooperation remained pending at the close of the reporting period. Domestic laborers are not protected under the national labor law, rendering such workers vulnerable to exploitation.

In collaboration with NGOs, the Gambian tourism board continued to raise awareness of child sex trafficking within the tourism industry. Authorities continued to enforce the 2005 ban on unattended children in resort areas. DSW continued to operate five neighborhood watch groups to monitor urban areas near tourist resorts for possible cases of child abuse or child sexual exploitation, and it provided group members with allowances and cell phone credits; however, none of these efforts led to the arrest of any suspected traffickers or child sex tourists. The government also maintained posters at the international airport and in tourist areas to warn of the dangers of trafficking, including child sex tourism, and the criminal penalties for such offenses. The government did not make efforts to decrease the demand for forced labor. The government provided anti-trafficking training to Gambian troops before their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

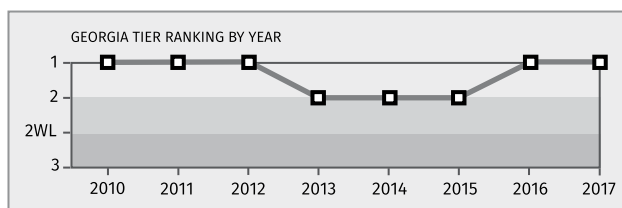
TRAFFICKING PROFILE

As reported over the past five years, The Gambia is a source and destination country for women and children subjected to forced labor and sex trafficking. Within The Gambia, women, girls, and—to a lesser extent—boys are subjected to sex trafficking, forced labor in street vending, and domestic servitude. Women and children from West African countries—mainly Senegal, Sierra Leone, Liberia, Ghana, Nigeria, Guinea, Guinea-Bissau, and Benin—are recruited for commercial sexual exploitation in The Gambia. The majority of these victims are subjected to sexual exploitation by child sex tourists, primarily from Britain, Germany, Scandinavia, the Netherlands, and Canada. Poor families may encourage their children to endure such exploitation for financial gain. In recent years, sex traffickers are increasingly hosting child sex tourists in private residences outside the commercial tourist areas of Banjul, making the crime harder for law enforcement to detect. Traffickers have allegedly exploited Sierra Leonean boys and girls as “cultural dancers” in The Gambia. Observers believe organized sex trafficking networks use European and Gambian travel agencies to promote child sex tourism. Many Gambian boys attend Quranic schools in The Gambia, Guinea-Bissau, and Senegal, and some corrupt *marabouts* force their students into begging and street vending. Gambian children have been identified as forced labor victims

in neighboring West African countries, including Ghana and Senegal. Gambian Women are subjected to forced labor and sex trafficking in Middle Eastern countries, including United Arab Emirates, Kuwait, and Lebanon. Finnish authorities identified Gambians in forced labor and sex trafficking during the reporting period.

GEORGIA: TIER 1

The Government of Georgia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Georgia remained on Tier 1. The government demonstrated serious and sustained efforts by adopting the 2017-2018 national action plan and continuing proactive investigations and screening of vulnerable populations for trafficking indicators. The government implemented a child referral mechanism expanding the pool of actors participating in proactive victim identification and provided free identification documents to vulnerable street children. The government continued to provide comprehensive care for all identified victims and conducted robust awareness campaigns. Although the government meets the minimum standards, authorities did not increase anti-trafficking law enforcement efforts and identified fewer victims. The labor inspectorate continued to operate with an unclear mandate and restricted ability to investigate employers. Victim identification remained weak for children in exploitative situations on the street, such as those subjected to forced begging and criminality, and for individuals working in vulnerable labor sectors.



RECOMMENDATIONS FOR GEORGIA

Vigorously investigate, prosecute, and convict traffickers under article 143; improve efforts to proactively identify trafficking victims, particularly street children and Georgian and foreign victims in vulnerable labor sectors; increase law enforcement capacity to investigate complex cases; further incorporate the labor inspectorate in anti-trafficking efforts with established roles and responsibilities; improve measures to guarantee victims' access to compensation, including asset seizure, informing victims of their rights to compensation, and legal assistance; increase transparency of the inter-ministerial trafficking coordination council; fully implement the law that provides street children with free government identification; create integrated, interagency strategies for reducing vulnerability and countering forced begging; and continue awareness-raising campaigns about the existence of human trafficking, legal recourse, and available protection services, targeted at vulnerable groups.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The Law on Combating Trafficking in Persons and article

143 of the criminal code prohibit all forms of trafficking and prescribe penalties ranging from seven to 20 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law defines trafficking broadly and includes illegal adoption without the purpose of exploitation. The government investigated 16 new cases, compared to 17 in 2015. Of these, 11 were sex trafficking cases, four were forced labor cases, and one case involved both, compared to 11 sex trafficking cases and six forced labor cases in 2015. The government prosecuted one defendant for sex trafficking and one defendant for forced begging, compared to two defendants for sex trafficking and one defendant for forced begging in 2015. The government convicted a total of one trafficker for forced labor, compared to three traffickers in 2015. The trafficker received a sentence of one year and six-month imprisonment for forced labor of her child. The government maintained several specialized units including the Anti-Trafficking and Illegal Migration Unit (ATIMU) within the Central Criminal Police Department, an anti-trafficking unit within the Tbilisi police, and an anti-trafficking taskforce in Batumi. Four mobile inspection units within ATIMU inspected 83 organizations involved in prostitution and the labor inspectorate inspected 99 private companies resulting in one criminal investigation for labor trafficking. Experts reported the government continued to develop capabilities to investigate trafficking cases but required additional advanced training for complex cases involving money laundering, organized crime, and digital evidence. The government reported the inability to conduct anti-trafficking law enforcement efforts within the breakaway territories of Abkhazia and South Ossetia.

Prosecutor General's Office's Victim-Witness Coordinators (VWCs) provided counsel to victims during the initial stage of trafficking investigations through the end of the court proceedings. Investigators contacted VWCs to speak with victims, offering counsel and information on government assistance programs prior to and after interviews with investigators. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. Observers confirmed there were no cases of complicity in trafficking by public servants. The government trained 22 labor inspectors on forced labor issues. The government separately trained police officers, law enforcement trainers, prosecutors, and judges on various trafficking issues. The government provided legal assistance to the Turkish National Police.

PROTECTION

The government maintained protection efforts. The government identified three victims, compared to nine in 2015. All three victims were female sex trafficking victims, compared to six female sex trafficking victims and two male and one female forced labor victims in 2015. The government allocated 269,215 lari (\$101,209) to the anti-trafficking shelters in Tbilisi and Batumi and other victim assistance programs, compared to 271,000 lari (\$101,880) in 2015.

Law enforcement and the Permanent Group officially identified victims: law enforcement granted "statutory victim" status for victims who participated in investigations and the Permanent Group assessed and officially recognized victims who declined to participate in investigations. The Permanent Group comprises a five member board of NGO and international organization representatives and is required by statute to convene and assess a potential victim within 48 hours. A multi-disciplinary national referral mechanism (NRM) provided standard

operating procedures for identifying and referring victims to services. The government implemented a new child referral mechanism, which expanded the list of actors responsible for victim identification efforts of children, including schools, medical providers, art academies, and sports institutions. ATIMU mobile units screened 375 individuals working at organizations involved in prostitution for indicators of trafficking. Authorities also screened for trafficking indicators amongst 2,213 foreign nationals deported from Georgia and 442 Georgians deported from Turkey. These screening efforts resulted in eight trafficking investigations, one prosecution, and the identification of a victim. The government provided all police cadets victim identification training and trained border police on victim identification at border crossings and airports. The government trained 16 VWCs on the NRM and standard operating procedures. Observers reported the NRM worked effectively and demonstrated strong cooperation between law enforcement and victim assistance agencies; however, victim identification of children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors remained inadequate.

The government operated two specialized shelters and provided medical aid, psychological counseling, legal assistance, child care services, and a one-time financial payment of 1,000 lari (\$376) to victims. The government-run shelters accommodated all three of the statutory victims identified in 2016. The government-run shelters staffed a nurse, social worker, lawyer, and psychologist and offered separate sections for males, females, and children. The government chaperoned victims when leaving the shelter but victims could request to leave the shelter unchaperoned. The government provided equal services for domestic and foreign victims. The government reported foreign trafficking victims were eligible for temporary, one-year residence permits; one statutory victim received a residency permit in 2016. The law prohibits detaining, arresting, incarcerating, fining, or otherwise penalizing trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking; and no such acts were reported in 2016. The government reported it encouraged victims to assist law enforcement with investigations and prosecutions, although their assistance was not required to receive government protection or shelter services; three statutory victims assisted law enforcement. Victims can pursue financial restitution through civil suits; however, no trafficking victims have ever received restitution from their trafficker. Observers highlighted the failure to freeze and seize criminal assets as an obstacle to pursuing restitution from traffickers.

PREVENTION

The government increased trafficking prevention efforts. The Inter-Agency Council on Combating Trafficking in Persons (TIP Council) approved the 2017-2018 national action plan. The TIP Council monitored implementation of the 2016 national action plan but did not provide public assessments. The TIP Council created an NGO working group to further integrate NGOs in anti-trafficking efforts. The government disseminated approximately 35,000 leaflets on various trafficking issues at border crossings, tourism information centers, metro stations, and public service halls throughout the country. Government officials funded and participated in an increased number of television, radio, and print media programs to raise awareness. The government organized anti-trafficking information meetings in villages and towns in nearly every region of Georgia, presenting to more than 1,100 audience members from different target groups, including primary school and university students, minorities, IDPs, and journalists. The government continued

to fund an anti-trafficking hotline operated by police from the anti-trafficking division and another hotline operated by the State Fund that received calls from trafficking victims. In 2016, the anti-trafficking hotline received calls from 114 persons and the state fund hotline received 116 calls, which led to the identification of no victims and initiation of 18 investigations.

The government continued to fund, in partnership with the EU, and develop a system to support the rehabilitation and re-socialization of children living and working on the street. The government provided 49,000 lari (\$18,421) to a local NGO that presented the most effective plan to identify homeless children and map their locations during nonworking hours. In June 2016, the government approved legislation authorizing free government identification documents to street children allowing them to receive government services and assistance, including health and education services for children who are undocumented foreign citizens. The Law on Labor Migration regulates the operation of labor recruitment agencies; however, the labor inspectorate continued to have an unclear mandate due to a lack of substantive labor laws and unclear authority to conduct unannounced inspections. The government, in cooperation with foreign law enforcement, interviewed 117 Georgians employed outside of the country to screen for labor exploitation. The government demonstrated efforts to reduce the demand for commercial sex and forced labor. A number of teenage girls alleged they were sexually abused by peacekeepers, including Georgian troops, posted in the Central African Republic; it was unclear whether trafficking crimes may have occurred. The government conducted a comprehensive investigation by speaking with victims and witnesses and announced there was no evidence of sexual abuse by Georgian peacekeepers; however, the government did not yet release the final report. The government provided anti-trafficking training for its diplomatic personnel and its armed forces prior to deployment as peacekeepers.

