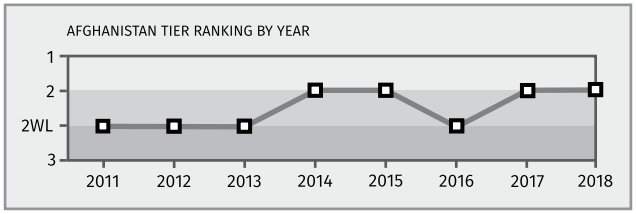
COUNTRY NARRATIVES

Workers on a building construction site in China. Internal migrant populations, especially from rural to urban areas, are vulnerable to exploitation in various industries including construction.

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 remained on Tier 2. The government demonstrated increasing efforts by enacting a revised penal code that raised the penalties for human trafficking crimes and criminalized additional activities relating to *bacha bazi*, a practice in which men exploit boys for social and sexual entertainment. The government identified more trafficking victims and partnered with an international organization to draft and finalize a training manual for combating trafficking, including procedures on victim identification and referral. The government enacted a policy for the Afghan National Army that prohibited child recruitment and established procedures for the demobilization and care of children involved in armed conflict. The government also opened an additional child protection unit to prevent the recruitment of children into the security forces and proactively prevented the recruitment of 79 children from April through June 2017. However, the government did not meet the minimum standards in several key areas. Despite credible allegations of official complicity, especially in the sexual exploitation, unlawful recruitment, and use of children by Afghan security forces, the government did not report any newly initiated prosecutions or convictions of officials complicit in human trafficking. District and provincial-level officials continued to conflate trafficking and smuggling, and many officials were unable to identify trafficking victims, which resulted in the government's arrest and prosecution of some trafficking victims as criminals. Victim protection efforts were overall insufficient, as the government did not employ standard victim identification protocols during the reporting period, and the one government-owned short-term trafficking shelter closed when donor funding was not renewed.



RECOMMENDATIONS FOR AFGHANISTAN

Cease the unlawful recruitment and use of children by Afghan security forces and demobilize children from state and non-state groups with adequate victim protection and reintegration support; while respecting due process, increase investigations and prosecutions, including of law enforcement and members of the military suspected of being complicit in trafficking such as *bacha bazi*, and convict and appropriately sentence the perpetrators; cease the penalization of victims for offenses committed as a direct result of being subjected to trafficking, including stopping prosecutions for moral crimes and the placement of child trafficking victims in juvenile detention centers; formally adopt and disseminate standard operating procedures for victim identification and referral to rehabilitation services and train officials on their use; amend Chapter 5 of the penal code to increase the penalties for *bacha bazi* in line with penalties prescribed for other forms of trafficking; 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; 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; 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 overall law enforcement efforts but did not report any efforts to prosecute or convict allegedly complicit officials, and overall trafficking investigations, prosecutions, and convictions remained low for the scale of the problem. The 2017 Law to Combat Crimes of Trafficking in Persons and Smuggling of Migrants criminalized sex and labor trafficking, including *bacha bazi*, a practice in which men exploit boys for social and sexual entertainment. The law prescribed penalties between five and eight years imprisonment; aggravating factors increased 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. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes. The government enacted a new penal code, which took effect in February 2018 and replaced elements of the 2017 law. Article 510 of the new criminal code criminalized sex and labor trafficking, including *bacha bazi*. Article 511 increased the penalties for trafficking offenses by prescribing penalties of five to 10 years imprisonment for trafficking offenses involving adult male victims, and 10 to 16 years imprisonment if the victim was a woman or child, or exploited in *bacha bazi*. Article 512 outlined aggravating factors and increased penalties to 16 to 20 years imprisonment for sex trafficking or forced armed fighting and between 20 to 30 years if the victim forced to fight died while subjected to trafficking. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. The new penal code also created a separate chapter to criminalize *bacha bazi* crimes specifically. Although this chapter explicitly criminalized more trafficking offenses relating to the crime of *bacha bazi*, it also prescribed lower penalties for certain acts constituting *bacha bazi* than those prescribed under Article 510. Most of these penalties were not sufficiently stringent, nor commensurate with the penalties prescribed for other serious crimes, such as rape. The government also used the 2009 Law on the Elimination of Violence Against Women to prosecute and convict sex traffickers.

During the reporting period, the government reported the investigation of 132 alleged traffickers and the prosecution of 73, including five for attempted human trafficking, an increase compared with the investigation of 103 alleged traffickers and the prosecution of 63 in the previous reporting period. The government reported primary courts convicted 33 traffickers, including four for attempted human trafficking, during the reporting period—the same number of persons convicted in the previous reporting period. Of the 29 convictions for human trafficking, sentences ranged from six months to 21 years imprisonment; 28 required imprisonment of one year or

more, and one sentence resulted in inadequate penalties of six months imprisonment. Of the four convictions for attempted human trafficking, sentences ranged from one year and one month to eight years imprisonment. The government did not report the details of cases, so its response to forced and bonded labor or *bacha bazi* is unknown.

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 migrant smuggling, compounding the confusion. Authorities attempted to address this issue by including separate terms and definitions for trafficking and smuggling in the 2017 law; however, training required to ensure officials understood the new terminology was limited, especially at the local and provincial levels. MOI continued to operate trafficking and smuggling units in each of the 34 provinces and in Kabul, with 16 officers in Kabul and two officers in each province. Officials acknowledged the number of personnel and access to resources and training was insufficient. NGOs and international organizations, with in-kind assistance from the government for venues, conducted 656 capacity-building workshops in 2017 for over 20,000 members of the public, government officials, and civil society members, including religious leaders and lawyers. At the end of the reporting period, the high commission, with technical and financial support from an international organization, finalized a training manual to train Afghan law enforcement agencies including border police, immigration officials, members of the National Directorate of Security (NDS), NGOs specializing in counter trafficking, shelter managers, and community leaders.

Official complicity in trafficking remained a serious and pervasive problem. Some government and security officials reportedly engaged in the practice of *bacha bazi*. Military authorities initiated internal investigations into some of these incidents, but there were no reports that these cases—or any other cases of government officials allegedly complicit in human trafficking—culminated in newly initiated criminal prosecutions, convictions, or the imposition of penalties during the reporting period. The Afghanistan Independent Human Rights Commission's 2014 report assessed that most who engage in *bacha bazi* paid bribes to, or had relationships with, law enforcement, prosecutors, or judges that effectively exempted them from prosecution. In February 2017, a district chief of police and six members of the security forces were arrested for allegedly participating in a *bacha bazi* gathering; the district chief of police was fired from his position during the previous reporting period and was still awaiting trial at the end of the 2018 reporting period. The government did not report what action, if any, was taken against the security forces. The UN verified the continued use of children in combat and non-combat roles by the government during the reporting period, including at least seven cases of recruitment by the Afghan National Police, seven by the Afghan Local Police (ALP), and one by the NDS. One of the verified cases of ALP use of children involved two boys exploited in *bacha bazi*. There were reports that pro-government militias, who may have received direct financial support from the Afghan government, employed children in non-combat roles. Observers reported some officials accepted bribes to produce identity documents for boys stating their age was above 18 years old.

PROTECTION

The government increased efforts to identify victims. The government did not compile comprehensive victim identification, referral, and assistance statistics; however, the high commission reported identifying 476 potential trafficking victims in 2017 compared with 23 victims identified by the government and 93 victims identified by NGOs in 2016. The government attributed the increase in identified victims to rising insecurity and poverty and stated the majority of those identified were teenagers who had been deceived into believing they would be transported to Europe for work; the government did not provide sufficient information on these cases to differentiate among trafficking, smuggling, and other related crimes. The government did not use systematic identification procedures for victims during the reporting period. The government noted district and provincial-level officials continued to conflate trafficking and smuggling and many officials were unable to confidently identify trafficking victims.

In partnership with an international organization, the high commission developed a training manual for government officials and civil society that included indicators of human trafficking and standard operating procedures for the identification and referral of victims to rehabilitation services. The high commission and the international organization finalized the manual at the end of the reporting period and, thus, had not yet initiated its rollout or implementation. 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. The Ministry of Labor, Social Affairs, Martyrs and Disabled (MOLSAMD) provided registration, referral, and social services for trafficking victims, including those repatriated to Afghanistan from other countries; however, it did not provide data on such efforts. 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 in 19 provinces provided non-residential legal and social services for women and children, including trafficking victims. The Child Protection Action Network (CPAN), a conglomerate of NGOs, civil society, and government entities overseen by MOLSAMD, provided shelter and some protection services to child victims in 110 districts. 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. The international organization-run, government-owned, short-term trafficking shelter in Kabul closed during the reporting period when donor funding was not renewed. There continued to be no shelters for adult male victims. 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 risk of re-traumatization. Afghan law allows foreign victims to remain temporarily in Afghanistan for at least six months. In 2017, there were no reports of foreign victims identified in Afghanistan.

Authorities sometimes treated victims, including children, as criminals simply for being unchaperoned or for having committed moral crimes; officials continued to arrest, imprison, or otherwise punish victims for prostitution or sex outside of marriage, 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 518 of the new penal code provided 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 male and female victims in prison if they could not be accommodated in shelters. NGOs reported some child trafficking victims were housed in juvenile detention centers, sometimes for several years. Male sex trafficking victims, including those subjected to *bacha bazi*, were in some cases referred to juvenile rehabilitation centers on criminal charges. During the reporting period, four victims of *bacha bazi* who had been previously arrested were released without charges. The government did not demobilize child soldiers associated with governmental or nongovernmental armed groups or provide or refer such children for reintegration support.

PREVENTION

The government increased its trafficking prevention efforts. In August 2017, the high commission became an autonomous government office under the Ministry of Justice; most of the office's staff worked on trafficking among other human rights issues. The broader high commission of 12 ministries and offices met three times in 2017, although not all ministries attended the meetings. A working-level technical committee held eight meetings in 2017 and partnered directly with international organizations and NGOs to implement the commission's policies. Provincial anti-trafficking commissions in 33 provinces coordinated activities to implement policy established by the high commission; however, the high commission reported only 16 were active during the reporting year. The government continued to implement its national action plan scheduled to end in April 2018. The high commission, in partnership with an international organization, drafted its first national report to comprehensively review trends, laws, and societal views on human trafficking; the technical committee supported the research but was unable to compel other ministries to capture and share statistics on trafficking. The high commission, in partnership with international organizations and NGOs, increased its public awareness programs from 22 during the previous reporting period to 210 in 2017, reaching approximately 16,500 members of the public. The government also continued to encourage mullahs to raise awareness through their weekly sermons.

In December 2017, the MOD enacted the Protection of Children in Armed Conflict Policy for the Afghan National Army, which defined the rights of children, prohibited child recruitment, and established procedures for monitoring and enforcement, reporting violations, and rescuing and caring for children involved in armed conflict. In September 2017, MOI opened a child protection unit (CPU), bringing the total to 22 CPUs throughout the country to prevent the recruitment of children into the security forces. According to an international organization, the CPUs prevented the recruitment of 79 children from April through June 2017. The government continued to develop plans for its long-delayed electronic national identification card. The government utilized a policy and action plan for the reintegration of Afghan returnees and internally displaced persons in partnership with the UN; however, the government's ability to assist vulnerable persons, including over 600,000 documented and undocumented returnees from Pakistan and Iran in 2017, 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.

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. There are entire Afghan families 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, salt mining, transnational drug smuggling, and assistant truck driving within Afghanistan. Some Afghan families knowingly sell their children into sex trafficking, including for *bacha bazi*, including some government officials and security forces. There are reports that some law enforcement officials, prosecutors, and judges accept bribes from or use their relationships with perpetrators of *bacha bazi* 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 exploitation in sex trafficking and 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, including through forced marriages in Iran and Pakistan. 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, 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.

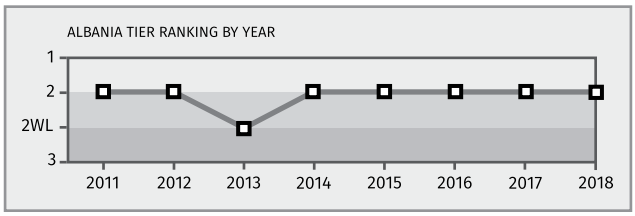
The government and armed non-state groups in Afghanistan unlawfully recruit and use children in combat and non-combat roles. Armed non-state groups, mostly the Taliban, but also including other non-state groups like the Islamic State in Khorasan Province (ISIS-K), account for most child recruitment and 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 and government-supported armed groups use children in combat and non-combat roles, including as personal servants, support staff, and body guards. The Afghan National Army, NDS, and Afghan Border Police also recruit children, although to a lesser extent. There were reports that some members of the Afghan security forces 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 increased funding for victim protection, and identified and assisted more victims. The government, in cooperation with NGOs, reactivated mobile identification units in three regions and strengthened child protection within the criminal justice system. The government also admitted one victim into the witness protection program. However, the government did not meet minimum standards in several key areas. The government continued to penalize victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government reported fewer prosecutions and convictions, and authorities continued to investigate and prosecute some traffickers for the lesser crime of exploitation of prostitution. The government delayed funding to NGO-run shelters and did not consistently apply victim-centered investigations and prosecutions. Police did not consistently identify trafficking victims among individuals in prostitution, and the labor inspectorate lacked the training to identify victims of forced labor. Identification efforts for forced begging remained inadequate, particularly among unaccompanied children, street children, and children moving across the borders for begging.



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; vigorously investigate, prosecute, and convict traffickers—including complicit officials—under article 110(a) and 128(b); train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases and increase victim protection from threats and intimidation during court proceedings; continue to train law enforcement, prosecutors, and judicial officials, particularly district prosecutors, on investigating, prosecuting, and trying trafficking cases, including guidance on overlapping elements of exploitation of prostitution and trafficking; allocate adequate funding and resources on a consistent and regular basis to the government-run and NGO-run shelters for trafficking victims; improve the sustainability of mobile identification units; train police, labor inspectors, and other front-line officials on proactive identification of victims and increase efforts to screen children for signs of trafficking; and adopt a national action plan and allocate sufficient resources to the plan.

PROSECUTION

The government decreased law enforcement efforts. Articles 110(a) and 128(b) of the criminal code criminalized sex and labor trafficking and prescribed penalties of five to 15 years imprisonment and a fine between two million lek ($18,080) and five million lek ($45,210), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The state police investigated 69 cases with 80 suspects (69 cases with 69 suspects in 2016); 22 of these suspects in 2017 were investigated for child trafficking (22 in 2016) and 58 for adult trafficking (47 in 2016). The Serious Crimes Prosecutor's Office (SCPO) prosecuted five defendants (18 in 2016); two of these suspects were prosecuted for child trafficking (nine in 2016) and three for adult trafficking (nine in 2016). Courts convicted seven traffickers (24 in 2016); one trafficker was convicted for child trafficking (11 in 2016) and six for adult trafficking (13 in 2016). All convicted traffickers received prison sentences, which ranged between eight years and eight months to 17 years.