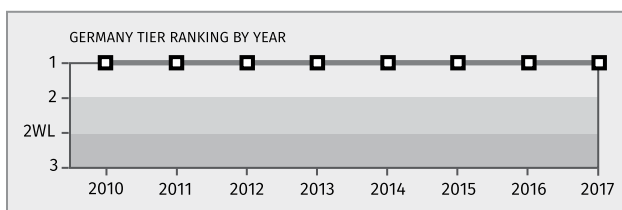
TRAFFICKING PROFILE

As reported over the past five years, Georgia is a source, transit, and destination country for women and girls subjected to sex trafficking and men, women, and children subjected to forced labor. Women and girls from Georgia are subjected to sex trafficking within the country, in Turkey, and, to a lesser extent, in China and the United Arab Emirates. Georgia is also a transit country for women from Central Asia exploited in Turkey. Women from Azerbaijan and Central Asia are subjected to forced prostitution in the tourist areas of the Adjara region and in saunas, strip clubs, casinos, and hotels. The majority of identified trafficking victims are young, foreign women seeking employment. Georgian men and women are subjected to forced labor within Georgia and in Turkey, United Arab Emirates, Egypt, Cyprus, and Iraq. Georgian, Romani, and Kurdish children are subjected to forced begging or coerced into criminality in Georgia. No information was available about the presence of human trafficking in the separatist regions of Abkhazia and South Ossetia; however, the government and NGOs consider IDPs from these occupied territories particularly vulnerable to trafficking.

GERMANY: TIER 1

The Government of Germany fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during

the reporting period; therefore, Germany remained on Tier 1. The government demonstrated serious and sustained efforts by passing stronger criminal statutes on labor and sex trafficking and identifying significantly more labor trafficking victims. Although the government meets the minimum standards, weak sentences for trafficking convictions, with only 26 percent of convicted traffickers serving prison time, undercut efforts to hold traffickers accountable. The impact of the criminal statute revisions was yet to be realized given the recent date of implementation. Government-funded counseling centers or youth welfare organizations provided assistance to approximately one-third of victims identified, and just under half of identified victims did not receive specialized care. Efforts to identify and assist labor trafficking victims and prosecute and convict labor traffickers remained inadequate given the scope of the problem.



RECOMMENDATIONS FOR GERMANY

Sentence convicted traffickers to punishments proportionate to the severity of the crime; increase efforts to address labor trafficking through proactive identification of victims and public awareness campaigns on criminal code reforms; increase the number of victims provided government-funded services; increase the capacity of prosecutors and courts to minimize delay in bringing cases to trial; standardize victim assistance measures and cooperation with civil society across the 16 federal states, including on labor trafficking victim assistance; extend more specialized care based on trafficking victims' specific needs; expand longer-term residence permit eligibility for victims; and conduct awareness campaigns targeting beneficiaries of forced labor and clients of the commercial sex industry.

PROSECUTION

The government maintained law enforcement efforts. The criminal code prohibits all forms of sex and labor trafficking under sections 232 and 233, respectively. Punishments prescribed in these statutes range from six months to 10 years imprisonment and are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Amendments to the criminal statutes on both labor and sex trafficking went into effect in October and include forced begging and forced criminal behavior and stronger penalties in cases in which the victims are under the age of 18 (where as the law had earlier applied only to victims under the age of 14), and also impose penalties on persons knowingly engaging trafficking victims as a purchaser of commercial sex. Section 233, however, posed significant challenges for law enforcement and judicial officials due to its complex wording and scope of application. As a result, prosecutors often charged suspected perpetrators with offenses that were easier to prove than coercion in labor and sex trafficking, or reduced charges through the use of plea bargains. For sex trafficking the law does not require proof of force or coercion to prosecute perpetrators if the victim who is induced to engage in prostitution is under age 21. Statistics on criminal convictions provided by the government did not include cases involving trafficking when a trafficker was tried

and convicted for a different criminal offense with a longer sentence. This may have lowered the reported number of trafficking offenses recorded, as well as the number of traffickers convicted on a different charge. Government statistics indicated convicted traffickers frequently avoided imprisonment, creating potential safety problems for trafficking victims, weakening deterrence, and undercutting efforts of police and prosecutors.

The government reported actions against sex trafficking in 2015, the most recent year for which comprehensive statistics were available. Police identified 573 suspected sex traffickers, an increase from 507 identified in 2014, 25 percent of whom were German citizens. State and federal authorities completed 364 pre-trial sex trafficking investigations in 2015, a slight decline from 392 in 2014 and 425 in 2013. Authorities prosecuted 89 defendants for sex trafficking in 2014, a decline from 105 prosecutions in 2014. Courts convicted 72 sex traffickers in 2015, compared to 79 in 2014 and 77 in 2013, with less than 30 percent serving prison time. Most convicted traffickers received lenient prison sentences under a provision in the criminal code allowing suspension of prison sentences under two years, particularly for first-time offenders. Of the 72 sex trafficking convictions, 12 received only a fine or other non-incarceration penalty, 45 were sentenced to two years or less, and 42 of those received suspended sentences. In total, only 19 sex traffickers were sentenced to actual prison time, 16 serving sentences between two and five years, and three serving less than two years.

For labor trafficking, police identified 24 suspected labor traffickers in both 2015 and 2014. The government investigated 19 cases in 2015, an increase from 11 in 2014. Authorities prosecuted 12 alleged labor traffickers in 2015, compared with 17 in 2014. Courts convicted five of these offenders, compared with eight convicted in 2014. Three received a suspended sentence and two received prison terms. Of the 77 combined convictions for labor and sex trafficking, 13 were against persons between age 18 and 21, considered juveniles under German law. Juvenile cases are tried under a separate system, in which case the court has discretion to examine the offender's degree of maturity and the type of offense committed relative to the maturity level. Prosecution within the juvenile system allows a wider range of sentences other than incarceration. Authorities seized assets in only a few investigations, totaling €512,000 (\$539,520) in 2015. Prosecutors must prove seized assets were direct proceeds of trafficking, a difficult burden to meet.

Although sex trafficking cases were frequently led by prosecutors with experience assisting victims through trial processes, labor trafficking cases were mostly assigned to financial or economic crime sections with less experience with trafficking or victim-centered prosecutions. Police, prosecutors, and some NGOs also noted a decrease in specialized knowledge, especially as cases moved to trial. NGOs and officials reported mixed experiences with the judiciary; while some judges were sensitive to victims' trauma, others subjected victims to repeated testimonies or made insensitive statements about their experiences. According to NGOs, the duration of the average criminal investigation remained too long, sometimes years, and police in many jurisdictions lacked sufficient staff to process the workload in a timely manner. Judges were sometimes unfamiliar with special considerations in trafficking cases and were not required to take training on trafficking crimes and victim-centered procedures. The German Judicial Academy continued annual anti-trafficking training to prosecutors and judges covering the sexual exploitation of women and children in connection with cross-border crime, with 27 persons receiving training in 2016.

The Federal Criminal Police organized specialized seminars to educate investigating officers and prosecutors on trafficking. Both federal and state-level police collaborated with EUROPOL and several foreign governments, including Romania, Bulgaria, and Nigeria, to investigate trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained victim protection efforts. Authorities identified 416 sex trafficking victims in 2015, a decrease from 557 in 2014 (the decline explained in part due to a single case in 2014 with 110 victims). Government-funded counseling centers or youth welfare organizations provided assistance to approximately 36 percent of victims identified, while 48 percent did not receive specialized care, and there was no information on the remaining 16 percent of victims. The government asserted many victims did not receive counseling due to their lack of interest, return home, or return to prostitution. Of identified sex trafficking victims, 20 percent were under age 18 and 34 percent were between 18 and 21 years old.

The government identified 54 labor trafficking victims, a significant increase from 26 in 2013, with one-third in the agricultural sector and one-fourth in the construction sector. One investigation in Saxony-Anhalt involved 18 Romanian citizens found living and working in the agriculture industry under precarious conditions with wages withheld, following recruitment by a licensed recruiter.

Thirteen of the 16 states had formal cooperation agreements with trafficking counseling centers, but not all of these agreements addressed labor trafficking. NGOs, funded in part by the government, operated counseling centers in 45 cities, providing or facilitating shelter, medical and psychological care, legal assistance, vocational support, and other services, largely for adult female sex trafficking victims, estimated at 90 percent of the total victims identified. Some counseling centers dealt specifically with boys, although NGOs reported the availability of adequate and secure accommodation was insufficient in some parts of the country. The government mandated counseling centers to provide services to both labor and sex trafficking victims, although many solely provided services to female sex trafficking victims, and the centers were generally less experienced with labor trafficking. There was no comprehensive or long term support available for children and male trafficking victims. Trade union-affiliated and migrant counseling centers coordinated with trafficking NGOs to offer support to labor trafficking victims. The federal government-funded an umbrella organization responsible for NGO-run counseling centers, and many state governments provided significant supplemental funding for victim support.

The government offered undocumented victims a reflection period of three months to decide if they would testify in court. Only those victims who agreed to testify were allowed to remain and work in Germany beyond the reflection period, which was limited to the duration of the trial. Victims who faced injury or threats to life or freedom in their countries of origin or in cases of humanitarian hardship could apply for residence permits. Family members were eligible for residency in certain circumstances. State interior ministries circulated instructions on completing an application for humanitarian residence permits for victims, and NGOs confirmed the application system seemed to work in practice. However, the law still gives some discretion

to authorities before approval, and a perceived uncertainty hindered the willingness of some victims to identify themselves and in turn testify against suspected traffickers. Since most labor and sex trafficking victims were either German or EU citizens and did not require permits to remain in Germany, authorities asserted this was not a large scale concern; however, NGOs cited that some non-German or non-EU victims remained fearful of coming forward given the uncertainty of application approval, although NGOs also confirmed there were no known denials of a residency application in these situations. Subject to certain requirements victims may join criminal trials as joint plaintiffs, entitled to free legal counsel and pursuit of civil remedies; however, victims often had difficulty obtaining compensation in practice. The law entitles victims to an interpreter and a third-party representative from a counseling center to accompany them to all interviews. The law also exempts trafficking victims from criminal prosecution for minor crimes committed during the course of their trafficking; however, prosecutors anecdotally cited cases where victims were given small or suspended fines for crimes such as narcotics possession. An NGO also noted that police often raised the issue of legal status in Germany when questioning trafficking victims, which was counterproductive in gaining victims' cooperation for further investigation.

PREVENTION

The government maintained efforts to prevent trafficking. The government did not prioritize labor trafficking as highly as sex trafficking, but continued to increase efforts to assess and address labor trafficking through a partially federally funded labor alliance conducting research, raising awareness, and providing victim identification training. The federal-state working group on trafficking in persons disseminated best practices, provided input and evaluation on the government's anti-trafficking efforts, and collaborated with anti-trafficking coordination bodies at state and local levels. The federal-state working group against labor trafficking, formed in 2016, held working group meetings in April and June. In October, the labor ministry presented a first draft strategy to combat labor trafficking based on input from these meetings, which included recommendations to establish a national rapporteur, improve coordination within the federal government, and establish a national coordinating service point for labor trafficking issues. The government continued, however, to debate the need for a national rapporteur given existence of other interagency and state-federal coordination anti-trafficking entities.

Working with NGOs, the government co-funded and implemented various public awareness campaigns during the reporting period. The Federal Agency for Migration and Refugees (BAMF) trained officials on identifying victims among asylum-seekers, and implemented standard procedures for handling and reporting suspected trafficking cases among the growing number of petitioners for asylum. Recommendations in a BAMF-funded study on "Flight and Trafficking—Support Structures for Women and Minors," released in December, included improving the system of identification of vulnerable asylum-seekers, increasing personnel in counseling centers trained in trafficking issues, expanding support for care of minors, and researching why victims from some countries have a much higher rate of seeking assistance. The government, in cooperation with an NGO, continued to hold informational events and annual in-person interviews with domestic workers employed by embassies in Berlin without the presence of their employers, advising them of their rights and anti-trafficking laws.

The federal criminal police continued to publish an annual

report on trafficking in Germany, describing law enforcement efforts, victim trends, and challenges in addressing the crime, and in November the government published its report on human rights, including national and international counter-trafficking efforts. The government continued to fund a hotline for women affected by violence, including female trafficking victims. The hotline was available in 15 languages, and provided counseling in 86 trafficking-related cases in 2015, a 50 percent increase from 2014. The government did not make efforts to reduce the demand for commercial sex or forced labor. However, a new law published in October 2016 slated to go into effect in July 2017, strengthens protections for persons in prostitution, including registration of those employed in commercial sex and requiring background checks on brothel management employees. Law enforcement collaborated with foreign officials to investigate German citizens' participation in child sex tourism, and a German citizen was convicted in Germany in April to four years in prison for sexual abuse of minors in Cambodia. The government did not provide anti-trafficking training for its diplomatic personnel, but did so for troops prior to deployment on international peacekeeping missions. The Ministry of Foreign Affairs funded six anti-trafficking programs in source countries in 2016, including victim identification and prevention campaigns in South America, training of law enforcement and border protection forces in sub-Saharan Africa, and capacity building on trafficking prevention in the Middle East and North Africa.

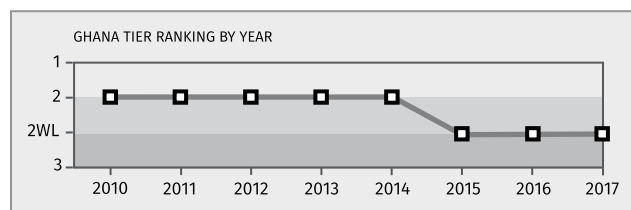
TRAFFICKING PROFILE

As reported over the past five years, Germany is a source, transit, and destination country for women, children, and men subjected to sex and labor trafficking. Most identified sex trafficking victims in Germany are European, primarily Bulgarians, Romanians, and Germans, although victims also come from most other regions of the world, particularly Nigeria and other parts of Africa. Most sex trafficking victims are exploited in bars, brothels, and apartments. Labor trafficking victims are predominantly European, including Bulgarians, Poles, and Romanians, as well as Afghans, Pakistanis, and Vietnamese. Victims of forced labor are exploited on construction sites and in agriculture, hotels, meat processing plants, seasonal industries, restaurants, and diplomatic households. Romani and foreign unaccompanied minors are particularly vulnerable to trafficking, including forced begging and coerced criminal behavior. The large influx of migrants during the 2015 and 2016 refugee crises continues to place a significant strain on government resources at all levels and among agencies responsible for combating trafficking. This impacted the overall capacity to screen and identify potential trafficking victims among irregular migrant arrivals, and these irregular migrants and refugees remain vulnerable to sex and labor trafficking. Several foreign governments also reported German citizens engaged in sex tourism abroad.

GHANA: TIER 2 WATCH LIST

The Government of Ghana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by providing protection services to more child trafficking victims, raising awareness, developing agreements with other governments to prevent cross-border sex and labor trafficking of Ghanaian citizens, and collaborating with international organizations and NGOs to develop and begin implementation of victim

identification and referral procedures and a national action plan. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not convict any traffickers under the anti-trafficking law; insufficient resources for investigation and prosecution led to inadequate evidence collection and hindered prosecution efforts. Victim protection services remained limited, and the lack of systematic data collection hindered efforts to monitor, analyze, and report on anti-trafficking efforts. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Ghana was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore, Ghana remained on Tier 2 Watch List for the third consecutive year.



RECOMMENDATIONS FOR GHANA

Increase the number of traffickers held accountable for their crimes by providing sufficient support for police and immigration service investigators and prosecutors, and attorney general prosecutors to effectively investigate and prosecute sex trafficking and labor trafficking offenses using the anti-trafficking act; increase government support for comprehensive trauma-informed care and reintegration services for children in government-operated shelters, including child sex trafficking victims; implement the national plan of action against trafficking with dedicated resources, including funding and implementation of the human trafficking fund; provide protection and assistance services for adult trafficking victims; increase efforts to ensure attorney general prosecutors review human trafficking case dockets and lead the prosecution of human trafficking cases; provide advanced training to law enforcement on evidence collection in trafficking cases and to prosecutors and judges on pursuing cases under the anti-trafficking act; fully implement systematic procedures for law enforcement, social welfare personnel, and labor inspectors to proactively identify trafficking victims among vulnerable populations and refer them to protective services; develop and implement systematic methods of collecting and reporting data on investigations, prosecutions, victims identified by enforcement and protection agencies, and assistance provided; and increase efforts to investigate and prosecute recruitment agencies suspected of participating in human trafficking of Ghanaian migrant workers.

PROSECUTION

The government maintained modest anti-trafficking law enforcement efforts. The 2005 Human Trafficking Act, amended in 2009 to align its definition of human trafficking with the 2000 UN TIP Protocol, criminalizes all forms of trafficking, essentially tracking international law in defining the crime as the use of force, fraud or coercion for the purpose of exploitation, to include forced labor and prostitution. It also provides that a defendant will be guilty of the crime of sex trafficking of a child if the child is induced to engage in prostitution without regard to the use of force, fraud or coercion. The Human Trafficking Act

prescribes penalties of a minimum of five years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The 2015 regulations for this Act provide specific guidance on sentencing depending on the circumstances; in general the term is not less than five years and not more than 25 years, but if a parent, guardian or other person with parental responsibilities facilitates or engages in trafficking, they are liable to a fine or a term of imprisonment of not less than five years and not more than 10 years, or both. By allowing for a fine in lieu of imprisonment, this prescribed punishment is not commensurate with those for other serious crime, such as rape.

The government did not report comprehensive statistics on its anti-trafficking law enforcement efforts during the reporting period January 1-December 31, 2016. The Ghana police service (GPS) anti-human trafficking unit (AHTU) reported conducting 118 investigations of potential trafficking crimes, compared with 238 investigations in 2015; of these, 114 were for labor trafficking and four for sex trafficking. The Ministry of Employment and Labor Relations (MELR) investigated three licensed recruitment agencies for suspected human trafficking during the reporting period and referred two cases to the AHTU for further investigation. The Ghana Immigration Service (GIS) reported investigating 20 cases of suspected cross-border trafficking, compared with 10 cases in 2015; of these, 18 cases involved suspected labor trafficking, one alleged sex trafficking, and another both sex and labor trafficking. The GPS reported initiating prosecutions against seven defendants, compared with 21 defendants in 2015. The GIS reported preparing for prosecution the case of one defendant in a case involving three Ghanaian children intercepted before being sent to Cameroon for suspected labor trafficking. The GPS also reported prosecuting at least 17 labor trafficking cases and three sex trafficking cases initiated in prior years that remained pending before the courts; many of these cases were reportedly stalled and an unknown number of pending cases were dismissed due to a lack of evidence, inability to locate the alleged perpetrator, or victims' reluctance to testify. The attorney general's (AG) department reviewed 217 open investigations of the Greater Accra AHTU and determined many cases were inadequately investigated and recommended only five cases for prosecution by state attorneys; however, these cases were not brought to trial during the reporting period. As in the previous reporting period, the government reported no convictions under the anti-trafficking act in 2016; however, the government reported seven convictions for offenses using other statutes that resulted in lesser penalties. For example, prosecution of a trafficker for the labor exploitation of a 15-year-old boy working on a fishing boat without pay on Lake Volta resulted in a sentence of a fine of 720 cedis (\$170). A reported lack of evidence resulted in reduced charges in a case in which the government convicted and sentenced to two months imprisonment two traffickers for the forced prostitution of a Nigerian woman. In addition, the GPS reported four convictions for labor trafficking but did not report information about sentencing. Despite continued reports of general corruption and bribery in the judicial system as well as interference with police investigations of suspected trafficking, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

For the fourth year, the AHTU did not receive operating funds and relied on donor support for logistics, equipment, and facilities for identified adult victims. AHTUs in some regions did not have personnel assigned throughout the reporting period. The GIS also reported a lack of financial support and

inadequate facilities for anti-trafficking activities. The AG's office also reported a shortage of prosecutors. The government supported a specialized anti-trafficking training for 25 border security and law enforcement officers, trained officers assigned to the new anti-trafficking airport taskforce, and provided in-kind support for a donor-funded training for investigators and prosecutors during the reporting period. New recruits in the GIS and the GPS received training on trafficking-related topics as part of their basic training.