Authorities continued to investigate and 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. The government enacted judicial reforms that will eventually change court jurisdiction for trafficking cases; cases not related to organized crime will soon fall from the Serious Crimes Court to district courts, but authorities reported district prosecutors did not have the experience and capacity to adequately prosecute trafficking cases. The government operated a closed case task force to review successful and unsuccessful trafficking cases; so far the task force has only reviewed two cases. Observers reported limited resources and constant turnover within law enforcement created obstacles in maintaining capacity to investigate trafficking. The government, at times in cooperation with civil society, trained 20 police officers; 100 employees of local law enforcement; 40 border police officers; and 127 judges, prosecutors, and judicial police officers. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, official complicity and corruption were significant concerns. The government signed extradition agreements with the United Kingdom and Northern Ireland and conducted joint investigations with Italian and Spanish law enforcement.

PROTECTION

The government maintained victim protection efforts. The government and NGOs identified 105 potential trafficking victims (95 in 2016). Of these, 49 were adults and 56 were children (51 adults and 44 children in 2016), 80 were female and 25 were male (84 females and 11 males in 2016), and nine were foreigners (eight in 2016). Seventy-nine were identified as potential victims and 26 officially identified as victims (62 potential victims and 33 officially identified victims in 2016). A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures (SOPs) for identifying and referring victims to services. The government, with the

support of NGOs, reactivated mobile identification units in three regions, but the unit's sustainability was uncertain due to a lack of permanent staff, formalization, and resources; mobile identification units identified 26 potential victims. Additionally, the government referred 60 potential victims, civil society referred 16, and three self-identified. Observers reported police did not consistently identify trafficking victims among individuals in prostitution and the labor inspectorate lacked the training to identify victims of forced labor. Similarly, identification efforts for forced begging remained inadequate, particularly among unaccompanied children, street children, and children moving across the borders for begging. First responders referred potential trafficking victims to law enforcement and state social services who conducted a joint interview and provided official victim status. The law provided equal services for both potential victims and officially recognized victims.

The government operated one specialized shelter and supported three specialized NGO-run shelters. The government provided 20.2 million lek ($182,640) to NGO-run shelters to support 29 staff salaries, compared to 15.3 million lek ($138,340) to support 24 staff salaries in 2016. The government used 4.7 million lek ($42,500) in 2016 and 2017 from the special fund of seized criminal assets to support services. The government provided 5.5 million lek ($49,730) for food support to NGO-run shelters, compared to 1.8 million lek ($16,280) in 2016. However, the government reorganized the Ministry of Social Welfare and Youth and State Social Services into the new Ministry of Health and Social Care, which contributed to delays in funding, including funding for staff salaries and food support. NGO-run shelters operated under financial constraints and relied on outside sources for operating costs; government financial mechanisms intended to partially fund these shelters remained complicated. The four shelters comprised the National Coalition of Anti-trafficking Shelters (NCATS) and victims who required services not available in one shelter were referred to another shelter within the coalition. The NCATS 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. The government provided free vocational training, textbooks for child victims, and health cards that provided free access to health care; however, the government offered limited reintegration support and did not provide funding for reintegration services. Experts reported first responders often referred individuals that were not trafficking victims to the government-run shelter, including individuals with mental health issues or victims of other crimes. NGO-run shelters supported 71 trafficking victims and potential victims (75 in 2016) and the state-run shelter supported 30 (30 in 2016). 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. One NGO-run shelter provided specialized services for child victims under the age of 18 and male victims were provided with rented apartments, where they received assistance from NGOs. Foreign victims had access to the same services as domestic victims and the law provided foreign victims a three-month reflection period with temporary residency status and authorization to work for up to two years. The government granted residency to six foreign victims in 2017 (none in 2016). Observers reported professional staff and good quality of care at the shelters in the NCATS but reported low staff levels at the government-run shelter after staff were transferred to the domestic violence center and the facility required renovations.

The government penalized one victim for an unlawful act committed as a direct result of being subjected to trafficking; as in similar cases in past years, authorities convicted an officially identified trafficking victim for prostitution and sentenced her to eight months of probation. The government may have deported, detained, or restricted freedom of movement of some trafficking victims due to inadequate identification efforts. SCPO possessed equipment that allowed testimony via video conferences and victims who testified against traffickers had access to the witness protection program; one trafficking victim participated in the program. The government adopted several laws strengthening child protection within the criminal justice system, such as the participation of a psychologist in criminal proceedings involving children. Twenty-three trafficking victims cooperated with law enforcement in investigations and prosecutions; however, the government did not consistently apply victim-centered investigations and prosecutions. Law enforcement did not consistently offer sufficient security and support, victims and their families received threats during court proceedings, and some victims appeared in front of their traffickers in court proceedings, causing re-traumatization. Victims could obtain restitution from the government or file civil suits against traffickers; no victim had ever received restitution. The law provided repatriation assistance to Albanians citizens identified abroad; four potential victims were repatriated from Germany, Kosovo, the Netherlands, and Norway (none in 2017).

PREVENTION

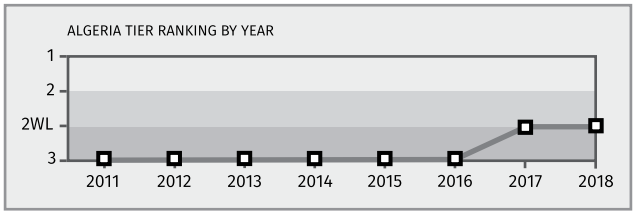
The government increased efforts to prevent trafficking. The government allocated 5.7 million lek ($51,540) to the Office of the National Anti-Trafficking Coordinator (ONAC) in 2016 and 2017. The national action plan expired in December 2017, but ONAC, in cooperation with an international organization, convened three meetings with stakeholders to begin developing a new plan. ONAC continued to publish regular activity reports on its website and held four meetings with stakeholders involved in the NRM. Observers reported prosecutors rarely attended NRM meetings. Twelve regional anti-trafficking committees (RATC) comprising local officials and NGOs worked on prevention and victim assistance. The prime minister issued an order to strengthen the RATCs by mandating the government agencies required to participate, including social services, law enforcement, labor inspectors, and health representatives. ONAC and national anti-trafficking coordinators from Montenegro and Kosovo signed a joint declaration ensuring the application of a unified SOP for victim protection and assisted voluntary repatriation. ONAC, in cooperation with civil society, conducted a month long awareness campaign and separate awareness campaigns targeting students and teachers. ONAC also conducted informative meetings with representatives from the Romani and Balkan Egyptian communities. The hotline received six calls that were trafficking-related and referred to law enforcement. The government did not make efforts to regulate or punish labor recruiters for illegal practices that increase migrants' vulnerability to exploitation abroad. Labor inspectors did not have authority to inspect informal work activities, including unregistered businesses. The government conducted awareness campaigns on sex tourism but did not take steps to reduce demand for forced labor. The government provided anti-trafficking guidance for its diplomatic personnel, and the national coordinator briefed Albanian diplomats stationed in nine cities on human trafficking regulations.

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 subject 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 regionally 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 subject to sex trafficking in countries across Europe, particularly Kosovo, Greece, Italy, Belgium, Germany, Switzerland, Macedonia, Norway, the Netherlands, 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 and the Philippines were subjected to sex trafficking and forced labor in Albania. Irregular migrants from Asia are 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 demonstrated significant efforts during the reporting period by its increased number of investigations and prosecutions of alleged traffickers under the anti-trafficking statute, the identification of 33 victims, and increased training for judicial practitioners. The government also established and dedicated resources for a national anti-trafficking committee under the prime minister's office and inaugurated a national day against trafficking in persons. Despite these achievements, the government did not report any convictions for trafficking-related offenses and did not implement its National Action Plan for the Prevention of and Fight Against Trafficking in Persons. It did not systematically identify trafficking victims among vulnerable populations or have a standardized mechanism in place to refer potential victims to government- or NGO-run protection services, and did not provide adequate protection services for all trafficking victims. Due to a lack of formal victim identification and screening procedures, potential trafficking victims remained at risk of penalization by the law enforcement system for acts committed as a direct result of being subjected to trafficking, such as immigration violations and prostitution. Therefore Algeria remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR ALGERIA

Implement the 2016 presidential decree requiring the National Committee for the Prevention and Fight Against Trafficking in Persons (NCPFAT) to vigorously investigate, prosecute, and convict sex and labor trafficking offenders and punish them with sufficiently stringent penalties; establish formal procedures for proactive victim identification and referral to care, and train law enforcement, judicial, and health care officials and social workers on these procedures; provide additional training to labor inspectors and criminal law enforcement personnel to build enforcement capacity to address labor trafficking and identify human trafficking victims; develop formal mechanisms to provide appropriate protection services, either directly or through support and partnership with NGOs and international organizations, including a designated shelter, and provide adequate 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, and provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship, continue public awareness efforts regarding the indicators and risks of trafficking, including the difference between human trafficking and smuggling; monitor and report the number of criminal investigations, prosecutions and convictions; and implement the national anti-trafficking action plan.

PROSECUTION

The government increased efforts to investigate and prosecute trafficking offenders. Algeria criminalized sex and labor trafficking under section 5 of its penal code. Prescribed penalties under this statute ranged from three to 20 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law No.14-01, which criminalized the buying and selling of children younger than the age of 18, prescribed penalties 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 such non-trafficking crimes as migrant smuggling or illegal adoption. The NCPFAT cooperated with the Ministry of Justice (MOJ) to draft a new anti-trafficking law in order to consolidate all trafficking-related statutes in one place and institutionalize some of the measures currently taken on an ad hoc basis.

NCPFAT is working with the MOJ, the Director General of National Security (DGSN), the Ministry of National Defense, and the National Gendarmerie (Police) on a database on trafficking victims, prosecutions, and convictions; however, the database was not operational at the end of the reporting period.

During the reporting period, the government reported investigating four cases involving 26 alleged traffickers and prosecuting 22 defendants under the anti-trafficking law in three of these cases, as compared with investigating and prosecuting 16 alleged perpetrators last year. Four suspects allegedly exploited two children in child sex trafficking, three suspects reportedly exploited five undocumented sub-Saharan migrants in forced labor and an unspecified number of perpetrators allegedly exploited 12 Malian girls in domestic

servitude. While the government did not report specifically convicting any trafficking offenders, it did report sentencing 14 of 79 alleged perpetrators of child labor offenses to jail, some of whom may have been involved in human trafficking. The government did not provide updated information on cases reported in previous years, including the outcome of 16 prosecutions that remained pending at the end of the previous reporting period. The government requested assistance from Nigerien judicial authorities in its ongoing investigation of the September 2016 case against six alleged traffickers, as it continued to search for four alleged traffickers who were at large at the end of the previous reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

The DGSN maintained six police brigades to monitor illegal immigration and human trafficking and provided staff with specialized training. It also maintained 50 brigades specializing in combating crimes against children, including trafficking crimes. The government reported working actively through the African Union Mechanism for Police Coordination to increase international coordination in combating trafficking in persons. Algeria hosted the UNODC's regional North Africa-Sahel forum, which included discussions of human trafficking with representatives from Algeria, Tunisia, Libya, Mauritania, Niger, Mali, Chad, and Burkina Faso. The government also contributed to INTERPOL's databases on human trafficking and migrant smuggling. The National Police, the MOJ, and the NCPFAT participated in the UNODC's Working Group on Trafficking in Vienna. Thirty police officers received training on trafficking at the Algiers police academy. The National Police organized a seminar in December 2017 on the judicial police's role in combating smuggling and trafficking in persons for investigators who interact with sub-Saharan migrants. The government also organized five conferences on trafficking in persons for judges.

PROTECTION

The government maintained protection efforts. The government identified 33 trafficking victims during the reporting period, including 19 males and 14 females, 20 adults and 13 children, one Algerian and 32 West African victims; this compared with 65 potential victims identified in the prior reporting period. The government reported that these identified victims received care and protection services. The government did not have a formal mechanism to generally identify or refer potential victims to protection services, but reported drafting an order that included such procedures, which awaited the prime minister's signature at the end of the reporting period. The government also remained without measures to screen for trafficking victimization among vulnerable groups, including migrants and persons in prostitution. The National Police provided investigators with a guide of indicators of trafficking in persons, and set up a hotline and website for victims of crimes, including trafficking, to submit reports to the police. The government reported that the hotline received over a million calls and the website received 2,264 trafficking tips; however, the government did not report if any of the calls or tips led to criminal investigations. The DGSN provided its officers with an INTERPOL manual on the trafficking and sexual exploitation of women. 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. 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. Many undocumented migrants, fearing deportation, avoided public services, and the government acknowledged that foreign victims did not come forward to bring trafficking cases to the attention of police. The government's frequent operations to deport irregular immigrants may have fueled the smuggling industry and further discouraged foreign trafficking victims from making their presence known to authorities. International NGOs reported that the government deported thousands of migrants, including some minors, from a range of countries to the desert border or neighboring countries during the reporting period. Observers also reported that the government did not screen migrants for potential trafficking victimization before deporting them or moving them to government transit centers. Thus, potential trafficking victims among migrant populations continued to face punishment, such as arrest and deportation, for illegal migration and other crimes committed as a direct result of being subjected to human trafficking. The government did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

PREVENTION

The government increased efforts to prevent human trafficking. The government began to implement its September 2016 presidential decree, which formally institutionalized the inter-ministerial anti-trafficking committee, placed it under the auspices of the prime minister's office, and dispersed the funds in its dedicated budget. The committee was composed of 20 members from various government ministries and institutions who met several times during the year to coordinate the government's anti-trafficking activities, including implementation of the government's 2015 national anti-trafficking action plan. The NCPFAT and National Council on Human Rights (CNDH) held a major public awareness event for the International Day Against Trafficking in Persons. The government did not make efforts to reduce the demand for commercial sex or forced labor during the reporting period. The government began drafting a new migration law that would create a stronger legal framework for migration and asylum. The government provided anti-trafficking training as a part of its broader human rights training for its diplomatic personnel.

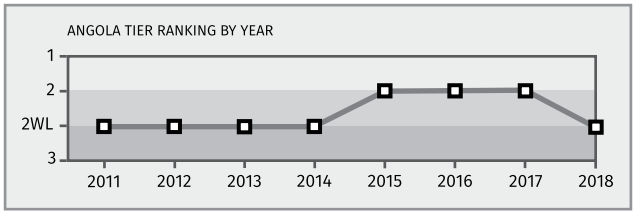
TRAFFICKING PROFILE

As reported over the past five years, Algeria is a transit and destination country for migrants—men, women, and children—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 commercial sexual exploitation and forced domestic work. 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 and some 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 WATCH LIST

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 significant efforts during the reporting period by investigating three potential forced labor cases, prosecuting six suspected traffickers, and coordinating with two foreign governments to investigate five potential trafficking cases. The government identified trafficking victims and referred them to care. The Inter-Ministerial Commission to Combat Trafficking in Persons continued to meet periodically during the reporting period. The government raised awareness of trafficking through radio campaigns and outreach seminars in schools, universities, and churches. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government secured zero convictions during the reporting period. The government did not collect official statistics on the number of trafficking victims identified or referred to care during the reporting period. The government did not adequately fund victim protection mechanisms, including shelters and provision of basic aftercare services. Law enforcement and social services officials lacked a standardized mechanism for screening vulnerable populations. Border security guards forcibly detained and deported tens of thousands of illegal migrants without adequate screening procedures to identify potential trafficking victims. The inter-ministerial commission did not finalize or adopt a national action plan for the third consecutive year. Therefore Angola was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR ANGOLA

Increase investigations and prosecution of forced labor and sex trafficking offenses, including by 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; collect and analyze anti-trafficking law enforcement and victim protection data; investigate labor trafficking in the construction sector; develop uniform and systematic referral procedures for all provinces; increase efforts to provide shelter, counseling, and medical care for adult trafficking victims, including men, either directly or in partnership with NGOs; and launch a nationwide anti-trafficking public awareness campaign.