PROTECTION

The government maintained modest efforts to identify and assist victims. The human trafficking fund, established by the 2005 Human Trafficking Act to finance protection efforts, continued to be unfunded for the fifth consecutive year and agencies responsible for victim identification and assistance reported a continued lack of funds to support services for both children and adults. The government did not report comprehensive statistics on the number of trafficking victims it identified or assisted. The AHTU reported identifying 121 potential victims, of whom 112 were victims of labor trafficking and nine of sex trafficking, compared with 112 victims reported identified in 2015. Most identified victims were adults; 28 were children. The GIS identified 42 potential trafficking victims, including 19 at airports, border crossings, and GIS offices, and 23 repatriated from Saudi Arabia and Kuwait, most of whom were young adult females and seven of whom were potential child labor trafficking victims. The Ministry of Foreign Affairs and Regional Integration (MFA) facilitated the repatriation of Ghanaian trafficking victims identified abroad by liaising with the victims' families, private donors, and the government in the destination countries. Private citizens and NGOs continued to take primary responsibility for funding the return of Ghanaians trafficked abroad. NGOs working in cooperation with local social service workers and police identified and assisted 102 child trafficking victims, 61 boys and 41 girls. With support from donors, the Department of Social Welfare provided medical, legal, and psycho-social services for 31 child victims of labor trafficking, nine boys and 22 girls, in a shelter for abused children in Osu, and referred 76 child victims of labor trafficking, 66 boys and 10 girls, to private shelters in the Central Region. Of these 107 children, 75 were reintegrated with their families and 32 remained in the shelter at the end of the reporting period. Five foreign national children received psycho-social and legal assistance in the Osu shelter. The shelter in Osu provides short-term care and has a maximum capacity of 30 children. This shelter is co-located with a juvenile correctional facility with no structural barrier protecting the victims from criminal offenders, is in serious disrepair, and lacks security. The government provided the salaries of the Osu shelter staff and approximately 3,710 cedis (\$880) for shelter operations; the shelter also relied on support from donors and internally generated funds to help feed, clothe, and provide care for trafficking victims. Numerous NGOs, without government support, continued to provide shelter and comprehensive care to child victims of forced labor; few services were available for child sex trafficking victims. The government did not provide shelter or other services for adult victims of trafficking. The GIS and AHTU reported they did not have the means to provide shelter or to effectively protect witnesses. Ghanaian law permits victims of trafficking to pursue restitution by filing a civil suit. No such suits were reported; however, the government reported that some Ghanaian victims received unpaid wages from foreign employers after the victims reported their case to authorities.

The government collaborated with international organizations

and NGOs to develop formal procedures to identify and refer victims and began implementing these mechanisms during the reporting period. GIS deployed some officers with training on the indicators of trafficking to field offices, including at the border. Foreign victims may seek temporary residency during the investigation and prosecution of their cases and, with the interior minister's approval, permanent residency if deemed to be in the victim's best interest; no victims sought temporary or permanent residency during the year. The GIS supported the repatriation of an adult sex trafficking victim to Nigeria in coordination with a Nigerian anti-trafficking agency. There were no reports victims were penalized for unlawful acts committed as a direct result of being subjected to trafficking; however the GIS reported placing one trafficking victim in a detention facility due to a lack of budgetary resources or government-run shelter for adult victims.

PREVENTION

The government increased anti-trafficking prevention efforts. The government supported three meetings during the year of the Human Trafficking Management Board (HTMB), the inter-ministerial committee responsible for advising the Ministry of Gender, Children, and Social Protection on anti-trafficking policy, promoting prevention efforts, and facilitating the rehabilitation and reintegration of trafficking victims. HTMB did not receive sufficient personnel and government funds to fulfill its mandate to conduct monitoring and evaluation, data collection, and research relating to trafficking. The HTMB Secretariat developed and distributed a template for collecting and reporting governmental anti-trafficking activities; however, reliable data collection for analysis and reporting of anti-trafficking enforcement and protection activities continued to be lacking. With support from an international organization and with input from stakeholders, the government drafted a National Plan of Action for the Elimination of Human Trafficking in Ghana, 2017-2021, which remained pending final approval. The action plan includes activities under four objectives aligned with the four-P paradigm: prosecution, protection, prevention, and partnership. The government allocated 1.5 million cedis (\$355,450) toward the implementation of the plan in 2017, including 500,000 cedis (\$118,480) for the human trafficking fund. The local government authorities in 20 communities in two regions partnered with an NGO to conduct community-level training on child trafficking prevention and identification and appropriate care for child trafficking victims. The government did not fulfill its commitment to increase its resources devoted to combating child trafficking as it had committed to do as part of its partnership with a foreign donor. In response to continued reports of sex and labor trafficking, as well as serious physical abuse of Ghanaian women recruited for domestic and hospitality jobs in the Middle East, the MFA, Ministry of the Interior, MELR, GIS, GPS, and the HTMB Secretariat participated in radio and television programs to raise awareness of fraudulent recruitment agencies and advise prospective job seekers to avoid unlicensed agencies. The MELR increased the number of registered recruitment agencies from 22 to 44 and widely publicized the list of these agencies. The government also signed an MOU with the Government of Jordan to formalize labor recruitment between the two countries and provide support for repatriation of Ghanaian trafficking victims identified in Jordan. Ghana and Cote d'Ivoire also signed a cooperation agreement on the fight against cross-border child trafficking and the worst forms of child labor. The government made no efforts to decrease the demand for forced labor or for commercial sex acts. The government relied on foreign donors to provide anti-trafficking training to Ghanaian troops prior

to their deployment abroad on peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

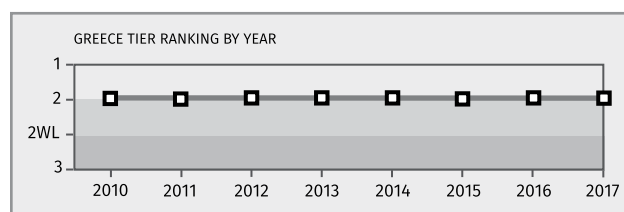
TRAFFICKING PROFILE

As reported over the past five years, Ghana is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The exploitation of Ghanaians, particularly children, within the country is more prevalent than the transnational trafficking of foreign nationals. Ghanaian boys and girls are subjected to forced labor within the country in fishing, domestic service, street hawking, begging, portering, artisanal gold mining, quarrying, herding, and agriculture. Donor-funded research focused on the fishing industry on Lake Volta indicated that more than half of the children working on and around the lake were born in other communities and many of these children are subjected to forced labor, not allowed to attend school, given inadequate housing and clothing, and are controlled by fishermen through intimidation, violence, and limiting access to food. Boys as young as five years old are forced to work in hazardous conditions, including deep diving, and many suffer water-born infections; girls perform work on shore such as cooking, cleaning fish, and preparing fish for market, and are vulnerable to sexual abuse. A study of the prevalence of child trafficking in selected communities in the Volta and Central Regions indicated that children from nearly one-third of the 1,621 households surveyed had been subjected to trafficking, primarily in fishing and domestic servitude. Child trafficking in the fishing industry is often facilitated by parents who receive a payment and organized traffickers who target vulnerable communities; girls exploited in domestic servitude are often sent via relatives or middlemen to work in harsh conditions. Ghanaian girls, and to a lesser extent boys, are subjected to sex trafficking in Ghana. Sex trafficking of Ghanaian girls has been reported in the Greater Accra, Ashanti, Central, Volta, and Western regions. As part of a ritual to atone for sins of a family member, Ghanaian girls are subjected to servitude that can last for a few months or several years. Ghanaian girls and young women from the rural northern regions move to urban centers throughout Ghana to seek work as porters; they are at risk for sex trafficking and forced labor.

Ghanaian women and children are recruited and sent to the Middle East, West Africa, and Europe for forced labor and sex trafficking. Unscrupulous agencies arrange transport of Ghanaians seeking employment in Europe through neighboring African countries, where they are subjected to sexual exploitation and held involuntarily by traffickers who extort funds from the victims. Licensed and unlicensed agencies recruit young Ghanaian women for domestic service or hospitality industry jobs in countries in the Middle East. After their return, many of them report being deceived, overworked, starved, abused, molested, and/or forced into prostitution. Ghanaian men are also recruited under false pretenses to go to the Middle East, where they are subjected to domestic servitude and forced prostitution. In recent years, a few Ghanaian men and women were identified as victims of forced labor in the United States. Women and girls voluntarily migrating from Vietnam, China, and neighboring West African countries are subjected to sex trafficking in Ghana. Citizens from West African countries are subjected to forced labor in Ghana in agriculture or domestic service. Ghana is a transit point for West Africans subjected to sex trafficking in Europe, especially Italy and Germany. Corruption and bribery in the judicial system hinder anti-trafficking measures.

GREECE: TIER 2

The Government of Greece does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Greece remained on Tier 2. Despite Greece's economic crisis and the influx of refugees and migrants to the country, which placed a significant strain on government resources, the government demonstrated increasing efforts by operationalizing a national referral mechanism and organizing working groups to establish roles and responsibilities for relevant actors. The Office of the National Rapporteur on Human Trafficking continued to coordinate government wide anti-trafficking efforts, including the annual anti-trafficking awareness festival, attended by more than 6,000 people. The Anti-Trafficking Unit (ATU) continued proactive victim identification efforts and maintained excellent cooperation with NGOs. However, the government did not meet the minimum standards in several key areas. The government decreased investigations, prosecutions, and convictions. The government conducted inadequate or hasty screening procedures and vulnerability assessments at migrant entry points and camps. No victims to date have received compensation or received restitution from their traffickers. Court proceedings took years, hindering cooperation from victims and key witnesses.



RECOMMENDATIONS FOR GREECE

Vigorously investigate, prosecute, and convict traffickers, including officials complicit in trafficking; increase efforts to identify trafficking victims among vulnerable populations and refer them to specialized services; provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions; establish formal procedures for the national referral mechanism, including formalizing NGO and international organization services into the mechanism; train first responders on victim identification and the national referral mechanism; strengthen specialized services including shelter and psycho-social support for adult male and child victims; employ witness protection provisions already incorporated into law to further encourage victims' participation in investigations and prosecutions; allocate adequate funds towards a compensation fund and inform victims of their right to compensation; and draft a national action plan for combating trafficking.

PROSECUTION

The government decreased law enforcement efforts. Law 3064/2002 and Presidential Decree 233/2003 prohibit both sex trafficking and forced labor and prescribe punishments of up to 10 years imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Police investigated 25 cases involving 97 suspected traffickers, compared to 32 cases in 2015. Of these,

18 were sex trafficking cases and seven forced labor cases (26 sex trafficking cases and six forced labor cases in 2015). The government prosecuted 32 defendants (117 in 2015), 25 of these for sex trafficking and seven for forced labor (97 for sex trafficking and 20 for forced labor in 2015). The government convicted nine traffickers (34 in 2015). Sentences ranged from 10 to 15 years imprisonment plus fines from €10,000 (\$10,540) to €100,000 (\$105,370). The courts issued suspended sentences in 19 cases. Observers reported court proceedings could take years, hindering cooperation from victims and key witnesses. Observers reported lawyers went on strike from January 2016 to June 2016, which halted or slowed all court proceedings. Severe budgetary constraints stemming from Greece's seven-year financial crisis continue to impact police efforts.

The Hellenic Police Unit maintained an ATU within the organized crime division composed of two units in Athens and Thessaloniki that investigated trafficking and 12 smaller units across municipalities investigating trafficking and also organized crime related offenses. ATU officers continued to use advanced investigative techniques and regularly inspected brothels, bars, and massage parlors. NGOs continued to report excellent cooperation with the ATU. The government trained front-line officers, including border police and coast guard, on trafficking issues and the ATU provided regular seminars and presentations at the police academy on trafficking; however, observers reported non-specialized law enforcement and government officials lacked an understanding of how emotional control or psychological coercion can be used to gain consent from a victim. The government prosecuted two police officers involved in an organized criminal group that sexually exploited women. One was charged with membership in an organized criminal group, sexual exploitation, and "breach of faith and abuse of power," and the other with "breach of faith and abuse of power" and customs law violation. The government extradited three suspected traffickers to Switzerland and prepared extradition for two individuals to Mexico and Albania. In March 2017, the European Court of Human Rights ruled that Greece failed to protect 23 Bangladeshi laborers on a strawberry farm near the town of Manolada in a forced labor case in 2013. The court found Greece to be in violation of article 4 § 2 of the European Convention on Human Rights and ordered Greece to pay out more than half a million euro for neglecting their exploitation.

PROTECTION

The government slightly increased victim protection efforts. Police identified 46 trafficking victims, compared to 57 in 2015; 26 were subjected to sex trafficking, including five children, and 20 to forced labor, including 11 children (34 to sexual exploitation, including four children, and 23 to forced labor in 2015). Eleven victims were Greek and 35 were foreign citizens. The government was unable to determine how much funding was spent exclusively on victim protection, and NGOs expressed concerns regarding government funding shortfalls caused by Greece's seven-year economic crisis and fiscal measures imposed as part of its international bailout.

First responders followed standard operating procedures for identifying victims. Observers reported NGOs and the ATU conducted the majority of proactive victim identification efforts. The government, separately and in cooperation with international organizations and NGOs trained law enforcement, immigration officers, social service workers, labor inspectors, and health workers on identifying trafficking victims, including potential victims among refugees and migrants; however,

observers reported inadequate or hasty screenings procedures and vulnerability assessments at migrant entry points and camps. NGOs reported a lack of proactive identification efforts among vulnerable unaccompanied children. For example, observers reported unaccompanied children, particularly from Afghanistan, engaged in survival sex in Athens and were extremely vulnerable to trafficking. Public prosecutors officially certify victims, which entitles them to a residency and work permit; potential victims without this recognition had access to equal support and assistance. Public prosecutors officially certified four victims.

The government operationalized a national referral mechanism and organized working groups to establish roles and responsibilities among law enforcement, government agencies, and NGOs. The government, in cooperation with NGOs, provided shelter, psychological support, medical care, legal aid, and reintegration support. Despite excellent cooperation with the ATU, NGOs reported law enforcement generally demonstrated reluctance to refer victims to NGO-run support services due to a lack of formalized referral procedures incorporating NGOs. Observers reported a lack of specialized shelters for trafficking victims; only one NGO-run shelter provided shelter specifically for female trafficking victims. The government provided shelter and general support services to trafficking victims through two agencies: (1) the General Secretariat for Gender Equality operated 19 shelters and 40 counseling centers for female victims of violence and (2) the National Social Solidarity Center operated two long-term shelters, one of which had an emergency section, an emergency shelter, and two social support centers for vulnerable populations in need of assistance. Observers reported victims in rural areas had little access to support services and were often accommodated in police stations, hospital wards, or received no assistance. Male victims could be accommodated in an NGO-run shelter for sexually exploited men or short-term government shelters for asylum-seekers or homeless persons. Child victims were sheltered in government-run shelters, NGO shelters, and facilities for unaccompanied minors, but were not housed in specialized facilities for trafficking victims. The government signed a cooperation agreement with three NGOs to house, protect, and assist vulnerable women and children, including trafficking victims, and allocated three buildings to use as shelters. The government trained police on preventing child trafficking and protecting unaccompanied minors. The government did not detain, jail, incarcerate, fine, or otherwise penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

The government provided victims with a reflection period so they could determine if they wanted to cooperate in investigations. The government did not provide funding for travel and other expenses to attend court hearings; however, NGOs provided some victims with legal support and funding for travel expenses. The law also provides for the presence of mental health professionals when victims are testifying and the use of audiovisual technology for remote testimony, but many courts lacked the capabilities to deploy these resources and many judges continued to require victims to appear in court. The law provides for witness protection to victims during trial; however, observers reported no trafficking victims have received full witness protection privileges to date, while authorities stated no victims requested such protection. Observers reported traffickers may have paid bribes to repatriated trafficking victims to preclude them from testifying. Official victim status provided foreign victims one-year, renewable residence and work permits. Victims who did not apply for official recognition

could receive a residence and work permit by applying for asylum on humanitarian grounds; the government issued 23 residence permits to female trafficking victims in 2016. Observers reported the process to receive residence permits took time but the government granted victims a temporary document that prevented deportation or detainment. The law entitles victims to file civil suits against traffickers for compensation; however, no victims to date have received compensation or received restitution from their traffickers. The government reported trafficking victims have never applied for compensation.

PREVENTION

The government maintained efforts to prevent trafficking. The government had no national action plan exclusively for anti-trafficking efforts. The Office of the National Rapporteur on Human Trafficking (ONRHT) continued to coordinate government wide anti-trafficking efforts despite lacking sufficient resources. The government monitored anti-trafficking efforts and provided assessments to foreign governments, NGOs, and international organizations; however, the government did not make assessments publicly available. The government reinstated the parliamentary sub-committee on trafficking issues and held the first meeting in June. The development of a national database for trafficking statistics remained pending during the reporting period. The government organized and funded its second national two-day anti-trafficking awareness festival, attended by more than 6,000 people. ONRHT reported, after the festival, that the hotline and police received an increase in calls reporting trafficking offenses, including clients of prostitution reporting possible trafficking victims within brothels. The government organized a series of annual anti-trafficking seminars for civil servants. The government provided airtime for free public service announcements by NGOs and government agencies on trafficking issues. The government continued efforts to reduce the demand for commercial sex and forced labor. The government provided anti-trafficking guidance for its diplomatic personnel and manuals on identifying trafficking victims to facilitate granting visas.

TRAFFICKING PROFILE

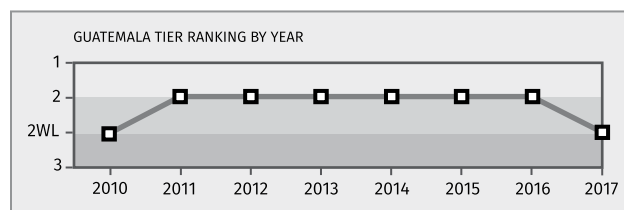
As reported over the past five years, Greece is a destination, transit, and, to a very limited extent, source country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Some women and children from Eastern and Southern Europe, South Asia, Nigeria, and China, are subjected to sex trafficking in unlicensed brothels, on the street, in strip clubs, massage salons, and hotels. Victims of forced labor in Greece are primarily children and men from Eastern Europe, South Asia, and Africa. Migrant workers from Bangladesh, Pakistan, and Afghanistan are susceptible to debt bondage, reportedly in agriculture. Some labor trafficking victims enter Greece through Turkey along irregular migration routes from the Middle East and South Asia. Economically marginalized Romani children from Albania, Bulgaria, and Romania are forced to sell goods on the street, beg, or commit petty theft in Greece. The increase in unaccompanied child migrants in Greece has increased the number of children susceptible to exploitation. Some public officials have been investigated for suspected involvement in human trafficking.

During the reporting period, Greece continued to experience a wave of migration from the Middle East, Africa, and Asia, consisting of a mix of asylum-seekers, potential refugees, economic migrants, and populations vulnerable to trafficking, among others. One international organization estimated Greece

received more than 170,000 migrants and asylum-seekers in 2016; some of these individuals, such as unaccompanied children and single women, are highly vulnerable to trafficking. Unaccompanied children, primarily from Afghanistan, engage in survival sex and are vulnerable to trafficking. Recruiters target migrants in refugee camps from their own countries. Most migrants and asylum-seekers are believed to rely on smugglers at some point during their journey and in some instances are forced into exploitation upon arrival in Greece.

GUATEMALA: TIER 2 WATCH LIST

The Government of Guatemala does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by re-launching the Inter-Institutional Committee Against Trafficking, developing a work plan, implementing revised inter-institutional protocols for victim protection, increasing the number of prosecutors in its anti-trafficking unit, and expanding outreach to indigenous persons. The government also convicted a former government official. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government prosecuted and convicted significantly fewer defendants; identified fewer trafficking victims in 2016 and referred fewer than half of identified victims to shelters. At least 41 children died and more were injured when a fire broke out in a government-managed shelter already facing accusations of abuse and neglect for failing to properly provide for more than 700 children, including trafficking victims. The quality and availability of specialized victim services remained uneven due to a lack of services for adult and male victims. The number of department-level anti-trafficking committees, which identified trafficking cases and conducted prevention activities, significantly declined. Therefore, Guatemala was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR GUATEMALA

Review shelter standards and operations in shelters providing for child trafficking victims nationwide and address overcrowding, abuse, and neglect; improve access to and quality of specialized services for all victims, including for male victims; increase efforts to hold government officials criminally accountable for complicity in trafficking; increase efforts to investigate, prosecute, and convict child sex tourists and others engaged in sex trafficking of children; strengthen implementation of the inter-institutional protocol for the protection and attention to victims of human trafficking; amend legislation to permit adults access to open shelters and enhance comprehensive services and witness protection; investigate and prosecute trafficking offenses, with increased focus on suspected cases of forced labor and domestic servitude; increase training for judges, who under Guatemalan law have the sole responsibility to refer victims to care, and ensure all victims are referred to appropriate care

facilities; as part of developing a cadre of specialized prosecutors and judges outside of the capital, increase training to law enforcement and criminal justice officials so that forced labor and sex trafficking cases are investigated and prosecuted as trafficking according to the international definition of trafficking; provide reintegration and witness protection support to victims; allocate and disburse funding for specialized victim services, including those administered by NGOs; sustain efforts to identify trafficking victims, particularly among vulnerable populations, such as working children, returning migrants, individuals in the sex trade, and children apprehended for illicit gang-related activities; and target prevention activities toward the most vulnerable populations, including indigenous communities.