PROSECUTION

The government made mixed law enforcement efforts. The 2014 Law about the Criminalization of Infractions Surrounding Money Laundering criminalized sex and labor trafficking and prescribed penalties of one to 15 years imprisonment, depending on the specific offense; these were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Trafficking was criminalized in Chapter III, articles 18 through 23. Article 18 criminalized slavery and servitude, as well as the buying and selling of a child under 14 years of age for adoption or for slavery, with a penalty of seven to 15 years imprisonment. Article 19 criminalized 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 made it a crime to receive services or organs that were provided by those means, subject to a lesser penalty. Article 20 made it a crime to entice or force a person to practice prostitution in a foreign country, with a penalty of two to 10 years imprisonment. Article 21 also appeared to make sex trafficking a crime; entitled "pimping," article 22 made 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 was five to 12 years. Article 22 made 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 was three to 15 years imprisonment. These sentences were commensurate with the penalties for other serious crimes, such as rape.

The government investigated three potential forced labor cases, compared with two potential sex trafficking cases in the previous reporting period. The government prosecuted six potential traffickers in cases involving 25 victims compared with one prosecution in the previous reporting period. The government did not convict any traffickers compared with three convictions during the previous reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

National police academy training continued to include human trafficking provisions. The government cooperated with Namibian and German authorities in the investigation of five potential trafficking crimes involving Angolan citizens abroad; these investigations remained ongoing at the close of the reporting period. The government maintained a labor agreement with the Government of China, which required Chinese companies to follow Angolan labor laws. Angolan authorities investigated construction companies and employers, including Chinese-run operations, for alleged forced labor abuses during the reporting period.

PROTECTION

The government decreased protection efforts. Although the government did not report official victim identification or referral data, it identified and referred to care 79 victims, including 17 children and 62 adults, compared with identifying 91 and referring 77 victims during the previous year. To stem the flow of illegal migrants crossing into Angola, particularly from the DRC, border security forces detained and deported tens of thousands of migrants without adequate screening to identify potential trafficking victims. The UN Special Rapporteur on the Human Rights of Migrants expressed concern over reports that Angolan security forces harassed, detained, and denied legal services to irregular migrants, a population particularly vulnerable to trafficking. The government did not adequately fund victim protection mechanisms, including shelters and legal, medical, and psychological services. The government had formal guidelines in six of Angola's 18 provinces to refer trafficking victims to care; however, it is unknown whether the government followed these guidelines during the reporting period.

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 if any children assisted during the year were trafficking victims. The Ministry of Social Action, Family and the Promotion of Women (MASFAMU) managed a national network of safe houses for women, counseling centers, and children's centers, which trafficking victims could access.

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. During the previous year, 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.

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—did not finalize or adopt a national action plan for the third consecutive year. The Inter-Ministerial Commission to Combat Trafficking in Persons continued to meet periodically during the reporting period. The government continued to work towards implementation of the Southern African Development Community (SADC) regional data collection tool; however, it had not fully deployed the system. The government contributed information to UNODC and SADC's first annual draft analysis report for the region. During the reporting period the Ministry of Justice and Human Rights created a page on its official website with information on human trafficking issues, providing the public with brochures on trafficking indicators, Angolan anti-trafficking legislation, and resources for victims. The government-funded several public information radio campaigns to raise awareness of trafficking and conducted outreach seminars to warn about the risks of trafficking at universities, secondary schools, and churches. The Ministry of Justice and Human Rights operated a hotline for potential victims and for the public to report suspected trafficking cases; it is unknown how many calls the hotline received. In June 2017, the government created an alert system to prevent kidnapping and crimes against children, including trafficking; however, the government did not comprehensively train authorities on the alert system's use, and the extent to which it was utilized during the reporting period was unclear. 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. Resistance from the national police to share information in its national crime database has slowed the inter-ministerial commission's analysis of trafficking in Angola. 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

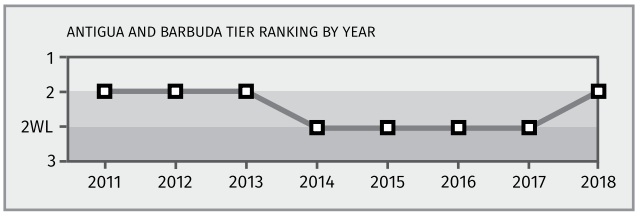
As reported over the past five years, Angola is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Angolans, including minors, endure forced labor in the brick-making, domestic service, construction, agricultural, and artisanal diamond mining 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, Lunda Norte, 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

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 increasing efforts compared to the previous reporting period; therefore Antigua and Barbuda was upgraded to Tier 2. The government demonstrated increasing efforts by conducting more investigations and improving victim identification, conducting its first trafficking raid, establishing a new trafficking unit to coordinate and expedite efforts across the government, tripling its budget for combating trafficking, creating new agreements with government agencies to improve coordination and victim protection, and developing a new trafficking database to better track cases. However, the government did not meet the minimum standards in several key areas. The government's trafficking law, by allowing a fine in lieu of imprisonment, had penalties that were not commensurate with those for other serious crimes. To date, the government has failed to convict a trafficker and a ruling is still pending on penalties for complicit police officers in a 2015 case.



RECOMMENDATIONS FOR ANTIGUA AND BARBUDA

Vigorously investigate and prosecute cases of sex trafficking and forced labor and convict and punish traffickers, including complicit officials; increase efforts to identify victims through proactive screening of vulnerable populations, such as migrants and individuals in commercial sex; develop a national action for the period beyond 2018; provide continued funding across all agencies to increase efforts to combat human trafficking; implement joint and agency-specific standard operating procedures (SOPs) for all government agencies and NGOs on victim referral; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; develop formal agreements with international organizations and countries to share information and conduct joint investigations on human trafficking cases; publish reports on government anti-trafficking efforts; and increase efforts across the country to reduce the demand for commercial sex and forced labor.

PROSECUTION

The government increased prosecution efforts. The Trafficking in Persons (Prevention) Act, 2010 criminalized sex and labor trafficking and prescribed penalties of up to 20 years imprisonment, fines up to 400,000 Eastern Caribbean dollars ($148,150), or both. These penalties were sufficiently stringent. By allowing for a fine in lieu of imprisonment for sex trafficking, these penalties were not commensurate with those for other serious crimes, such as rape. Authorities investigated eight cases of potential trafficking, compared to three in 2016; four of eight investigations remained active at the end of the reporting period, as police determined the other four did not constitute trafficking. The remaining four cases were pending prosecution. In one of the four cases, the police, in a joint operation with several other government agencies, conducted a raid on two nightclubs in February 2018, the first trafficking raid in the country. The police took four suspects into custody; three were subsequently released and one was charged with four counts of human trafficking involving six confirmed Jamaican adult female victims. A prosecution of a December 2015 case involving two alleged perpetrators was pending a trial date in 2018. The government has never reported any trafficking convictions. Authorities commented police investigators and prosecutors were overburdened and operated with limited resources.

Police and Immigration signed a Memorandum of Understanding (MOU) this year to provide a formal mechanism for coordination on investigating trafficking cases; one of the four trafficking cases in 2017 originated from this MOU. The police worked with Interpol and police from victims' countries, including Jamaica. However, the government lacked formal agreements or joint investigations with these organizations and countries. Twenty-four police, prosecutors, and judicial personnel received training from an international organization on victim-centered investigations and prosecutions.

The government did not report any new investigations of government employees complicit in trafficking offenses. The police standards committee continued to review, for disciplinary action, the 2015 case of three police officers suspected of indirect involvement in trafficking crimes; a hearing was expected in 2018. Over the past three years, the police force chose administrative sanctions for officers suspected or implicated in trafficking, rather than charging them with a crime under the country's trafficking laws.

PROTECTION

The government increased protection efforts. The government identified nine victims—eight adult female sex trafficking victims (two from Guyana and six from Jamaica) and one minor Antigua and Barbadian female victim; this compared to

four victims in 2016. Although the government did not have formal SOPs for victim referral, it developed and implemented a new referral chart that all relevant agencies used for victim referral. The government referred the eight identified victims to care services and assisted with one repatriation. During the reporting period, the government signed an MOU with the gender affairs department to provide for the immediate needs of victims. The gender affairs department, which worked with its network of providers, was responsible for providing care to the victims and obtained in-kind contributions for victim care donated from businesses. The government opened a crisis center for trafficking victims and other victims of gender-based violence. The government provided long-term shelter through an informal network organized by the Ministry of Public Safety.

All victims identified during the reporting period cooperated with law enforcement investigations. The government could provide temporary residency status for foreign victims who desired to stay in the country; this assistance was not contingent on assisting law enforcement. The government allowed testimony via video, although the director of public prosecutions had not used this method in court to date. Per the anti-trafficking law, 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. The government conducted victim identification training for 30 persons including labor and immigration officers and the media.

PREVENTION

The government increased prevention efforts. According to the Ministry of National Security, the 2017 budget for anti-trafficking efforts was 330,430 Eastern Caribbean dollars ($122,380), compared to 109,410 Eastern Caribbean dollars ($40,520) in 2016 and 66,000 Eastern Caribbean dollars ($24,440) in 2015. In addition, social services for victims came out of the violence against women budget of the gender affairs department. The Ministry of National Security also relied on in-kind donations from businesses for print material and public service announcements. All government agencies, however, cited lack of finances as a key deficiency in increasing anti-trafficking efforts. Barbuda, the smaller sister island to Antigua, was decimated by the passage of Hurricane Irma in September, which placed a strain on already limited government resources.

The Trafficking in Persons Prevention Committee (TPPC), the coordinating body for anti-trafficking efforts, was chaired by the Permanent Secretary of the Ministry of National Security and Labor. The TPPC, which included representatives from various government agencies and one NGO, continued to oversee implementation of the 2016-2018 national action plan. The government established a new working-level anti-trafficking unit within the Ministry of National Security, which comprised a victim care and support officer, an administrative assistant, an accounts officer, a communications officer, and a filing clerk. Authorities noted the unit improved coordination and efficiency of response efforts to trafficking.

The government increased awareness activities by producing two public service announcements and placing several billboards across the country. In September 2017, the government conducted a week of prevention activities in collaboration with NGOs and media outlets. The government also designed and presented plays at five schools. The gender affairs department included trafficking awareness training in its gender-based violence awareness sessions in ten communities, as well as in a special training session for government workers.

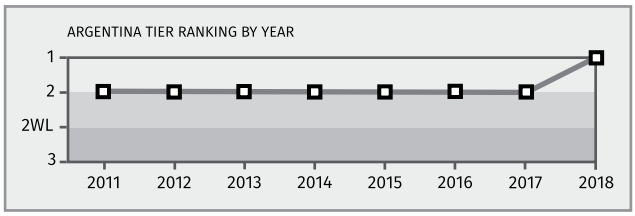
The government had not published its 2017 annual report on anti-trafficking efforts by the close of the reporting period. The government created and implemented a new database, managed by the anti-trafficking unit, to better track trafficking-related data across the government; participating authorities noted this database improved coordination and documentation. The government also conducted anti-trafficking training with labor inspectors, labor unions, and TPPC members. The government operated a gender-based violence hotline that could handle the reporting of trafficking and assisting victims. Through its public awareness campaigns across Antigua, the government made modest efforts to reduce the demand for commercial sex acts.

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. Legal and undocumented immigrants from the Caribbean region, notably from Jamaica, Guyana, and the Dominican Republic are most vulnerable to trafficking. Authorities reported an increased number of trafficking victims engaged in multiple-destination trafficking, arriving in Antigua and Barbuda for a few months before moving on to other Caribbean countries such as St. Kitts and Nevis and Barbados. Sex trafficking has been reported in bars, taverns, and brothels. 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 1

The Government of Argentina fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Argentina was upgraded to Tier 1. These achievements included prosecuting and convicting complicit officials; identifying and assisting more victims; establishing additional legal protections for victims; increasing the number of prosecutions; providing more training to government officials and civil society members; and improving data collection. Although the government meets the minimum standards, the number of investigations and convictions declined; mid- to long-term victim assistance, including housing for male victims, remained inadequate; and victim identification of vulnerable populations remained insufficient. Despite efforts to hold complicit officials accountable, official complicity in trafficking crimes continued to inhibit law enforcement efforts.



RECOMMENDATIONS FOR ARGENTINA

Strengthen efforts to investigate, prosecute, convict, and punish traffickers with dissuasive sentences, including complicit officials; provide adequate funding for specialized shelters, including dedicated shelters for male victims; increase availability of mid-

to long-term assistance for victims assisting law enforcement, including legal, medical, and employment services; provide victim identification training to law enforcement officials and labor inspectors focused on specific vulnerable populations, such as domestic workers; implement the anti-trafficking plan with an adequate budget; strengthen coordination among the federal and provincial governments and NGOs; increase awareness campaigns targeting vulnerable populations; improve victim restitution procedures; improve efforts to collect data on victim protection efforts and assistance; increase efforts to reduce the demand for forced labor, such as establishing government procurement policies to prevent the use of forced labor in their supply chains; and revise the definition of human trafficking under Argentine law to more closely align with the definition in the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. Law 26.842 of 2012 criminalized labor and sex trafficking, and prescribed punishments of four to 10 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, or coercion as aggravating factors rather than essential elements of the crime. The law also defined trafficking broadly to include facilitating or profiting from the prostitution of others and the illegal sale of organs without the use of force, fraud, or coercion. Due to these inclusions, it was unknown how many of the cases prosecuted under Law 26.842 involved trafficking offenses, as defined by international law.

While federal authorities did not report the total number of trafficking cases investigated, the Ministry of Security (MOS) expanded their data collection and reported federal officials recorded 3,130 preliminary trafficking investigations, which included actions such as wiretaps and raids, during the reporting period; it was unclear how many led to formal investigations. The anti-trafficking prosecutor's office (PROTEX) opened 237 investigations in 2017, compared with 298 in 2016 and 358 in 2015. The government prosecuted 63 suspected traffickers (35 for sex trafficking and 24 for labor trafficking) under the trafficking law, compared with 54 (32 for sex trafficking and 22 for labor trafficking) in 2016 and 98 for sex and labor trafficking in 2015. Four of the 63 suspected traffickers were connected to forced marriage, which the country's law criminalized under its anti-trafficking laws. The government convicted 38 traffickers (33 for sex trafficking and five for labor trafficking) in 2017, compared with 46 in 2016 and 35 in 2015. The average prison sentence was five years, with nearly 70 percent of convictions resulting in mandatory prison terms and the majority of mandatory prison terms exceeding one year. Twenty-three percent of conviction sentences were less than three years. Under Argentine law, defendants sentenced to less than three years for any crime were eligible to have their sentences suspended; 8 percent of all trafficking convictions resulted in suspended sentences or no prison time aside from pre-trial detention.

Corruption and official complicity in trafficking crimes remained significant concerns, although the government made progress on three previously reported cases. In one case, the government convicted in 2017 a provincial mayor and a superintendent to five years imprisonment for protecting a sex trafficking organization. In the second case, which involved a brothel owner accused of sex trafficking, PROTEX's complaint that one of three judges assigned to the case was allegedly involved in covering up trafficking crimes was accepted by the official judicial entity that certifies and disqualifies active judges. The judge resigned at the end of the reporting period, and because of this, the judicial entity is unable to continue their investigation. The prospect of separate authorities continuing the investigation or filing criminal charges was unknown at the end of the reporting period. Additionally, authorities indicted two defense attorneys of the brothel owner for alleged threats and intimidation against a witness. The third case, in which two members of the security forces and the judiciary were allegedly involved with three trafficking networks, authorities indicted 18 individuals—including both government officials—accused of sexual exploitation in September 2017, and the case was awaiting trial at the end of the reporting period. The government provided numerous anti-trafficking trainings to law enforcement, prosecutors, and judicial officials, among others, including virtual training courses. PROTEX, working with foreign governments and Interpol, helped investigate five international cases involving Argentine victims and alleged traffickers. PROTEX also signed cooperative agreements with Portugal, Brazil, and Bolivia to establish frameworks to hold joint investigations.

PROTECTION

The government increased protection efforts. The Rescue Program was the government office responsible for coordinating emergency victim services nationwide; in 2017, it reported identifying and assisting 1,107 trafficking (658 labor, 358 sex trafficking, and the remainder were unspecified) victims, compared with 666 in 2016. This included 960 adults, 57 minors, 560 females, 438 males, and 19 transgender victims. The Ministry of Social Development (SENNAF) is responsible for identifying and assisting foreign victims; SENNAF reported identifying and assisting 80 foreign victims during the reporting period. The government did not report if that number was included in the total number of victims that the Rescue Program identified. All identified victims received the option of emergency assistance—which included shelter, psychological, medical, and legal assistance—during the early stages of the investigation and trial. Law 27.362, enacted in July 2017, provided a legal framework, and more public defenders, to secure rights and guarantees for victims of crimes in general, including human trafficking victims. The law was not utilized in any trafficking cases in the reporting period. Additionally, the MOS developed guidance for referral of complaints on trafficking crimes within police and security forces stations and guidance on how federal security forces should behave when interviewing trafficking victims. 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 federal government did not make efforts to identify victims of domestic servitude, although some provincial-level officials led efforts to identify and raise awareness of domestic servitude.

SENNAF, along with each provincial government, was responsible for both mid- and long-term assistance for foreign and Argentine victims; they reported assisting 847 victims, marking the first time they collected these data. However, mid- and long-term assistance remained deficient. Regional governments in seven provinces operated anti-trafficking centers, which provided psychological, social, medical, and judicial assistance to trafficking victims. A government-funded NGO operated two shelters in Buenos Aires and Tucuman that assisted trafficking victims. SENNAF reported operating one

shelter specifically for foreign victims, regardless of gender or age. There were no other specialized shelters for male victims; therefore, the government often placed male victims in other government-funded shelters or in hotels for temporary housing. NGOs reported a need for long-term housing, skills training and employment, childcare, legal assistance, and financial assistance for victims after testifying in court cases. Foreign victims had the same access to care as Argentine nationals; however, victims were sometimes unaware of available services. Authorities reported 80 foreign victims received assistance during the reporting period, with roughly half being minors. The government did not report the number of victims who received repatriation assistance. The Ministry of Justice received approximately 199.7 million Argentine pesos ($10.4 million) to support victims' assistance activities. Authorities, including SENNAF, organized 64 training courses, reaching 8,136 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 Rescue Program 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. There were no reports of identified victims jailed or penalized for unlawful acts committed as a direct result of their being subjected to trafficking. Victims can file for restitution by bringing civil suits against traffickers. There were limited examples of success under this procedure, and the government conducted outreach and drafted policies during the reporting period to improve best practices on both topics.

PREVENTION

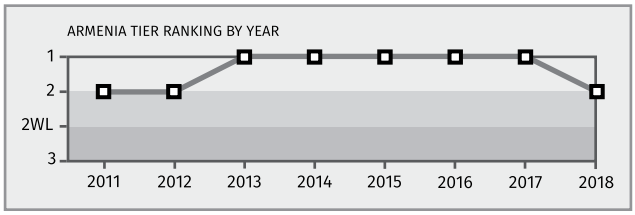
The government maintained prevention efforts. In March 2017, the Federal Council on human trafficking, which included federal government entities, provincial officials, civil society, and a smaller executive council that implemented the initiatives of the federal council, held its first full meeting with all participants and established victim assistance as an explicit mandate. Despite these efforts, NGOs advocated for improved interagency coordination, specifically on victim assistance. The government continued drafting a national action plan, with input from the federal council. The government launched a new campaign to increase public awareness of trafficking indicators and to encourage the public to report cases of potential trafficking. Some provincial governments undertook prevention efforts, such as awareness campaigns focused on advertising the national hotline, yet NGOs reported concerns with an alleged decrease in large-scale prevention campaigns over the reporting period. NGOs and municipal authorities continued to express concern about child sex tourism, although 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; yet civil society reported a decrease in labor inspections in rural areas. PROTEX continued operating the national hotline system with response assistance from the Rescue Program. The government made efforts to reduce the demand for commercial sex, but not for forced labor. 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, particularly Dominican Republic, Paraguay, Bolivia, Uruguay, and Brazil. To a more limited extent, Argentine men, women, and children are subjected to sex and labor trafficking in other countries, mostly in Europe. Transgender Argentines are exploited in sex trafficking within the country and in Western Europe. Men, women, and children from Argentina, Bolivia, Paraguay, Peru, and other countries are subjected to forced labor in a variety of sectors, including sweatshops, agriculture, street vending, charcoal and brick production, domestic work, and small businesses. Chinese citizens working in supermarkets are vulnerable to debt bondage. 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 2

The Government of Armenia 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 providing robust training for law enforcement, initiating slightly more prosecutions, and organizing various awareness campaigns. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. The government did not proactively identify victims or conduct proactive investigations and relied on victims to self-identify; the number of victims identified decreased compared to the previous reporting period. Authorities dropped most cases categorized as trafficking by local police due to a lack of evidence and first responders did not use uniform indicators to screen vulnerable populations. Investigators repeatedly interrogated victims, including children, and victims always appeared in front of their traffickers in court; risking re-traumatization. International organizations reported cases of child labor and child abuse in state childcare institutions, and noted the institutions lacked measures to prevent the exploitation of children. The government continued to suspend the majority of labor inspectorate functions, hindering regular inspections that had the potential to identify forced labor; no labor inspections were conducted during the reporting period. Therefore Armenia was downgraded to Tier 2.



RECOMMENDATIONS FOR ARMENIA

Vigorously investigate, prosecute, and convict traffickers under Articles 132 and 132-2; establish and implement preventative

measures for child labor and potential child trafficking in state child care institutions; increase efforts to proactively identify trafficking victims; develop standard operating procedures for screening trafficking victims and train officials on screening for trafficking among individuals in prostitution, migrants, refugees, and other at-risk populations; proactively investigate all potential trafficking offenses, even those complaints filed by victims that do not specifically mention trafficking; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including for children, and provide advanced training on trafficking investigations and prosecutions; 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; license, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad; 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 approve legislation to establish victim-witness protection measures.

PROSECUTION

The government decreased law enforcement efforts. Articles 132 and 132-2 of the criminal code criminalized sex and labor trafficking and prescribed penalties of five to eight years imprisonment, which were sufficiently stringent, and with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government investigated six cases (16 in 2016). Of these, two cases were sex trafficking and four were forced labor (five cases of sex trafficking, 10 of forced labor, and one case of both sex trafficking and forced labor in 2016). The government prosecuted three defendants (one in 2016); one for sex trafficking, one for forced begging, and one for forced labor. Courts convicted one sex trafficker (three sex traffickers in 2016). The trafficker received 12 years imprisonment.

Observers reported the Investigative Committee (IC) or Prosecutor General's Office dropped most cases categorized as trafficking by local police due to a lack of evidence. Local investigators lacked the skills to properly interview victims, especially children; however, the IC set up child-friendly interview rooms in five regional divisions. 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. As a result, law enforcement initiated investigations only when victims self-identified. The government trained 320 prosecutors, 327 investigators from the IC, and 540 employees from penitentiary institutions on trafficking issues. The government trained 119 officials working on juvenile investigations and 21 investigators from the IC on child trafficking issues. The government also trained 174 civil servants on fighting official complicity. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. Prosecution of forced labor cases involving Russia remained a challenge, 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 Turkey.

PROTECTION

The government decreased protection efforts. The government identified 13 victims (22 in 2016). Of these, eight were subjected to sex trafficking and five to forced labor (three sex trafficking and 19 forced labor in 2016); two were children in both 2016 and 2017; 10 were females and three were males (five females and 17 males in 2016). Experts reported an absence of proactive identification and the government relied on victims to self-identify. First responders did not use uniform indicators to screen vulnerable populations. The government provided temporary shelter, emergency medical aid, and psychological aid to potential trafficking victims during the "pre-identification stage," a stage where the government collected information on the potential victim within a maximum of 10 days. The Victim Identification Commission (VIC), comprised of national and local government bodies, NGOs, and international organizations, officially recognized victims based on information collected during the "pre-identification stage". NGOs reported positive cooperation with the government and that the referral procedures functioned well.

The government allocated 19,068,600 drams ($39,320) for victim protection efforts, including operational costs for an NGO-run shelter, compared to 18,846,000 drams ($38,860) in 2016. The government and local NGOs jointly provided victims legal, medical, and psychological assistance; housing; one-time monetary compensation of 250,000 drams ($515); and access to social, educational, and employment projects. The government also offered free health care but relied on NGOs to provide legal assistance, including the cost for attorneys. Two victims received health care (one in 2016) and nine victims received legal assistance. The government maintained a cooperation agreement and partially funded one specialized NGO-run shelter to provide services to victims; the NGO-run shelter assisted 19 newly-identified victims (19 in 2016), and 36 victims in total. The NGO-run shelter 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, but male victims did not have access to a shelter. The NGO-run shelter and childcare institutions accommodated child victims. However, GRETA and OSCE reported cases of child labor and child abuse in state childcare institutions; staff at state childcare institutions considered child labor to be normal. The law designated the Ministry of Foreign Affairs to coordinate repatriation of Armenian victims from abroad, but observers reported difficulties in repatriations due to a lack of established procedures and funds to cover logistical costs; the government repatriated three victims (11 in 2016).

Authorities did not make victim assistance contingent on victim cooperation with law enforcement and afforded foreign victims the same rights and services as Armenian citizens. The government did not penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. Observers reported law enforcement officers in remote areas lacked information and training to inform victims of their rights to protection or assistance. Victims hesitated to assist in prosecutions due to a lack of confidentiality in public testimonies, creating a fear of retaliation from traffickers and stigmatization from their family and community. Authorities did not protect victims' rights during court proceedings, including children; investigators repeatedly interrogated victims and victims always appeared in front of their traffickers in court, risking re-traumatization. The government continued to lack a formal victim-witness protection program. The government adopted a decree in 2016 that provided witness protection specifically to trafficking victims. Victims were legally entitled

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 allowed investigators to place defendants' property in custody to fund potential civil claims, but this rarely occurred in practice.

PREVENTION

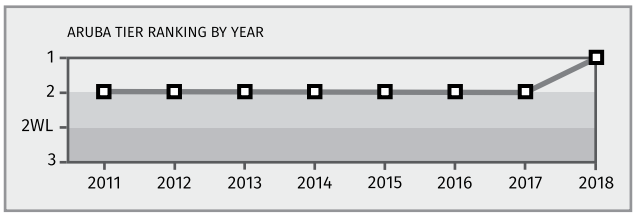
The government maintained prevention efforts. The Anti-trafficking Ministerial Council and the Interagency Working Group against Trafficking in Persons continued to implement the 2016-2018 national action plan (NAP) and published semi-annual and annual reports of its activities. Observers reported the government did not monitor for progress or assess the impact and outcomes of the NAP. There was no mechanism for oversight and regulation of labor recruitment agencies. 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 Ministry of Health formed the Health Inspection Body (HIB), but their mandate was limited to workplace health and safety inspections and did not have authority to conduct unannounced inspections; HIB was still recruiting inspectors and did not conduct any inspections during the reporting period. The government held awareness-raising discussion at schools and campaigns targeting students and teachers. 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 Labor and Social Affairs aired a trafficking program on television and government agencies posted trafficking information on their websites, including information on hotlines operated by police and NGOs; the government did not report the number of calls. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

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 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. 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 childcare institutions remain highly vulnerable to trafficking.

ARUBA: TIER 1†

The Government of Aruba fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Aruba was upgraded to Tier 1. These achievements included identifying and assisting more victims, prosecuting five individuals and convicting two traffickers—the first since 2013, approving the 2018-2022 national action plan, and establishing a specialized investigatory police unit. Although the government meets the minimum standards, it did not dedicate a budget for victim protection efforts or fund the implementation of the national action plan.



RECOMMENDATIONS FOR ARUBA

Allocate sufficient resources to enable the national anti-trafficking task force and national coordinator to implement the 2018-2022 national action plan and all anti-trafficking efforts; vigorously investigate and prosecute trafficking offenses; punish traffickers with prison sentences to deter the crime; implement guidelines for proactive victim identification and referral of possible trafficking victims among Venezuelan migrants and asylum-seekers; train officials on the use of the newly adopted referral mechanism; proactively identify trafficking victims among all vulnerable groups, including women in prostitution, those who hold adult entertainment visas, domestic workers, and migrants working in construction, supermarkets, and retail; continue to provide information to all migrant workers arriving in Aruba on their rights and resources for assistance; formalize agreements with local NGOs and private sector accommodations to shelter adult and child victims; and finalize the implementation strategy for the construction of the multifaceted shelter for victims of crimes, including trafficking.

PROSECUTION

The government increased prosecution efforts to combat trafficking. Articles 2:239, 2:240, and 2:241 of the penal code criminalized sex and labor trafficking. Penalties ranged from eight to 18 years imprisonment or a fine of 25,000 to 100,000 florins ($14,040 to $56,180). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Human Trafficking and Smuggling Unit (UMM), which became operational in 2017, investigated seven cases for alleged forced labor in 2017, compared with six trafficking investigations in 2016 and one in 2015. The government prosecuted five individuals (two for sex trafficking and three for forced labor) and convicted two traffickers whose sentence ranged from 21 to 22 months imprisonment. Between 2014-2016, the government did not initiate any prosecutions or convict any traffickers. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government trained 500 law enforcement officials on trafficking indicators. At the Interpol Conference on Human Trafficking in the Caribbean, the Aruban authorities trained officials in the region on best practices.

† 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.