PROSECUTION

The government decreased law enforcement efforts to prosecute and convict sex and labor traffickers. The anti-trafficking law of 2009 prohibits all forms of trafficking and prescribes penalties from eight to 18 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. 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. The government initiated investigations of 243 complaints of trafficking-related offenses in 2016, compared with 280 investigations in 2015, and prosecuted 43 defendants in 39 separate trafficking-related cases, compared with 105 defendants in 28 separate cases in 2015. These cases included suspects prosecuted for trafficking, including individuals who solicited or patronized a person for the purpose of a commercial sex act, as well as illegal adoption. Authorities secured 13 convictions in 2016, compared with 39 in 2015, with sentences ranging from eight to 24 years imprisonment. The government convicted a former government official of sex trafficking and sexual abuse of a child and imposed a sentence of 22 years imprisonment and sentenced the child's mother to 24 years imprisonment for human trafficking and crimes against a minor.

Anti-trafficking police and prosecutors' capacity to conduct investigations outside of the capital, while improved, continued to be limited by inadequate funding and training; however, the government designated additional funds for 2017 to open prosecution branches in Quetzaltenango, Puerto Barrios, and Flores. Specialized courts, including a specialized 24-hour court in Guatemala City, continued to hear trafficking and gender-based violence cases. Some judges, especially in the interior, lacked adequate training to apply forensic evidence in prosecutions. Officials did not identify any cases of forced criminal activity. Guatemalan officials trained 100 prosecutors and paralegals on trafficking indicators and identifying trafficking victims, among other topics. Guatemalan authorities also held training sessions for labor inspectors, and businesses to enhance identification and prosecution efforts.

PROTECTION

The government significantly decreased efforts to identify and protect victims. The government and NGOs identified 484 trafficking victims in 2016, a significant decrease from 673 victims in 2015, and reported data did not specify the types of trafficking involved in those cases. Of the 484 victims identified, at least 395 were women and girls, compared with a total of 456 in 2015; and 89 victims of trafficking were men

and boys, a decrease from 174 in 2015. The Secretariat against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) revised and implemented the inter-institutional protocol for the protection and attention to victims of human trafficking (the protocol) in 2016 and published a compendium of resources to assist law enforcement agencies, judges, and social workers in identifying victims of trafficking, and included checklists, contact information and resource guides. While some government officials continued to implement a protocol to identify potential forced labor victims during labor inspections, NGOs expressed concern the labor ministry did not proactively look for indicators of forced labor, including in the agricultural sector where workers are particularly vulnerable to forced labor. The government did not report how many children were identified and removed from forced child labor in 2016 compared with at least 135 children removed from forced child labor in 2015.

Guatemalan law requires judges make all referrals to public or private shelters. In 2016, judges referred 256 victims to shelters, a slight increase from 249 referrals in 2015 but less than half of all victims identified. Judges at times referred child victims to their families, leaving some vulnerable to re-trafficking, as family members often were involved in their exploitation. Repatriated victims could be referred to services, but authorities typically did not screen for indicators of trafficking among the large numbers of Guatemalans returned from abroad, including unaccompanied migrant children. The government continued funding three government shelters, as well as NGOs that provided specialized services, mostly for child trafficking victims. The three government-run shelters housed 77 trafficking victims (74 minors and three adults) in 2016, compared to 153 in 2015. While SVET shelters were widely recognized among experts in civil society as superior to the government-run options that existed previously, the quality and availability of specialized victim services remained uneven due to a lack of services for adult and male victims. SVET made several improvements in its shelters in 2016, including adding a computer lab for residents' use; increasing job training opportunities for victims; and implementing a "single-file" system which provided comprehensive tracking for each victim's case information, needs, and services. Secretariat of Social Welfare shelters provided basic services, including food and housing, and more advanced services, such as healthcare, vocational education, and therapy.

In March 2017, at least 41 girls died and more were injured when a fire broke out in an overcrowded government-managed shelter for children. A court had previously ordered authorities to improve conditions at the shelter, which housed more than 700 children, including trafficking victims, despite having a capacity of 400 residents; and faced accusations of maltreatment, including lack of adequate clothing, abuse by staff, and lack of adequate food for the children in its care. Residents set fire to mattresses to protest living conditions and physical and sexual abuse and some were unable to escape because they were held under lock and key. During the aftermath of the fire, one re-housed resident of a SVET shelter for victims of sexual abuse and trafficking disappeared, and in publicizing that disappearance, the government mistakenly revealed the confidential location of a secure shelter, risking the safety of all residents of the shelter. NGOs, international organizations, and the UN reported assisting in efforts to rehouse children, recommended the government redirect the budget for this shelter to other government agencies and NGOs caring for the children, and called for investigations into the shelter's management, which faced allegations of corruption and neglect.

The families of the deceased planned to file a suit against the government for their losses. Guatemala's president called for a restructuring of the country's shelter system. Three government officials face charges of abuse of power, noncompliance with their duties, and maltreatment of minors.

The former government-run shelter for women closed in December 2015; the government planned to cut funding for 2017 to the only trafficking-specific NGO-run shelter for adult women and two non-trafficking specific NGO-run shelters that did not provide comprehensive services for victims. The human rights ombudsman responded by putting the shelter under a management plan and transferring children to small shelters. NGO shelter operators expressed concern for victims' safety upon being discharged from shelters. They cited insufficient ongoing case management and reintegration services in government shelters, leaving some victims vulnerable to re-victimization or retaliation from traffickers—particularly those whose cases involved organized crime groups or public officials. The government ran 15 centers in the country's interior, which provided non-residential reintegration assistance to child trafficking victims and families but not specialized services. The government had no specialized shelters for male victims.

Authorities encouraged victims to assist in the investigation and prosecution of traffickers and made options available for private testimony; 161 crime victims, including some victims of trafficking, received such legal and psychological support from NGOs and the public ministry in 2016 compared to an unspecified number in 2015. Victims residing in government facilities did not receive adequate legal support or witness protection. Prosecutors cited the lack of appropriate protection options for adult victims as an impediment to pursuing prosecutions in cases involving adults. Judges may order restitution when sentencing traffickers, and victims also had the right to file civil claims for compensatory damages and harm suffered as a result of being subjected to trafficking; seven victims received restitution in 2016 compared to none in 2015 and 10 in 2014. There were no reports that the government detained, fined, or otherwise penalized identified victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government, however, did not recognize children forced to engage in criminal activity as trafficking victims; officials acknowledged some of these victims may have been prosecuted or otherwise treated as criminals. Guatemalan law provided legal alternatives to the removal of foreign victims who may face hardship or retribution upon return to their home countries, but all known foreign victims opted for repatriation. Foreign victims had the same access to care as domestic trafficking victims. The government repatriated six Guatemalan trafficking victims identified in other countries.

PREVENTION

The government slightly increased its prevention efforts. SVET continued to oversee the interagency anti-trafficking commission and coordinate government efforts against trafficking and gender-based violence. Officials oversaw 11 departmental networks in the interior of the country, down from 23 in 2015, which identified trafficking cases and conducted prevention activities; network activities decreased from 2015 due to political instability. The government conducted a wide range of initiatives to educate potential victims, the public, government officials, and tourists about the dangers, causes, and consequences of trafficking, including by launching the "Blue Heart" campaign, the first Central American country to do so. Authorities ran prevention campaigns on trafficking awareness and sex tourism

targeting students, visitors to hospitals, activists, airport security officials, tourist police, and businesses. As part of the code of conduct for the prevention of child sex tourism, SVET provided training to 32 businesses across the country, reaching a total of 2,195 individuals. The government did not make discernible efforts to reduce the demand for commercial sex acts nor investigate suspected sex tourists who purchased commercial sex with children. The government worked with NGOs and international partners to launch a campaign to prevent fraudulent recruitment of migrant workers and worked with the private sector to promote policies to exclude products made with forced labor in efforts to reduce the demand for forced labor. The government provided anti-trafficking training to its diplomats and to Guatemalan troops prior to their deployment abroad on international peacekeeping missions.

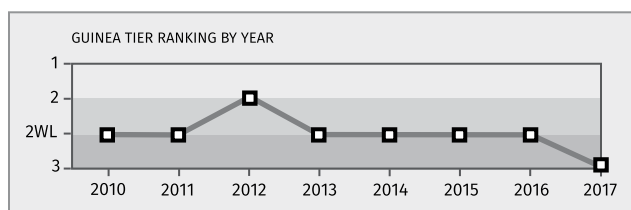
TRAFFICKING PROFILE

Guatemala is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Guatemalan women, girls, and boys are exploited in sex trafficking within the country and in Mexico, the United States, Belize, and other foreign countries. Commercial sexual exploitation of Guatemalan children by foreign tourists from Canada, the United States, and Western Europe, and by Guatemalan residents persists. Women and children from other Latin American countries and the United States are exploited in sex trafficking in Guatemala. Government studies of past cases suggest women recruited victims while men ran criminal organizations. Guatemalan men, women, and children are subjected to forced labor within the country, often in agriculture or domestic service, and in the garment industry, small businesses, and similar sectors in Mexico, the United States, and other countries. Domestic servitude in Guatemala sometimes occurs through forced marriages. Indigenous Guatemalans are particularly vulnerable to labor trafficking. Guatemalan children are exploited in forced labor in begging and street vending, particularly within Guatemala City and along the border with Mexico. Child victims' family members often facilitate their exploitation. Criminal organizations, including gangs, exploit girls in sex trafficking and coerce young males in urban areas to sell or transport drugs or commit extortion. Some Latin American migrants transiting Guatemala en route to Mexico and the United States are subjected to sex trafficking or forced labor in Mexico, the United States, or Guatemala. Police, military, and elected officials have been placed under investigation for paying children for sex acts, facilitating child sex trafficking, or protecting venues where trafficking occurs.

GUINEA: TIER 3

The Government of Guinea 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 Guinea 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. The government took some steps to address trafficking, including prosecuting and convicting the first trafficking-related case since 2014, although none of the perpetrators served prison time; repatriating two groups of Liberian trafficking victims identified in the country; providing funding to the Office for the Protection of Gender, Children, and Morals (OPROGEM), the police unit responsible for trafficking investigations; and

implementing some objectives of its 2016 anti-trafficking national action plan. The government passed a new penal code in 2016 that explicitly criminalizes debt bondage; however, it includes provisions allowing judges to prescribe fines in lieu of prison time in trafficking sentences. The government continued to rely on underfunded NGOs to provide all victim assistance, and although authorities intercepted 74 potential trafficking victims allegedly en route to exploitation in Quranic schools, it did not investigate any traffickers in connection with these cases. Despite the prevalence of forced begging in Quranic schools, Guinean authorities have never prosecuted a *marabout*—a Quranic school teacher—for forced begging. Although there were ongoing reports of official corruption and alleged complicity in trafficking cases, the government did not investigate any officials for alleged participation in or facilitation of trafficking crimes



RECOMMENDATIONS FOR GUINEA

Vigorously investigate, prosecute, and convict suspected traffickers, including complicit officials and *marabouts*, and prescribe sufficiently stringent sentences; expand victim care by increasing financial or in-kind support to NGOs that provide victim services; train magistrates and prosecutors in the lower courts on the trafficking articles in the 2016 penal code; develop systematic procedures for victim identification and referral to services; train police, border officials, labor inspectors, and magistrates on such procedures, as well as case investigation techniques; enact legislation limiting the ability to prescribe fines in lieu of prison sentences and to increase prescribed penalties for forced prostitution; regularly convene the national anti-trafficking committee (CNLTP) and provide it with sufficient resources, including an operational budget, to fulfill its mandate effectively; increase efforts to raise public awareness of trafficking, including internal child forced labor, forced begging in Quranic schools, and adult trafficking; provide OPROGEM the resources and training necessary to regulate recruitment agencies and investigate cases of fraudulent recruitment; harmonize provisions and penalties both within the penal code and with the children's code; amend the definition of trafficking in article 323 of the penal code to conform with the 2000 UN TIP Protocol; update the 2016 national action plan and allocate resources for its implementation; and enhance collaboration and information-sharing among government agencies involved in combating human trafficking.

PROSECUTION

The government maintained minimal law enforcement efforts. In October 2016, the government revised its penal code to criminalize trafficking in persons. It also moved the jurisdiction for human trafficking cases from the high court to the country's lower courts, which may expedite the prosecution process. The 2016 penal code newly criminalized debt bondage but decreased the minimum terms of imprisonment for trafficking crimes and included provisions allowing for fines in lieu of imprisonment. The 2012 penal code prescribed a minimum of

five years imprisonment for trafficking crimes, whereas the 2016 penal code allows for fines alone as the minimum sentence. Article 323 of the 2016 penal code criminalizes the recruitment, transportation, harboring, or receipt of a person by means of violence, threats of violence, or other forms of coercion for the purposes of exploitation. "Exploitation" is defined as in order to commit pimping, sexual aggression, or sexual assault; holding a person in slavery; forced labor; forced begging; organ removal; and forced criminality. With minors, defined in other legislation as younger than age 18, means of violence or coercion are not needed to prove trafficking. Trafficking of adults is penalized by three to seven years imprisonment and/or a fine of 500,000 to 10 million Guinean francs (\$54-\$1,084) and child trafficking (article 324) by five to 10 years imprisonment and/or a fine, which is sufficiently stringent but, with regard to sex trafficking, not commensurate with penalties prescribed for other serious crimes, such as rape. Additional articles in the penal code separately criminalize forced begging, debt bondage, and forced prostitution but provide differing, insufficiently stringent penalties. Article 117 of the criminal procedural code authorizes judges to suspend prison sentences if they find "mitigating" circumstances. Penalties that allow for a fine in lieu of imprisonment are not adequate to deter the crime. The trafficking provisions in the penal code also cover some crimes that are not considered trafficking in the 2000 UN TIP Protocol. The government began but did not finish harmonizing the 2010 child protection code with the 2016 penal code, so magistrates could also prescribe insufficiently stringent penalties for child trafficking offenses using provisions in the 2010 code. Article 386 of the 2010 code prohibits child trafficking and prescribes sufficiently stringent penalties of three to 10 years imprisonment, but articles 388, 389, and 402 provide reduced sentences—with some penalties consisting of fines only—for facilitators of trafficking, parents or guardians complicit in trafficking, and forced begging, all of which are inconsistent with the 2016 penal code.

The government initiated five potential trafficking investigations, prosecuted four alleged traffickers, and convicted three under the 2010 child protection code, compared with one investigation and no prosecutions or convictions the previous reporting period. Border police arrested four individuals in Boko for facilitating the transportation of children to a Quranic school in Senegal, where they allegedly would have faced forced begging. The judge reclassified the case from child trafficking to transporting a minor across the border without authorization and convicted three individuals—the driver and two of the children's parents. These were the government's first convictions for trafficking-related offenses since 2014. The judge sentenced the parents and the driver to six months imprisonment and a fine but suspended the prison sentences, which negated the deterrent effect of these law enforcement measures. The Guinean embassy in Cairo identified several Guinean women exploited in domestic servitude in Egypt. CNLTP arrested one of the alleged recruiters in Conakry but he was later released; it is unclear if the case was dismissed or if he was released on bail pending a trial. One court reported initiating two trafficking investigations—one of which could have been the previous case—but did not provide details. Authorities intercepted four suspected traffickers and four potential victims en route to Kuwait, where the girls allegedly would have been exploited in sex trafficking; the investigation was ongoing at the end of the reporting period. The government also continued one investigation from the previous reporting period involving 14 alleged traffickers, including three *marabouts*. Law enforcement intercepted four additional groups of more than 74 potential victims reportedly destined for forced begging or forced labor in

Quranic schools and removed the children but did not initiate any investigations into the drivers or suspected traffickers. Furthermore, while it directed its attention towards intercepting potential child trafficking victims, the government did not make efforts to address internal child forced labor in mining, domestic servitude, or sex trafficking. The government did not report any investigations, prosecutions, or convictions of officials complicit in human trafficking; however, corruption among law enforcement and the judiciary—suspected to be especially prominent among labor inspectors, customs directors, and heads of police stations—allegedly impeded anti-trafficking efforts.

The government allocated 256 million Guinean francs (\$27,751) to OPROGEM during the reporting period to facilitate trafficking case investigation and victim transportation to NGOs for care. This was the first time the government disbursed funds to OPROGEM specifically to assist with trafficking cases, although the amount was insufficient to cover even the unit's basic operating costs. CNLTP funded training for Guinean and Sierra Leonean border officials on identifying trafficking victims and joint transnational trafficking investigations. Lack of general knowledge of trafficking and the trafficking provisions of the 2016 penal code persisted among government officials, especially judges and prosecutors in lower courts, because the government did not provide training or plan how to effectively shift authority for trafficking crimes to the lower courts.

PROTECTION

The government maintained minimal efforts to protect trafficking victims. The government identified 107 potential trafficking victims, an increase from 48 potential victims the previous reporting period. Border police intercepted six children allegedly en route to forced begging in Quranic schools and returned the children to their parents; the judiciary later convicted the same parents of facilitating their children's transportation to alleged exploitation but suspended the terms of imprisonment. In August 2016, authorities intercepted a caravan of 11 children in Koundara—the same town where 48 potential trafficking victims were intercepted the previous reporting period—allegedly en route to exploitation in Quranic schools, but it was unclear if officials conducted any investigations or referred the children to services. Officials also intercepted three caravans of Liberian and Sierra Leonean children also allegedly destined for exploitation in Quranic schools, and the Ministry of Security coordinated and financed the repatriation of the Liberian victims. The government continued to rely on NGOs and foreign donors to finance and provide all shelter and victim services, and it did not provide funding or in-kind support to these NGOs. Due to a lack of funding, two of three NGO shelters closed during the reporting period. The government referred child trafficking victims to NGOs on an ad hoc basis, and some OPROGEM officials brought victims to their private homes until space became available in NGO shelters.

The government did not encourage trafficking victims to participate in the investigations or prosecutions of their traffickers; reports indicated victims and their parents were reluctant to file claims against traffickers due to a lack of confidence in the justice system. The 2016 penal code allows NGOs to become plaintiffs on behalf of victims. Articles 392-396 of the child protection code provide that child victims, including trafficking victims, have the right to legal representation and a ministry-appointed guardian but, due to the lack of financial and human resources, these services were not available. While it is possible for victims to obtain restitution from the government and file civil suits against their traffickers, victims lack the

funding for and knowledge of the process, so none received restitution during the reporting period. The government did not have policies to provide temporary or permanent residency to victims from countries where, if repatriated, they would face hardship or retribution. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of being subjected to trafficking; due to a lack of formal victim identification procedures, however, some unidentified victims may have been penalized for such crimes.

PREVENTION

The government demonstrated a modest increase in efforts to prevent trafficking. CNLTP continued to meet sporadically, but not all members consistently attended meetings and the committee lacked coordination and communication. CNLTP did not have an operational budget, but the president enacted a decree in February 2017 making it eligible to receive a budget; it is unclear when CNLTP will receive any funding. Although the absence of a budget hindered CNLTP's efficacy in overseeing national anti-trafficking efforts, it still implemented some activities outlined in its 2016 action plan. As one of the plan's objectives, CNLTP and the Ministry of Social Action—in partnership with youth organizations and NGOs—funded and led two anti-trafficking awareness campaigns. The first, a media campaign, sensitized communities to trafficking in persons; the second campaign sensitized local communities between Conakry and the Senegalese border on the dangers of migration and how to identify vulnerable children and migrants, including trafficking victims. The government had policies to regulate foreign labor recruiters and hold them civilly and criminally liable for fraudulent recruitment, but OPROGEM had neither the resources nor the trained personnel to implement such policies. The government did not take any tangible steps to reduce the demand for forced labor or commercial sex acts. The government, in partnership with foreign donors, provided Guinean troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. It did not provide training for its diplomatic personnel.