PROTECTION

The government increased protection efforts. In 2017, the UMM reported identifying 71 victims of labor trafficking, compared with nine trafficking victims in 2016 and one in 2015. The anti-trafficking task force continued to provide law enforcement and social services officials with a checklist of the most common signs of trafficking. The task force also identified different scenarios in which officials might encounter victims of trafficking, such as during visa interviews or medical screenings required for certain jobs. Multi-disciplinary teams comprised of police, labor, and immigration officials investigated six cases of possible forced labor. These inspections led to the prosecution of three individuals; legal proceedings remained open at the end of the reporting period. In 2017, the government began using a formal victim referral mechanism to guide officials; however, the government did not report referring victims using this mechanism. The government maintained informal verbal agreements with local NGOs and private sector accommodations to shelter adult and child victims of trafficking. Authorities placed unaccompanied child victims in foster care centers, foster homes, or local churches. Officials conducted risk assessments before deciding whether victims could leave shelters unchaperoned and restricted their movement if their lives were threatened. Despite the absence of a dedicated budget for anti-trafficking efforts, the government provided food, shelter, legal assistance, medical care, and repatriation assistance to all victims. During the reporting period, the government began drafting a plan for the development of a multifunctional shelter for victims in the Dutch Caribbean. Authorities did not report whether any victims assisted the government in the prosecution of their traffickers during the reporting period. Foreign victims were entitled to the same rights and protection as Arubans. The law authorized the extension of temporary immigration relief for foreign victims for three to six months on a case-by-case basis, and allowed foreign victims whose employers were suspected of trafficking to change employers. Authorities did not report whether any victims received these benefits. The criminal code enabled victims to file civil suits against traffickers and if the trial resulted from a criminal investigation, the victim could seek restitution not to exceed 50,000 florins ($28,090) for financial and emotional damages. The Bureau of Victim Assistance operated a hotline for victims of all crimes, including trafficking. In 2017, four victims of trafficking were identified and referred to services after calling the hotline.

PREVENTION

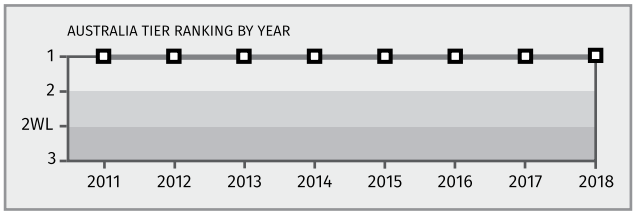
The government increased efforts to prevent trafficking. The government approved the 2018-2022 national anti-trafficking action plan; however, it failed to allocate funding for its implementation. The task force reported a lack of dedicated funding hindered implementation of the plan. The government continued to raise awareness of trafficking and the hotline via social media, posters, and flyers in four languages. The government educated students leaving Aruba to study abroad on the risks of becoming victims. In connection with the National Day Against Human Trafficking, the task force organized 10 training sessions for over 1,000 individuals including students, airline personnel, hotel staff, transportation companies, and the general public. The task force also worked with a local TV station to produce a documentary on trafficking expected to be released in 2018. The government continued procedures to screen and inform adult entertainers from Colombia, who must meet with Dutch consular officers to ensure the applicants know their rights and their work agreement before picking up their in-flight letter at the Dutch embassy in Colombia. Upon arrival, such visa recipients received information about their rights, risks, and resources. In an effort to reduce the entry or transit of potential victims of trafficking, the government created a register of all persons who acted as guarantors for foreigners entering the country. The government did not report efforts to reduce the demand for forced labor or commercial sex.

TRAFFICKING PROFILE

As reported over the past five years, Aruba is a transit and destination country for women, men, and children subjected to sex trafficking and forced labor. Venezuelan women are subjected to sex trafficking in Aruba, and foreign men and women are vulnerable to forced labor in the service and construction industries. Due to the deteriorating situation in Venezuela, the number of individuals overstaying their visa increased, leaving those with expired documentation vulnerable to trafficking. Chinese men and women working in supermarkets, Indian men in the retail sector and domestic service, and Caribbean and South American women in domestic service are also at risk 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 investigating more cases, convicting more traffickers, identifying and referring victims to services, administering a program through which community groups delivered services assisting vulnerable workers, and increasing training for law enforcement personnel. Although the government meets the minimum standards, it did not adequately screen for indicators of trafficking among vulnerable groups and limited some victims' access to services based on participation in law enforcement investigations. Due to inconsistent screening, some potential victims were detained, fined, or penalized for unlawful acts committed as a direct result of being subjected to human trafficking.



RECOMMENDATIONS FOR AUSTRALIA

Significantly strengthen efforts to investigate and prosecute trafficking offenses, with increased focus on labor trafficking, and convict and stringently sentence sex and labor traffickers; strengthen efforts to proactively identify trafficking victims among vulnerable groups, such as undocumented migrants or workers filing civil grievances; de-link the provision of services from participation in the criminal justice process; 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; conduct initial screening interviews with potential victims in a safe and neutral location, and in the presence of a social service professional; increase funding to NGOs for robust victim protection services and consider establishing a national compensation scheme for trafficking victims; 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 increase efforts to reduce the demand for commercial sex and forced labor, including in supply chains and government procurement policy.

PROSECUTION

The government increased law enforcement efforts. Divisions 270 and 271 of the Commonwealth Criminal Code criminalized sex and labor trafficking and prescribed maximum penalties of 12 to 25 years imprisonment and fines of up to 197,000 Australian dollars ($154,030). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The criminal code also criminalized forced labor and prescribed penalties of nine years imprisonment, and the Migration Act of 2007 criminalized exploitation of migrant workers through forced labor, sexual servitude, or slavery, and prescribed penalties of up to five years imprisonment and various fines.

In 2017, the government investigated 166 suspected cases of trafficking (105 in 2016), initiated prosecutions against six defendants (five in 2016), and convicted five traffickers (one in 2016). Authorities continued prosecutions from previous reporting periods against 14 defendants. The government convicted one sex trafficker and, in one case, four labor traffickers. Under the law, prosecutors cannot recommend prison sentences—a factor that may contribute to weak penalties for traffickers prosecuted under lesser criminal charges. 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. The government also prosecuted four defendants for allegedly traveling overseas to engage in child sex tourism but did not obtain any convictions (three in 2016). Authorities often opted to pursue labor or employment violations in lieu of trafficking charges, resulting in potential labor traffickers receiving only fines and other civil penalties that were inadequate to deter trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The government-funded and facilitated training on trafficking investigations, legal provisions, and victim support for more than 500 law enforcement and immigration officials. The Australian Federal Police (AFP) developed online training for front-line officers during the reporting period.

PROTECTION

The government maintained efforts to protect victims. Authorities identified 38 potential victims (18 for sex trafficking and forced labor, and 20 for which the form of exploitation was unclear), compared with 36 in 2016. Authorities referred all 38 potential victims to the Australian government's Support for Trafficked People Program (support program). The government also assisted 15 potential Australian trafficking victims abroad, four of whom were returned to Australia; the government provided two of those returned assistance under the support program. Authorities utilized a list of indicators to identify trafficking victims and refer them to services; the government collaborated with NGOs to update the list during the reporting period. However, authorities did not routinely screen for indicators of trafficking among vulnerable groups, and authorities often linked trafficking to migration. The government did not report screening for trafficking indicators among individuals smuggled via sea before forcing intercepted boats back outside of Australian territorial waters, or among refugees and asylum-seekers held in offshore detention centers, where they may have faced inadequate living conditions. Immigration authorities forcibly deported some asylum-seekers who may have been vulnerable to trafficking after returning to their home countries. Authorities identified most victims through the efforts of joint agencies, task forces, 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. While the government consulted with civil society through the Senior Official's Meeting of the National Roundtable on Human Trafficking and Slavery, NGOs noted a lack of collaboration on the ground in efforts to identify and screen for victims.

Authorities provided formally identified trafficking victims with accommodation, living expenses, legal advice, health services, vocational training, and counseling through a support program, for which the government continued to allocate approximately 1.7 million Australian dollars ($1.3 million). Only AFP had the legal authority to refer victims to the support program. NGOs reported the government denied access to or ceased provision of services to some victims who were unable or unwilling to participate in law enforcement investigations. In 2017, the government provided temporary stay visas to 13 foreign trafficking victims (33 in 2016), and granted permanent "referred stay" visas to eight victims (six in 2016) and their immediate family members, although some of these cases may have been forced marriage rather than trafficking. The government required victims to assist with an investigation or prosecution of a trafficking offense to obtain referred stay visas. Authorities provided witness assistance services to nine victims while they participated in prosecutions. The government did not have a centralized victim compensation system and victims relied on civil proceedings to access compensation. Some victims were detained, fined, or penalized for unlawful acts committed as a direct result of being subjected to human trafficking; this was largely due to the lack of proper screening and the government's requirement for victims to participate in viable investigations.

PREVENTION

The government maintained efforts to prevent trafficking. The Australian Interdepartmental Committee on Human Trafficking and Slavery coordinated the government's anti-trafficking efforts. The government continued implementation of its five-year national action plan to combat trafficking, launched in 2014, funded research projects, and facilitated awareness sessions for government agencies and civil society groups. The government also allocated 500,000 Australian dollars ($390,930) to four NGOs for projects dedicated to prevent trafficking; however, NGOs noted this funding mainly went towards organizations

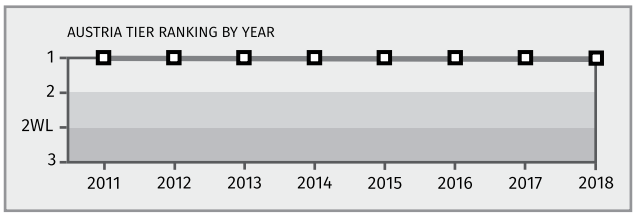
focused on forced marriage and the government did not produce adequate trafficking awareness campaigns. The government continued to fund anti-trafficking initiatives and deliver trainings in the Asia-Pacific region. The Fair Work Ombudsman administered a program to fund community groups to deliver services assisting vulnerable workers. It continued to conduct awareness-raising campaigns on migrant workers' rights and conducted inquiries into potential labor abuses committed against migrant workers. 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. The government did not make efforts to reduce the demand for commercial sex acts, but it operated a ministerial labor exploitation working group and migrant workers task force 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 Home Affairs distributed a training package to its overseas staff and visa service providers.

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 in both legal and illegal brothels, as well as massage parlors and private apartments. 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. Traffickers attempt to evade authorities by allowing victims to carry their passports while in brothels and frequently move them to different locations to prevent victims from establishing relationships with civil society or other victims. 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, cleaning, 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 Australia.

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 by identifying more trafficking victims, increasing funding for victim support, conducting more investigations of trafficking cases, and prosecuting more perpetrators. Law enforcement collaborated with neighboring and source countries on cases and in conducting training. The government also increased their emphasis on child victim identification and care by implementing the national referral mechanism for child victims. Although the government meets the minimum standards, courts in many cases issued light penalties for convicted traffickers.



RECOMMENDATIONS FOR AUSTRIA

Sentence convicted traffickers to penalties proportionate to the seriousness of the crime by ensuring more convicted traffickers serve time in prison; establish and implement a comprehensive national referral mechanism for adult victims; continue to strengthen cooperation with source country governments to promote awareness of trafficking among potential victims, and uncover and prosecute trafficking rings; enhance the level of detail contained in the government database of trafficking investigations, prosecutions, convictions and sentencing; and 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.

PROSECUTION

The Austrian government maintained law enforcement efforts. Article 104a of the criminal code criminalized sex and labor trafficking with penalties of up to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Article 104 also criminalized slavery, with penalties ranging from 10 to 20 years imprisonment. Article 217 made it a crime to bring a person into Austria for prostitution, regardless of the means used, but imposed stronger penalties when a foreign person was induced to engage in prostitution by deception, coercion, or force. Article 217 penalties ranged from six months to 10 years imprisonment. The government investigated 94 trafficking suspects under article 104a in 2017, compared with 77 in 2016. The government prosecuted 19 trafficking defendants in 2017, compared with 19 in 2016. Courts convicted three traffickers in 2017, compared with 10 in 2016 and two in 2015. In addition, the government also continued to investigate, prosecute, and convict trafficking crimes under Article 217, although it was unclear how many fit the definition of a trafficking crime. In 2017, it investigated 61 cases (also 61 in 2016), prosecuted 20 (also 20 in 2016), and convicted 7 (16 in 2016) under article 217.

The government did not provide updated sentencing data for the reporting period, although in March 2018 a court convicted two Chinese nationals in a sex trafficking case with prison sentences of three and one-half years, and 13 months, respectively. While the charges against 11 Chinese defendants included trafficking of more than 30 Chinese (People's Republic of China) women, the court only found exploitation and trafficking in the case of one woman. Victims had to pursue restitution via civil cases. The most recent comprehensive government data on prison

sentences was for 2016; seven traffickers received sentences in 2016, one of whom received a suspended prison sentence. Of the six receiving prison terms under Article 104a, one received a term of up to five years, two received up to three years, and three for one year or less. Of the eight convictions in 2016 under Article 217, five received prison terms, with one receiving a term greater than one year, and four received terms less than one year. In comparison, individuals convicted of rape received substantially longer prison terms, with the majority serving three years or more.

The government provided specialized trafficking-related training to prosecutors and judicial personnel, and law enforcement officials received training on trafficking within their standard curriculum. National and provincial governments cooperated with authorities from other countries to investigate and prosecute trafficking cases. Specifically, the Federal Crime Office (FCO) expanded their counter-trafficking efforts in collaboration with neighboring and source countries, including extensive police cooperation with EUROPOL, and through their joint police cooperation center in Austria where foreign police joined in Austrian trafficking investigations.

PROTECTION

The government increased protection efforts. 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 to proactively locate victims. Police and other government institutions, in cooperation with NGOs, identified and assisted 327 foreign victims in 2017, an increase from 301 victims in 2016, although not disaggregated by gender in the official statistics. Eight of the victims were children, and 54 victims were not identified by age. NGOs reported assisting 65 male victims. The government provided €876,000 ($1.05 million) to specialized anti-trafficking NGOs to assist and house victims, compared to €892,000 ($1.07 million) in 2016 and €832,000 ($998,800) in 2015. The government also provided €415,000 ($498,200) to two NGO-run counseling centers for male trafficking victims and undocumented migrants, compared to €400,000 ($480,190) in 2016. Government funding comprised the bulk of these organizations' budgets. The city of Vienna funded a government-run center for unaccompanied minors, including child trafficking victims, and offered legal, medical, psychological, social, and language assistance. Services for child victims were also available in cities throughout the provinces. Youth welfare authorities in the provinces continued to receive training from NGOs on identification of victims, with sessions held in three cities during 2017. For adult trafficking victims, government-funded NGOs provided 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. Victims in particular need of protection during the investigation and prosecution phases were afforded special interview methods, and could be accompanied by a trusted person.

The national trafficking task force implemented a comprehensive national referral mechanism and guidelines for the identification of child victims, although the task force had not yet implemented a comparable mechanism for adults. Government officials from multiple agencies and NGOs used guidelines and checklists to identify trafficking both child and adult victims proactively. Under a government-funded program, NGOs trained 68 immigration officials on victim identification, including those at federal migrant reception centers. The government also continued a wide range of trainings for law enforcement, the labor inspectorate, military officials, diplomatic services, detention and asylum center staffs, revenue agency authorities, and social service providers to more effectively identify victims.

Trafficking victims had the right to temporary residence status that could be extended each year, and residence permits allowed victims unconditional access to the labor market. Government benefits were not linked to their willingness to participate in the prosecution of their perpetrator, and victims were also granted a 30-day reflection period to receive assistance and decide whether to cooperate in investigations. The justice ministry reported 125 victims assisted with prosecutions during 2017. Victims were able to file civil suits against traffickers for damages and compensation, even in the absence of a criminal prosecution, and upon a conviction, courts also typically awarded restitution. The government provided legal aid for victims unable to afford their own legal representation.

PREVENTION

The government increased efforts to prevent trafficking. A national anti-trafficking coordinator headed a broad-based task force with representatives from nine federal ministries, provincial governments, NGOs, industry, and civil society. The task force led the continued implementation of the 2015-2017 national action plan and published a final report on results. The task force sponsored a conference for 120 provincial representatives to discuss coordinated efforts and conducted roundtables in all nine provinces in 2017 led by the working group on prostitution. The government also hosted international conferences on trafficking, including an event for 400 attendees on the EU's Anti-Human Trafficking Day in October, sponsored jointly with the OSCE, and focused on "Human Trafficking in Conflict and Crisis Situations."

The government supported publications and television programming on trafficking and child sex tourism, as well as campaigns to inform women in prostitution of their legal rights. Exhibitions in schools sensitized Austrian youth to trafficking issues, and the government continued to distribute the "Global Code of Ethics for Tourism" to tour operators, hotels, and restaurants to combat child sex tourism. The interior ministry continued to run a 24-hour trafficking hotline and email service, with translation available in multiple languages. Austrian embassies and consulates in source countries informed visa applicants of the potential dangers of trafficking. The foreign ministry continued efforts on preventing trafficking among employees of diplomatic households, increasing workers' awareness of their rights and sensitizing them to trafficking. During Austria's presidency of the OSCE in 2017, the government co-sponsored a conference in May for all OSCE members on preventing trafficking in diplomatic households. The government required foreign domestic workers in diplomatic households to appear in person to receive their identification cards.

Prostitution is legal in Austria, and as a part of government effort to reduce the demand for commercial sex acts, the government assisted NGOs in distributing a brochure, published in seven languages, which raised public awareness about trafficking occurring within the commercial sex industry. The government worked with business and labor organizations in

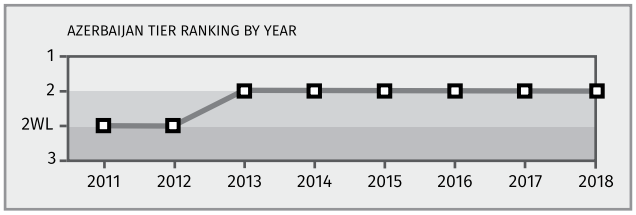
awareness-training on labor trafficking and exploitation, and also continued their annual training of labor inspectors, with 55 inspectors being trained since the program's inception in 2015. The government continued to enforce public procurement guidelines to avoid goods and services provided by exploited workers. Austrian troops received anti-trafficking training prior to deployment on peacekeeping missions.

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. An estimated 95 percent of identified victims are foreign women subjected to sex trafficking. Traffickers sometimes lure women by offering them fictitious positions, including as au pairs, cleaners, restaurant workers, and dancers. Domestic workers in diplomatic households and workers in restaurants, construction, cleaning companies, and agriculture are frequently subjected to labor exploitation. Children and physically disabled persons are the primary victims of forced begging. A growing number of female victims from Nigeria and China are abused for sexual exploitation, some in massage parlors and brothels. Many victims transit through Austria to other European countries.

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 establishing a new victim assistance center to provide specialized support services and maintaining good cooperation with civil society at the other victim assistance center. The government increased funding to civil society to organize awareness campaigns and funded an NGO to provide training to local police on victim identification. However, the government did not meet the minimum standards in several key areas. Law enforcement lacked an understanding of trafficking and victim-centered approaches. First responders did not consistently follow standard operating procedures (SOPs) and made minimal efforts proactively identifying Azerbaijani victims of internal trafficking, including children. The Ministry of Internal Affairs (MIA)-run shelter often did not accommodate victims who did not cooperate with law enforcement and the government did not provide funding to NGO-run shelters despite relying heavily on their victim support and reintegration services.



RECOMMENDATIONS FOR AZERBAIJAN

Vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; increase proactive identification efforts, particularly for internal trafficking, forced labor, and children; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including for children, and advanced training on trafficking investigations and prosecutions; respond to NGO referrals of potential trafficking victims by investigating alleged crimes and providing appropriate victim services; train first responders, including law enforcement, immigration, and social services personnel, on proactive victim identification and inform relevant actors on formal identification procedures; allocate adequate funding to NGO-run shelters providing victim support services; strengthen the capacity of the Labor Inspectorate to identify and refer victims of forced labor; improve coordination and communication among government agencies, including for 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 maintained law enforcement efforts. The 2005 Law on the Fight against Trafficking in Persons and article 144 of the criminal code criminalized sex and labor trafficking and prescribed penalties of five to 10 years imprisonment, which are sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated 29 cases with 33 suspects (26 cases in 2016): 25 were for sex trafficking and four were for forced labor cases (22 sex trafficking and four forced labor cases in 2016). The government prosecuted 29 defendants (36 in 2016). Courts convicted 29 traffickers (28 in 2016): 25 for sex trafficking and four for forced labor (28 sex traffickers in 2016). Three traffickers received prison sentences between one to five years and 26 traffickers received sentences between five to 10 years.

MIA maintained an Anti-Trafficking Department (ATD) that led most trafficking investigations. Observers reported law enforcement lacked an understanding of trafficking and the capacity to investigate trafficking, particularly law enforcement outside of Baku. Experts reported most investigations were reactive and over reliant on victim testimony. Additionally, observers reported a lack of victim-centered approaches within law enforcement, including media reports of local police and prosecutors insulting and dismissing a potential trafficking victim who attempted to self-identify. ATD held 32 trainings on trafficking issues. 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. The government identified 71 trafficking victims (70 in 2016); 66 female victims of sex trafficking and five male victims of forced labor (69 female sex trafficking victims and one male forced labor victim in 2016). The government did not identify any child victims in both 2016 and 2017. Sixty-eight victims were Azerbaijanis and three were foreign victims (one foreign victim in 2016). The government had SOPs for victim identification but first responders, including law enforcement, immigration, and social services personnel, were either unaware of the procedures or did not consistently follow and understand them. SOPs required first responders to refer potential victims within 24 hours to ATD, who officially recognized 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. Civil society referred six potential trafficking victims to ATD (466 potential victims in 2016) but ATD determined none to be victims in both 2016 and 2017; civil society members noted ATD did conduct adequate review of referred cases in making such determinations in 2017. Observers reported minimal efforts to proactively identify Azerbaijani victims of internal trafficking, including children; 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 government-funded an NGO to provide training workshops for local police on how to identify and assist trafficking victims.

The government allocated 150,530 *manat* ($88,030) for victim protection, compared to 154,000 *manat* ($90,060) in 2016. The MIA-run trafficking-specific shelter provided accommodation, financial assistance, legal assistance, and medical and psycho-social support; 65 officially recognized victims and six potential victims received support at the MIA-run shelter (63 officially recognized victims and seven potential victims in 2016). The MIA-run shelter had separate areas for women, men, and children but limited freedom of movement for victims and required victims to submit an application to leave the shelter. Observers reported the MIA-run shelter generally did not accommodate victims who did not cooperate with law enforcement. The Victim Assistance Center (VAC) in Baku provided legal, psychological, medical, and employment assistance to officially recognized and potential trafficking victims. ATD referred 68 victims to the VAC and civil society referred 28 potential victims to the VAC. The VAC provided 44 officially recognized victims with medical aid, 52 with psychological assistance, and 53 with legal aid. The government also provided 21 officially recognized victims and potential victims with employment and 10 with vocational training. The government established a new VAC in Goychay to provide specialized rehabilitation services to trafficking victims. Civil society reported good cooperation with the VAC and praised their reintegration services. The government did not provide funding to NGO-run shelters despite relying heavily on their victim support and reintegration services to 41 victims (40 victims in 2016). NGOs remained severely underfunded and restrictive legislation governing foreign grants limited NGOs' ability to receive funding from foreign donors. Most NGO-run shelter staff who provided support services during the reporting period worked on a voluntary basis. The State Migration Service (SMS) issued temporary residence permits for two victims from Russia and one victim from Ukraine.

PREVENTION

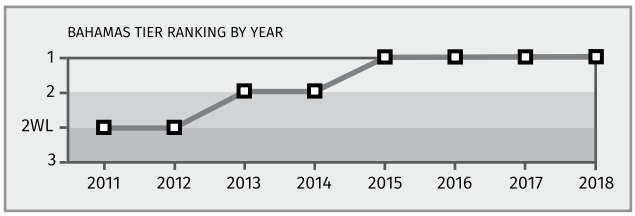
The government maintained prevention efforts. The national coordinator led the implementation of the national action plan (2014-2018) and coordinated government wide anti-trafficking efforts; however, lack of cooperation between agencies hindered interagency coordination. The government awarded 104,000 *manat* ($60,820) to fund 16 proposals from civil society for awareness campaigns, compared to 71,000 *manat* ($41,520) in 2016. The government also conducted awareness campaigns targeting youth and students. The government publicly released an annual assessment of the country's anti-trafficking efforts, including prosecution data and protection efforts. SMS helped 378 stateless persons obtain identification documents and Azerbaijani citizenship, and legalized residency for 2,500 irregular migrants. The government did not report measures to reduce the demand for commercial sex or forced labor. A presidential decree in 2015 prevented the labor inspectorate from conducting spontaneous employment inspections, which restricted proactive investigations and victim identification efforts. In 2017, the government extended the suspension period of labor inspections until 2021.

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 as well as in Malaysia, Turkey, Russia, Pakistan, and the UAE. Azerbaijan is a destination country for sex and labor trafficking victims from Ukraine, China, Russia, 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, including those of Romani descent, are subjected to forced begging and forced labor as roadside vendors and at teahouses 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 by securing its first conviction since 2015. The government also screened more potential trafficking victims, increased funding for victim assistance, and collaborated with foreign countries on investigations. Although the government meets the minimum standards, it identified fewer victims and was inconsistent with implementation of screening procedures for vulnerable populations. Credible allegations of corruption raised concerns about vulnerabilities to potential trafficking victims during the reporting period.



RECOMMENDATIONS FOR THE BAHAMAS

Increase efforts to prosecute, convict, and appropriately punish traffickers; increase implementation of the victim identification and referral protocol to identify victims of sex and labor trafficking, especially among vulnerable groups; increase training for judges on a victim-centered approach and provide victims alternatives to in-person cross-examination in court; increase grassroots outreach to potential trafficking victims among vulnerable groups, in partnerships with NGOs; continue to provide all identified victims with adequate protection and assistance; appoint a secretariat to oversee all anti-trafficking

efforts; strengthen engagement with officials involved in anti-trafficking activities in other countries in the region; begin drafting a new anti-trafficking national action plan; develop and provide anti-trafficking training to diplomatic personnel; 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 increased law enforcement efforts. The Trafficking in Persons (Prevention and Suppression) Act 2008 criminalized sex and labor trafficking and prescribed penalties ranging from three years to life imprisonment. These penalties were sufficiently stringent, and with regard to sex trafficking, 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; however, alleged ongoing corruption within the Immigration Department remained a concern, as it created vulnerabilities for potential trafficking victims.

Authorities initiated 12 new investigations (two labor trafficking and 10 sex trafficking) involving 60 potential victims, compared with 11 new investigations involving 37 potential victims in 2016. Authorities ultimately determined only one of these cases (involving one victim) to constitute trafficking. Authorities initiated two prosecutions, compared to one in 2016, and continued three prosecutions from previous years. The government recorded its first conviction since 2015 and sentenced the convicted trafficker to 21 years imprisonment. The Magistrate's Court acquitted three alleged traffickers prosecuted in the previous reporting period; the government's appeal of those acquitted was withdrawn due to lack of sworn witness testimony. Government officials funded and delivered training to over 200 police officers, 165 immigration officers, and a number of community members including family service employees, church leaders, and school health nurses, on the Bahamian anti-trafficking law, trafficking indicators, and both victim identification and assistance. The government continued work with an international organization and four governments to finalize a law enforcement cooperation agreement. The government cooperated with two governments on trafficking investigations during the reporting period, with one leading to the reported conviction of a Bahamian national.

PROTECTION

The government maintained limited efforts to protect victims. Authorities continued to implement a formal victim-centered protocol to guide front-line responders in identifying both sex and labor trafficking victims and referring them to services. However, concerns remained on the thoroughness of their application when dealing with vulnerable populations, such as migrants. 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 60 potential trafficking victims and identified one victim, compared with screening 37 potential victims and identifying five victims in 2016. The identified victim received an immigration certificate, government-funded housing, and medical, psychological, legal, and reintegration assistance.

The government reported spending approximately 82,060 Bahamian dollars ($82,060) on trafficking victims' care—which included assisting victims' children and continued funding for trafficking victims from prior reporting periods—compared to 59,450 Bahamian dollars ($59,450) in 2016. The government also provided subsidies of 240,000 Bahamian dollars ($240,000) to four NGOs that provide services to trafficking victims, among other vulnerable groups. The government granted one foreign victim relief from deportation. Migrants remained vulnerable to rapid arrest and summary deportation by Royal Bahamian Defense forces without proper trafficking screening, and ineffective screening of other vulnerable populations for indicators of trafficking, such as those in prostitution, may have led to arrests of victims. 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. Government assistance was not contingent upon cooperation by victims. Bahamian law permits victim testimony via live television links and for the reading of written statements into evidence; however, in 2016, a magistrate acquitted three traffickers in part because the victims could not be cross-examined. The identified victim during the reporting period chose to assist with the investigation and prosecution of their cases. The anti-trafficking act authorized the court to order convicted defendants to pay restitution to victims; however, such restitution was not ordered in 2017.

PREVENTION

The government maintained prevention efforts. The inter-ministerial committee to coordinate anti-trafficking policy met monthly, as did the government's anti-trafficking task force, which was charged with operational coordination on cases. The government did not make public any assessments of its anti-trafficking efforts. The government continued a campaign to educate students, vulnerable populations, faith communities, the public, and government officials about trafficking, including pamphlets in English and Creole, public service announcements on television and radio, and video shared via social media. The government partnered with NGOs to implement its comprehensive 2014-2018 national anti-trafficking strategy and detailed action plan. The government dedicated finances and resources to implement the plan.

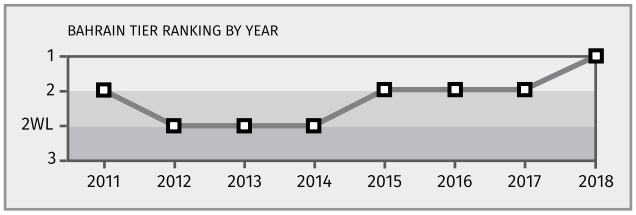
The Department of Labor raised awareness in the business community, distributed pamphlets about labor trafficking and workers' rights, advised potential job seekers about potential fraud in the cruise ship industry, and screened for indicators of trafficking when inspecting work sites. The Department of Labor did not continue a past practice of sending informative letters to foreign nationals with work permits and advising employers of the prohibition against document retention. The government conducted awareness efforts targeted at potential clients of prostitution and conducted random inspections of businesses, including strip clubs and bars, to identify sex trafficking. Authorities did not consider child sex tourism to be a problem in The Bahamas and reported no such investigations, although it developed a special pamphlet on child trafficking, trained tourism officials, and placed pamphlets in tourism information booths. The government did not provide anti-trafficking training to its diplomatic personnel. While no trafficking-specific hotline exists, the Ministry of Social Services and an NGO maintained hotlines for victims of abuse.