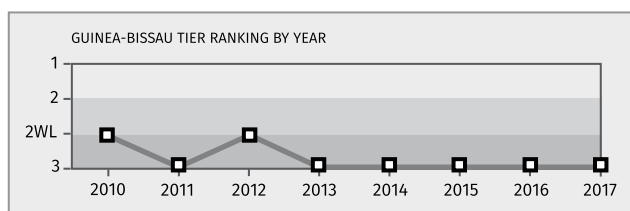
TRAFFICKING PROFILE

As reported over the past five years, Guinea is a source, transit, and—to a lesser extent—destination country for men, women, and children subjected to forced labor and sex trafficking. Women and children are the most vulnerable to trafficking. In Guinea, trafficking victims are more often Guinean citizens than foreign migrants, and children more so than adults. Parents send girls to intermediaries who subject them to domestic servitude and sex trafficking, sometimes in motels and restaurants in Conakry; boys are forced to beg, work as street vendors and shoe shiners, labor in gold and diamond mines, and work in herding, fishing, and farming. Some government entities and NGOs allege that within Guinea, forced labor is most prevalent in the mining sector. Men, women, and children are subjected to forced labor in agriculture. Reports indicate children are sent to the coastal region of Boke for forced labor on farms. Children from villages in Middle and Upper Guinea may be more vulnerable to trafficking due to the region's lack of schools and economic opportunities. Some traffickers take children with parents' consent under the false pretenses of providing an education and exploit them in forced begging in Senegalese and Bissau-Guinean Quranic schools or forced labor in West African gold mines. Bissau-Guinean boys are forced to beg in corrupt Guinean Quranic schools. Guinean children are exploited in forced labor in Cote d'Ivoire. Guinea is a transit country for West African children subjected to forced labor in

gold mining throughout the region. A small number of girls from neighboring West African countries migrate to Guinea, where they are exploited in domestic service, street vending, and—to a lesser extent—sex trafficking. Thai and Chinese women have been subjected to forced prostitution in Guinea. Guinean women and girls are subjected to domestic servitude and sex trafficking in West Africa, Europe, and the Middle East, as well as the United States. Guinean women are fraudulently recruited for domestic work in Egypt by Guinean-Egyptian trafficking networks and exploited in prostitution. There have been reports some Guinean men marry Guinean girls, take them to Angola, and sell the girls to local brothels while they work in diamond mines. Authorities identified Guinean forced labor victims in Finland during the reporting period. Guinean boys are exploited in commercial sex in the Netherlands. In 2016, an international organization reported a sharp increase in Guineans—including unaccompanied minors—migrating to North Africa and Europe, many of whom use smugglers and are vulnerable to trafficking. More than 13,000 Guineans arrived in Italy alone in 2016, compared with 1,195 registered arrivals of Guineans in all of Europe in 2015.

GUINEA-BISSAU: TIER 3

The Government of Guinea-Bissau does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Guinea-Bissau remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking. The Inter-Ministerial Steering Committee on Trafficking reconvened and drafted two action plans to assist Bissau-Guinean students—known as *talibes*—exploited by Quranic school teachers—called *marabouts*—in Senegal, and it partnered with an NGO and an international organization to repatriate some of those victims. The government continued to allocate modest funding to an NGO that provided shelter and repatriation assistance to trafficking victims. While working-level officials made some efforts to address trafficking in persons, however, a lack of dedicated resources and high-level engagement stymied anti-trafficking action for the fifth consecutive year. The president's dismissal of two governments during the reporting period created a near vacuum of governance and a steady turnover of top officials in law enforcement and social service ministries. The government did not investigate, prosecute, or convict any traffickers; identify any trafficking victims; or investigate reports of child sex tourism. Guinea-Bissau has never prosecuted or convicted a trafficker.



RECOMMENDATIONS FOR GUINEA-BISSAU

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including *marabouts* who subject boys to forced begging and hotels that facilitate child sex tourism in the Bijagos; increase funding for NGOs to ensure all identified victims—especially *talibes*—are repatriated and receive services,

minimizing the potential for re-trafficking, and increase efforts to coordinate repatriations of such victims with the Government of Senegal; train judicial personnel on the 2011 anti-trafficking law; develop an effective national anti-trafficking program through regular meetings of the anti-trafficking committee and allocation of funding for its activities; develop formal written procedures to identify and refer trafficking victims to services, and train law enforcement on such procedures; significantly increase efforts to raise awareness of human trafficking, especially forced begging and child sex trafficking; hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged trafficking offenses and efforts to interfere with ongoing investigations; and in collaboration with NGOs, allocate adequate space and facilities for a victim shelter in Bissau.

PROSECUTION

The government maintained minimal law enforcement efforts. Public Law 12/2011 prohibits all forms of human trafficking and prescribes penalties of three to 15 years imprisonment and the confiscation of any proceeds from the crime. The 2009 child code prohibits all forms of child forced labor and sex trafficking and prescribes penalties of three to 10 years imprisonment and the confiscation of any proceeds from the crime. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government did not use these or other laws to prosecute trafficking cases during the reporting period. For the second consecutive year, the government did not report any investigations, prosecutions, or convictions for trafficking offenses; the government has never prosecuted or convicted a trafficker.

The government did not provide specialized training to law enforcement on investigating and prosecuting trafficking crimes. The Judicial Police provided general child protection training to new members of its Women and Children Brigade, a 10-person unit charged with investigating crimes against women and children, including trafficking. The unit possessed only one vehicle and did not receive an operating budget, so it remained highly concentrated in Bissau; this impeded its investigation of child forced begging cases in eastern regions and reports of child sex trafficking in the Bijagos. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained concerns, inhibiting law enforcement action during the reporting period. Observers reported some police and border guards might have accepted bribes from traffickers.

PROTECTION

The government made minimal efforts to identify and protect victims. It did not report identifying any trafficking victims during the reporting period and relied on NGOs to provide all victim services; such assistance was available to both domestic and foreign victims. The government continued to contribute five million West African CFA francs (\$7,998) annually to an NGO that cared for at least 155 trafficking victims during the reporting period. The NGO's two facilities were still so severely overcrowded and underfunded, however, that some shelter volunteers used their own homes to house victims temporarily. Shelter was only available for child victims, and there were no trafficking-specific services. In Bissau, NGOs reported both law enforcement officials and their own staff left identified forced begging victims with their exploitative *marabouts* because there were no shelters available.

The government did not provide protective services to the more than 310 Bissau-Guinean boys forced to beg in Quranic schools in Dakar whom Senegalese authorities and NGOs identified in 2016. Despite a dearth of resources, the inter-ministerial committee partnered with an international organization to develop a short-term proposal to assist some of these victims. The Institute of Women and Children (IMC), an NGO, and an international organization implemented the plans—which an international organization funded—and repatriated 34 *talibes* during the reporting period. A Bissau-Guinean NGO provided repatriation, emergency services, and family reunification to an additional 121 of the 310 victims. Because it lacked the finances and staff to provide extended rehabilitation and family monitoring, the NGO returned all exploited *talibes* to their families, even if the parents were complicit in their child's exploitation.

There were no means by which victims could obtain restitution from the government or file civil suits against their traffickers. There were no legal alternatives to removal to countries in which victims would face hardship or retribution. There was no evidence the government detained, fined, or otherwise penalized trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking; due to the absence of written procedures to identify trafficking victims, however, it was possible some were inadvertently penalized.

PREVENTION

The government increased efforts to prevent trafficking. In contrast with previous years, the inter-ministerial committee—which is headed by IMC and includes government agencies, NGOs, and religious groups—met several times during the reporting period, primarily to draft short-term and long-term proposals to repatriate and sustainably reintegrate exploited Bissau-Guinean *talibes* identified in Senegal. While the government worked in partnership with donors to implement the short-term proposal, the long-term proposal was not funded, and weaknesses remained in the government's overall response to addressing transnational trafficking of Bissau-Guineans and development of an effective national anti-trafficking program. IMC, the Ministry of Justice, and an NGO began drafting a plan to provide free birth registration to all trafficking victims repatriated from Senegal in 2016; however, the plan was not completed during the reporting period. The government had a 2015-2018 national action plan to address trafficking, led by IMC, and made some efforts to implement it during the reporting period. Individual ministries worked with NGOs and civil society groups to raise awareness of trafficking among ministry officials, regional governors, and religious leaders, and to strengthen partnerships on anti-trafficking efforts across the region. The government provided some basic funding for the plan on an ad hoc basis.

IMC and the Ministry of Tourism developed a code of conduct against sexual exploitation in the tourism sector to increase public awareness of child sexual exploitation in Bissau and the Bijagos and encourage hotels to combat these crimes. The government approved the code in August 2016 but did not take tangible steps to implement it. The national assembly provided office space and technical support to the National Children's Parliament, a youth organization that conducted an awareness-raising campaign on child sex tourism during the height of the tourist season in the Bijagos. The labor inspectorate, housed within the Ministry of Labor, Civil Service and Public Administration, did not receive regular funding from the government and lacked resources to investigate violations nationwide. 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 to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Guinea-Bissau is a source country for children subjected to forced labor and sex trafficking and a destination for West African boys exploited in forced labor, including forced begging. The extent to which adults are subjected to forced labor or forced prostitution is unclear. Many Bissau-Guinean boys attend Quranic schools led by *marabouts*. Some corrupt *marabouts* force their students to beg and do not provide an education. Unscrupulous *marabouts* force rural Bissau-Guinean boys to beg in cities, including Bissau's Afia neighborhood. The traffickers are principally men from the Bafata and Gabu regions—often former *talibes* or men who claim to be working for a *marabout*—and are generally well-known within the communities in which they operate. *Marabouts* increasingly force Guinean, Gambian, and Sierra Leonean boys to beg in Bissau. Corrupt *marabouts* exploit Guinea-Bissau's weak institutions and porous borders to transport large numbers of Bissau-Guinean boys to Senegal—and to a lesser extent Mali, Guinea, and The Gambia—for forced begging in Quranic schools. Bissau-Guineans, primarily from Bafata and Gabu, made up at least 310 of the 838 trafficking victims identified in Dakar, Senegal, between July and November 2016. NGOs in Guinea Bissau report many repatriated *talibes* are extremely vulnerable to re-trafficking.

Bissau-Guinean boys are forced into street vending in Guinea-Bissau and forced to labor in the agricultural, mining, and street vending sectors in Senegal, especially in the southern cities of Kolda and Ziguinchor. West African boys are forced to harvest cashews during Guinea-Bissau's annual harvest, and some are recruited for work in the harvest but instead forced to beg. Bissau-Guinean girls are forced into street vending and domestic work in Guinea and Senegal. During the reporting period, a Bissau-Guinean woman living in Luxembourg transported her niece to Luxembourg with false documents and forced her to work in a restaurant. Bissau-Guinean girls are recruited by female Senegalese trafficking networks for modeling jobs or traveling football clubs but then subjected to sex trafficking in Senegal. Bissau-Guinean girls are exploited in sex trafficking in bars, nightclubs, and hotels in Bissau.

Bissau-Guinean girls from the Bijagos—and to a lesser extent mainland girls and boys—are exploited in child sex tourism in the Bijagos, an archipelago off the coast of Guinea-Bissau that is far from the mainland and largely devoid of government and law enforcement presence. Although the extent of the problem is unknown, it is widely acknowledged among civil society, NGOs, and mid-level government officials. In most cases, French-nationals own hotels on the islands and use Bissau-Guinean middlemen to exploit island girls aged 13-17 years old for European child sex tourists, including French and Belgians. International sources report these same hotel owners provide jobs and significant support to the island community, wielding influence that can deter victims from notifying law enforcement. Poor families may encourage their children to endure such exploitation for financial gain. Bissau-Guinean men from the mainland fuel local demand for commercial sex on the islands. There were reports of official complicity in human trafficking among island officials and in the judiciary. Guinea-Bissau's judicial system lacked sufficient human and physical capital to function properly, and corruption remained pervasive.