TRAFFICKING PROFILE

As reported over the past five years, The Bahamas is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Migrant workers, especially those from Haiti, Jamaica, the Dominican Republic, Costa Rica, Cuba, Colombia, Venezuela, and the Philippines, are recruited through false offers of employment, such as through advertisements in foreign newspapers; upon arrival, traffickers subject them to sex trafficking and forced labor, including domestic servitude and in sectors with low-skilled labor. Children born in The Bahamas to foreign-born parents who do not automatically receive Bahamian citizenship, and individuals involved in prostitution and exotic dancing are vulnerable to trafficking. Traffickers previously confiscated victims' passports with greater regularity, but more recently they have victims retain their documents in case they are questioned by law enforcement.

BAHRAIN: TIER 1

The Government of Bahrain fully meets the minimum standards for the elimination of trafficking. The government made key achievements during the reporting period; therefore Bahrain was upgraded to Tier 1. These achievements included the government's first conviction of a Bahraini national for forced labor and first conviction of a complicit government official. The government began implementing a new nation-wide referral mechanism, and it identified and provided care to more than 30 trafficking victims. It also took concrete steps to reform the sponsorship system by introducing a program to allow some undocumented workers to self-sponsor, and it launched standardized tripartite labor contracts for domestic workers. Officials developed and facilitated anti-trafficking awareness campaigns across the country, and continued to inform all incoming migrant workers of their rights under Bahraini law. Although the government meets the minimum standards, it did not criminally investigate as potential trafficking crimes cases of unpaid or withheld wages, passport retention, and analogous abuses—indicators of forced labor, which it handled administratively as labor law violations. Its law enforcement efforts are disproportionately focused on sex trafficking, as it seldom investigated, prosecuted, or convicted cases of forced labor. Although the government strengthened protections for domestic workers, cultural norms regarding privacy within Bahraini households and limited access of labor inspectors to access domestic worksites hampered implementation of existing laws and institutional reforms in some cases.



RECOMMENDATIONS FOR BAHRAIN

Increase efforts to investigate, prosecute, and convict traffickers, particularly cases involving forced labor or allegedly complicit officials; expand and fully implement reforms to the sponsorship system; vigorously investigate and prosecute potential trafficking cases involving passport retention and non-payment of wages as trafficking crimes; continue to implement formal procedures to identify trafficking victims among vulnerable groups, such as domestic workers, migrant workers, and women in prostitution; continue to implement the national referral mechanism to refer identified victims to protection services; amend flexible work permit provisions to ensure flexible work permit holders have the same labor protections as other workers; expand and actively enforce labor law protections for domestic workers; strengthen training for officials on the anti-trafficking law and victim identification; continue to conduct national anti-trafficking awareness campaigns, strategically targeting migrant and domestic workers.

PROSECUTION

The government increased its law enforcement efforts. The anti-trafficking law, Law No.1 of 2008, criminalized sex and labor trafficking. It prescribed 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 were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Article 325 of the penal code prescribed imprisonment of two to seven years for forced prostitution and three to 10 years if the victim was a child.

The Ministry of Interior (MOI) reported investigating 31potential trafficking cases during the reporting period, all of which involved sexual exploitation of adult females, compared to 29 investigations the previous reporting period. Of the 31 investigations, officials referred 18 for prosecution, compared to 25 referred the prior year. One sex trafficking prosecution with two defendants remained ongoing from the previous year. It convicted and sentenced seven sex traffickers from Bahrain, Russia, and Bangladesh to between five and 10 years imprisonment plus fines between 2,000 and 5,000 Bahraini dinar ($5,310-$13,260); in 2016, the government convicted and similarly sentenced three traffickers. For the first time, officials convicted a Bahraini national of forced labor involving a Filipina domestic worker, from a case initially investigated during the previous reporting period. In September 2017, the High Criminal Court sentenced, under the anti-trafficking law, a police officer to five years in prison and a fine of 2,000 Bahraini dinar ($5,310), for accepting bribes from traffickers and using his position of authority to preclude any investigations of the sex trafficking ring—the first known case of a government official being held criminally accountable for complicity in a trafficking crime. The government also arrested and initiated prosecution of a former police officer who used his position and connections with hotels and residential buildings to collude with a Colombian woman to lure women to Bahrain through social media under false pretenses of high salaries in legitimate jobs over a five-year timeframe; the prosecution remained ongoing at the close of it. Local press reported one additional instance of a former police officer who facilitated the exploitation of sex trafficking victims by assisting an Indian businessman with running a prostitution ring out of his hotel.

The government typically treated cases of unpaid or withheld wages, passport retention, and analogous abuses that are indicators of forced labor administratively as labor law violations rather than routinely investigated for trafficking crimes. The public prosecutor received referrals from the Labor Market Regulatory Agency (LMRA) of four recruitment agencies allegedly involved in forced labor. Eight prosecutorial personnel received anti-trafficking training via the Judicial and Legal

Studies Institute. Officers and MOI personnel continued to receive annual, mandatory anti-trafficking training at the Royal Academy for Police.

PROTECTION

The government increased efforts to protect victims, specifically the vulnerable domestic worker population. It identified 31 adult trafficking victims during the reporting period; it did not report identifying any victims the previous year. The government continued to employ standard procedures to identify potential trafficking victims, but in May 2017, the National Committee to Combat Trafficking in Persons (NCCTIP)—in cooperation with two international organizations—officially launched its government-wide National Referral Mechanism (NRM) to streamline the proactive identification of trafficking victims, ensure proper documentation of cases, effectively refer cases to the MOI and public prosecutor's office for an official determination as a trafficking case, and provide adequate protective provisions to victims until case resolution or voluntary repatriation. During the reporting period, the government distributed the 30-page, bilingual English-Arabic NRM booklets to all relevant ministries and nongovernmental stakeholders. The LMRA reportedly received direct referrals of 516 potential victims from a variety of sources, including the NCCTIP's hotline, police stations, other government entities, and foreign embassies. The LMRA's Expatriate Protection Unit (EPU) provided all 516 individuals—some of whom were trafficking victims—with shelter, food, clothing, medical care, religious support, psycho-social counseling, rehabilitation, familial reunification, translation assistance, legal counsel, and repatriation or job placement in Bahrain. The EPU continued to oversee the safe house and shelter for both male and female workers, regardless of their legal status in the country. It also 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 NCCTIP. Embassies of labor-sending countries reported they temporarily housed some victims who refused to go to the EPU or were unable to reach it. In 2017, the NCCTIP allocated 200,000 Bahraini dinar ($530,500) for the establishment of a victim assistance fund from which trafficking victims are entitled to a small grant to help them reestablish themselves either in Bahrain or in their home country, as well as monthly compensation in the event their presence in Bahrain was court-mandated to conclude a criminal trial.

Labor Law No.36 of 2012 established 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. Multiple agencies cited difficulties conducting unannounced inspections of domestic worker accommodations and investigating allegations of abuse in the absence of an official complaint, due to cultural norms surrounding privacy in homes, which may have left some victims at risk of exploitation and without protective provisions. In December 2017, the government officially launched and publically gazetted standardized tripartite labor contracts for domestic workers. The LMRA provided all 130 registered recruitment agencies in Bahrain with copies of the new contract, which required domestic workers to sign, prior to their arrival, a comprehensive work agreement that unequivocally outlined labor rights and employment obligations. The new unified contract took effect in January 2018 and aims to strengthen protections for domestic workers by requiring employers to declare the nature of the job, hours to be worked, and salary, among other critical information. For the first time, this allowed domestic workers brought in by recruitment agencies to accept or reject an employment contract in their respective countries of origin, and the LMRA maintained copies of the contracts to assist in any future labor disputes.

There were no reports victims were punished for crimes committed as a direct result of their being subjected to trafficking. 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 shared with all victims a full evaluation of their cases 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. NGOs reported workers who entered the country illegally or under pretenses did not routinely 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—laborers in violation of the local labor law because they are working for a non-sponsor employer after leaving the employment of the sponsor that facilitated their entry into the country. The labor law allows foreign workers to change sponsors during investigations and court proceedings; the government did not report how many workers transferred employment during the year. Workers infrequently 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 did not report how many third country nationals it repatriated to their countries of origin during the reporting period.

PREVENTION

The government increased efforts to prevent trafficking. It took concrete steps to reform the sponsorship system particularly for workers who are currently undocumented. In July 2017, the LMRA launched a "flexible work permit" program to legalize undocumented workers while simultaneously permitting previously exploited and illegal laborers to self-sponsor, thereby commencing a shift away from the sponsorship-based employment system. By allowing higher marketplace flexibility, stronger protections for workers' rights, and improved workplace environs, this new permit program allows up to 2,000 expatriates to apply every month to reside and work in Bahrain without needing a sponsor, after which successful applicants can work any job with any employer on a full-or part-time basis, negotiate wages and working hours directly, and secure multiple jobs concurrently with varying employers. Currently domestic workers, workers who have absconded from their employers, and all classes of workers with valid work permits are not eligible to apply for the program. Some NGOs and source country embassies have expressed concern that unskilled workers may be dissuaded from participation in the program due to its relatively high cost of 449 Bahraini dinar ($1,190); however, the costs included a two-year work permit, health care coverage for both years, a refundable deposit for travel tickets, and an extension of residency permits. At the close of the reporting year, more than 2,200 individuals obtained a "flexi" work permit.

Passport retention was a crime punishable under Article 395 of the Bahraini penal code. It was a crime to limit or otherwise control any person's freedom of movement in accordance with Article 19(b) of the constitution of Bahrain. Laborers

may file a grievance for passport withholding with the police or LMRA; a worker may also register a complaint to the court directly if the employer refuses to return the passport. The government typically treated indicators of forced labor—cases of unpaid or withheld wages, passport retention, and analogous abuses—administratively as labor law violations and resolved through arbitration rather than routinely investigated for trafficking crimes; however, if arbitration was unsuccessful a worker could file a grievance against the employer in a labor court. In 2017, the government reported closure of three recruitment agencies and revocation of their licenses for contravening Bahraini labor law, and cancelled 17 additional agency licenses for non-compliance with LMRA regulations. The LMRA's Enforcement and Inspection Department employed 70 inspectors in enforcement of employment violations responsible for worksite inspections. The LMRA and the Ministry of Justice, in partnership with an international organization, trained more than 170 individuals—including journalists, source country labor attaches, social workers, judges, prosecutors, and labor inspectors—over the course of five separate, multi-day workshops focused on trafficking.

The NCCTIP's budget during the year was 500,000 Bahraini dinar ($1.3 million) for operations and 376,000 Bahraini dinar ($997,350) for awareness and outreach programs, roughly equivalent to 528,300 and 265,000 Bahraini dinar ($1.4 million and $702,920), respectively, the year prior. The government launched an awareness campaign in both local and expatriate communities in Bahrain, involving youth of various nationalities, schools, religious institutions, and foreign embassies. In partnership with an international organization, the NCCTIP held a workshop targeting media personnel to enhance their understanding of trafficking, more accurately report on such issues, and improve the overall role of the media in combating the crime. Also during the reporting period, Bahraini officials participated in a two-day workshop, organized by the General Federation of Bahrain Trade Union, to discuss regulatory mechanisms germane to domestic workers in the region. A quasi-governmental organization produced a campaign to prevent companies from illegally withholding their employees' passports. The LMRA continued to provide booklets outlining labor rights in 13 languages common among expatriate worker populations, and distributed them upon arrival at the Bahrain International Airport and LMRA when applying for initial or renewed residency cards. The NCCTIP hotline was active to both collect reports and serve as a resource to educate workers about their rights and available services in Hindi, Telugu, Sinhalese, Tamil, Urdu, Malayalam, Arabic, and English. In 2017, the hotline received 5,388 calls, most of which pertained to labor rights, advice on workplace situations, and miscellaneous requests; it was unclear how many calls constituted instances or indicators of trafficking, but officials identified one trafficking victim and investigated an unknown number of cases as a direct result of the hotline. The government had memoranda of understanding (MOUs) with several labor exporting countries, including Nepal, Sri Lanka, Pakistan, and India, which focused on oversight of recruitment agencies and protection of migrant workers in Bahrain. The government did not make discernable efforts to reduce the demand for commercial sex. The government provided anti-trafficking training for its diplomatic personnel.

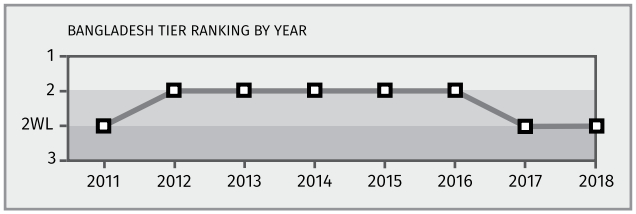
TRAFFICKING PROFILE

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, among other countries, migrate voluntarily to Bahrain to work as semi-skilled or unskilled laborers in the construction and service industries. In recent years, and particularly during the current reporting period, the greatest influx of workers hailed from Bangladesh, and the Bangladeshi population represented the majority of undocumented workers. Some migrant workers are subjected to forced labor in Bahrain; indicators include passport retention, strict confinement, contract substitution, non-payment of wages, debt bondage, threats or intimidation, and physical or sexual abuse, which preclude employees from reporting instances of 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. During the reporting period, local press reported women from Russia, Thailand, and Colombia were recruited to Bahrain via social media platforms or Bahrain-based acquaintances with false pretenses of high-paying jobs and subsequently forced into prostitution. Government and NGO officials report physical abuse and sexual assault of female domestic workers are significant problems in Bahrain, and domestic workers hailing from African countries are increasingly susceptible to labor exploitation and arrive in Bahrain through direct recruitment by local employers. Many migrant workers are paired with employers through intermediaries in Bahrain and unlicensed recruiters in their respective countries of origin, in addition to back-and-forth movement between Saudi Arabia and Bahrain via the causeway as Saudi nationals are able to sponsor foreign workers in Bahrain. Some migrant workers are not in possession of their employment contracts and are generally unfamiliar with the employment terms contained therein. Some unscrupulous employers continue to lure migrant workers to Bahrain and release them illegally in 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 in violation of the local labor law—thereby rendering them vulnerable to exploitation. Although currently under reform, Bahrain's sponsorship-based employment system continues to put some workers at risk of trafficking by restricting employees' ability to change employers or leave the country, and by giving employers the unilateral power to cancel residency permits.

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 prosecuting two officials allegedly complicit in human trafficking. The government investigated alleged trafficking crimes against Rohingya refugees and arrested some of the perpetrators, while also establishing humanitarian aid and security that may contribute to the prevention of some trafficking crimes. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Courts convicted only one trafficker in 2017—a decrease from 2016 and a low number compared with the scale of the trafficking problem. Official complicity in trafficking crimes remained

a serious problem and the government did not report taking action against some credible allegations. While the government retained a court-order mechanism to refer trafficking victims to rehabilitation services, the government reported referring only one victim to such care in 2017 and it did not have a broader referral mechanism encompassing all relevant stakeholders. The government's protection services, when acquired, were neither designed for trafficking victims' specific needs nor available for adult male victims. While the government maintained labor export agreements with several countries intended to regulate recruitment fees, the government continued to allow high recruitment fees and did not consistently address illegally operating recruitment sub-agents, which left workers vulnerable to trafficking. Therefore Bangladesh remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR BANGLADESH

Take steps to eliminate recruitment fees charged to workers by licensed labor recruiters and ensure they are paid by employers; increase prosecutions and convictions, particularly of labor traffickers, fraudulent labor recruiters, and complicit government officials, while strictly respecting due process; proactively incorporate forced labor and sex trafficking prevention measures into the response to the Rohingya refugee crisis; increase investigations and prosecutions of credible allegations of trafficking of Rohingya; establish guidelines for provision of adequate victim care and standard operating procedures for the referral of victims to such services; 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; complete the draft 2018-2022 National Plan of Action (NPA) and allocate funding to and identify a senior governmental official to facilitate the implementation of the NPA; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The 2012 Prevention and Suppression of Human Trafficking Act (PSHTA) criminalized sex and labor trafficking and prescribed penalties of five years to life imprisonment and a fine of not less than 50,000 Bangladeshi Taka (BDT) ($610). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In the previous reporting period, the government finalized and disseminated the implementing rules for the PSHTA. The government continued to train police officers through an anti-trafficking module at the police academy. The government also provided in-kind support to international organization- and NGO-run trainings for police and immigration officials. While the government reported 50,780 police officers were trained on human trafficking through a total of 148 programs in 2017, it did not report if police and other relevant officials received training on the PSHTA implementing rules. Various observers stated police officers did not understand human trafficking and, at times, conflated it with migrant smuggling.

The government did not report comprehensive data under the same law enforcement actions as in past years, thereby making past data incomparable. In 2017, the government reported 778 cases were recorded with police under the PSHTA, of which 496 remained under investigation at the end of the year. Of the 282 completed investigations, 86 cases were unsubstantiated and 196 cases resulted in charges against the accused, although the government did not report the number of prosecutions initiated during the year nor did it categorize the cases between sex and labor trafficking as it had in the past. In 2016, the government investigated 290 cases—122 sex and 168 labor trafficking cases, 31 of which were specifically investigated for bonded labor—and prosecuted 302 alleged traffickers under the PSHTA. In 2017, the courts reached verdicts in nine cases and convicted one trafficker, compared with three convictions in 2016. The other eight cases resulted in acquittal. The courts sentenced the convicted trafficker to life imprisonment.

Observers stated convictions remained rare because the government did not dedicate sufficient resources to pre-trial investigations in all types of cases and prosecutors persisted with trials to meet the statutorily required timeline of 180 working days for the disposal of cases even if they were inadequately prepared. The government also had not established the anti-human trafficking tribunal, stipulated in the PSHTA to specialize in human trafficking cases. The Women and Children Violence Protection Tribunal continued to hear trafficking cases in the interim; however, observers commented the prosecutors were overburdened and lacked expertise in trafficking cases. An NGO expressed concern that some village courts, five-person panels of local government officials and villagers, adjudicated trafficking cases as they only administer financial penalties of up to 75,000 BDT ($915) and may have subjected victims, whose traffickers frequently had local connections, to intimidation, fraud, and corruption. During the reporting period, nearly 700,000 Rohingya, of which over half were women and children, fled Burma to Bangladesh. The government reported it arrested some traffickers attempting to exploit Rohingya refugees, although it did not report specific numbers of alleged traffickers arrested or if they were prosecuted. Media reported the government deployed the Rapid Action Battalion to investigate allegations of trafficking and mobile courts to process legal cases. An international organization trained Bangladeshi law enforcement officers assigned to the refugee camps on the prevention of trafficking and the identification and subsequent protection of victims.

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 offices of facilitating trafficking and some labor attaches, local politicians, judges, and police of requesting bribes from victims and their families. Observers stated some traffickers in rural areas were politically connected and therefore operated with impunity. According to NGOs, some local politicians convinced victims to accept payment from recruitment sub-agents to not report fraudulent or exploitative actions to police. 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 civil suit in which the plaintiff alleged violations of the TVPA as well as federal and state labor laws. The consular officer left the United States and remained in the Bangladeshi foreign service as an ambassador. The default judgment remained unpaid while the case was on appeal. During the reporting period, the plaintiff alleged experiencing retaliatory actions by the Bangladesh Consulate in New York. In another case, in June 2017, a Bangladeshi consular officer was indicted in a New York court on charges of labor trafficking and assault for allegedly forcing a Bangladeshi citizen to work without pay through threats and intimidation. In January 2018, the consular officer pled guilty to the charge of failure to pay a minimum wage and paid $10,000 in restitution to the victim. The government did not report taking any action during the reporting period to hold either consular officer accountable. The government reported that two government officials were investigated and prosecuted under the PSHTA in 2017 but did not provide further details of the case; the prosecution remained ongoing at the end of the reporting period.

PROTECTION

The government maintained victim protection efforts. The Ministry of Home Affairs (MHA), the government's lead agency for combating trafficking, had standard operating procedures (SOPs) for the proactive identification of trafficking victims; however, the government did not report how widely officials disseminated or used these SOPs. Some police officers used a checklist to proactively identify victims when they came into contact with commercial sex establishments; however, the government did not formally adopt or disseminate the checklist and its use was inconsistent. The government did not report victim identification data based on substantiated cases of trafficking as it had in the past, thereby making past data incomparable. The government reported 770 potential victims based on the number of cases recorded with police in 2017; of those identified, 383 were men, 258 women, and 129 children. The government identified 355; 1,815; and 2,899 victims in 2016, 2015, and 2014, respectively; experts commented the decrease from thousands of victims identified in 2015 and 2014 may be due in part to the application of a more accurate definition of trafficking. Police directly recovered from exploitative situations 545 of the 770 potential victims identified in 2017. NGOs and international organizations reported identifying more than one thousand victims during the reporting period. Notably, one international organization identified 37 Rohingya victims who were subjected to trafficking within Bangladesh and provided them rehabilitation services. The Bangladesh Army and Rapid Action Battalion reportedly were active in the identification of potential Rohingya victims of trafficking.

While the government did not provide services specifically designed for trafficking victims, the Bangladesh Police operated victim support centers in each of Bangladesh's eight divisions for women and children victims of violence, including trafficking victims. The centers provided temporary shelter for up to five days and medical and psychological counseling. With partial funding from a foreign government, the Ministry of Social Welfare (MSW) operated one-stop crisis centers at medical facilities for women and children victims of violence, including trafficking victims, to provide shelter, medical care, psychological counseling, and referral to other services, including legal assistance and police for case filing. MSW operated nine one-stop crisis centers at the divisional level and 40 smaller centers at the district and 40 at the sub-district levels. The government did not provide shelter or rehabilitation services, other than repatriation and job placement, to adult male victims. Foreign victims were not provided access to government services. While the government retained a court-order mechanism to refer trafficking victims to rehabilitation services, it did not have a broader referral mechanism to refer victims to rehabilitation services. In 2017, the government reported referring only one victim to government or NGO-run services and reported all other victims were returned directly to their families. Some NGOs reported the government referred victims to them for rehabilitation during the reporting period, but such referrals were ad hoc and the government did not track victim care in a systematic way. NGOs provided male victims with some services, although shelter was not available. NGOs continued to state government services did not meet minimum standards of care and insufficient rehabilitation resources contributed to victims being re-trafficked. Government shelters did not allow victims to leave without a court order and a court order was also required for NGOs or international organizations to be able to contact victims in government shelters to provide further rehabilitation services.

The government continued to implement its 2015 memorandum of understanding with the Government of India on human trafficking, which included coordination on the rescue and repatriation of Bangladeshi victims. In practice, NGOs reported the Bangladeshi government sometimes provided only the necessary travel documents for repatriation. NGOs or the victim's family frequently paid the cost of repatriation from India and other countries and at times this resulted in family members incurring burdensome debt. The government continued to operate one safe house in Lebanon, one in Oman, and three in Saudi Arabia for female Bangladeshi workers fleeing abusive employers. The government maintained 29 labor offices in embassies and consulates overseas to provide welfare services to Bangladeshi migrant workers, including legal and interpretation services. Overseas Bangladeshi workers who secured their employment through the Bureau for Manpower, Education, and Training (MEWOE), could lodge complaints with MEWOE to seek restitution for labor and recruitment violations, including allegations of forced labor, through an arbitration process, although observers stated the awards were often minimal. MEWOE reported 344 complaints were settled from July 2016 to June 2017 through the recovery of 297,300 BDT ($3,630) from recruiting agencies; it did not report if any of these complaints involved forced labor. Victims could also file civil suits seeking restitution.

The PSHTA entitled victims to protection during judicial proceedings, including police security. The government did not report if it provided such protection to victims during the reporting period and NGOs noted insufficient implementation of this provision resulted in traffickers intimidating victims not to pursue cases. NGOs reported some Bangladeshi trafficking victims who transited through various land and sea routes, instead of being detected as victims, were 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 efforts to prevent trafficking.

The 2013 Overseas Employment and Migrants Act (OEMA) criminalized fraudulent recruitment and unlawful recruitment fees; however, the government-set recruitment fees were at rates high enough to render many migrant workers indebted and vulnerable to trafficking. Under the OEMA in 2017, MEWOE suspended or cancelled 29 recruitment agencies' licenses, fined 12 agencies, and sentenced four agents to imprisonment ranging from 15 days to three months for false advertising, trading in visas or work permits, charging fees above the legal maximum, or other violations of the OEMA. MEWOE reported its vigilance task force conducted 14 operations in 2017 against corrupt recruitment and travel agencies, and dalals, illegal and unregulated sub-agents who operated in rural locations and connected prospective migrant workers to licensed employment agencies. The Bangladesh Association of International Recruiting Agencies (BAIRA) acknowledged migrant workers frequently paid dalals fees in addition to the legal amount BAIRA agents charged before the worker began the formal recruitment process. Dalals also directly connected workers to overseas jobs by providing fake visas and other documentation, and in some cases, incorrect information about the migration process and the job in the destination country. Observers stated overseas work placement was determined by a migrant worker's ability to pay for the job, not by skills or abilities, and frequently resulted in workers paying as much as five times above the government's maximum fee level.

The government continued to use a number of bilateral labor agreements, in part intended to try to protect Bangladeshi workers abroad. In 2017, the government sent more than half a million workers to Saudi Arabia, approximately 15 percent of whom were female workers, under an agreement that mandated employers cover travel costs and domestic workers be employed by a third party rather than the private households in which they work. However, the agreement did not stipulate the maximum cost or eliminate the processing fee charged to the migrant by recruitment agencies. NGOs reported female migration to Saudi Arabia through irregular channels was as high as three times the official figure and media reported multiple stories of women paying dalals fees for work only to be told by their employer in Saudi Arabia and other Gulf states that the employer had "purchased" the woman and she was now subject to forced labor. In the previous reporting period, the governments of Bangladesh and Malaysia began to implement an inter-governmental agreement 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. The government provided safe migration information through its 42 district employment and manpower offices and 47 technical training centers.

MHA acknowledged the government's 2015-2017 national action plan had not been fully implemented. In partnership with an international organization, the government began drafting its plan for 2018-2022. MHA did not publish its annual report on human trafficking during the reporting period. 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 national awareness campaigns through print media, television, and text message, at times in partnership with NGOs.

The government began the process of biometric registration for Rohingya refugees and allowed the UN, international organizations, and foreign governments to provide assistance and protection to the refugees. While some international NGOs that assist Rohingya refugees and work with organized labor reported difficulties in meeting stringent government administrative requirements to get visas and approvals required to carry out programs protecting vulnerable populations from various forms of exploitation, the government allowed other NGOs to extend their ability to stay in the country to continue relief efforts for the Rohingya, including some counter-trafficking efforts. The government allowed the UN and other humanitarian actors to conduct trafficking awareness campaigns in the Rohingya camps. The government deployed security forces to guard and control access to Rohingya camps which may have contributed to the prevention of some trafficking crimes.

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 a source, 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. 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 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.

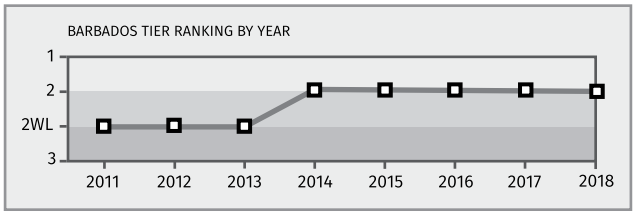
With nearly 700,000 Rohingya fleeing Burma for Bangladesh since August 2017, Bangladesh is host to more than 1 million undocumented Rohingya, including hundreds of thousands who fled Burma in previous decades. The Rohingya community's stateless status and inability to work legally increases their vulnerability to human trafficking. Rohingya women and girls are reportedly recruited from refugee camps for domestic work in private homes, guest houses, or hotels and are instead subjected to sex trafficking. Rohingya girls are also reportedly transported within Bangladesh to Chittagong and Dhaka and transnationally to Kathmandu and Kolkata and subjected to sex trafficking—some of these girls are "traded" between traffickers over the internet. Some Rohingya women and girls report being subjected to sex trafficking by other Rohingya through fraudulent job or marriage proposals. Rohingya girls and boys are recruited from refugee camps to work as shop

hands, fishermen, rickshaw pullers, and domestic workers in Bangladesh. Although promised monthly wages ranging from 1,500-2,000 BDT ($18-$24), these children are paid significantly less or not at all and in most cases are not allowed to communicate with their families and are subjected to excessive working hours. Some Rohingya men are subjected to debt bondage by Bangladeshi fishermen if they place their shelter on the fishermen's land. Some Rohingya men who fled to Bangladesh from Burma decades ago have been trapped in debt bondage to Bangladeshi fishermen for 20 years. In the recent past, some Rohingya and Bangladeshi migrants who traveled by boat to Southeast Asian countries were subjected to exploitation when they were unable to pay ransoms and were instead sold into forced labor.

Within the country, Bangladeshi 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 fisheries, domestic work, aluminum factories, and garment and dry-fish production, 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 conducting a raid on a nightclub suspected of trafficking, providing anti-trafficking training for government officials and NGO leaders, and conducting public awareness campaigns. The government, across its interagency, conducted education and training through senior and working level commitments to combat trafficking. However, the government did not meet the minimum standards in several key areas. The government identified no victims during the reporting period, initiated no new prosecutions for the fourth consecutive year, and had yet to secure a trafficking conviction. For the third consecutive year, the government did not complete its national action plan or an anti-trafficking manual for interviewing and providing assistance for suspected trafficking victims. Government agencies reported a lack of resources for their anti-trafficking activities. The government's anti-trafficking law did not provide penalties that were commensurate with other serious crimes.



RECOMMENDATIONS FOR BARBADOS

Proactively screen for trafficking indicators and identify victims in vulnerable populations and areas, such as among migrants; while respecting due process, investigate, prosecute, and convict traffickers, and apply stringent sentences that deter future trafficking crimes; enact a national action plan to combat trafficking; provide adequate funding to implement the national action plan and support government agencies' anti-trafficking activities; complete the anti-trafficking manual for interviewing and assisting victims; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; establish adequate accommodations and service provisions for trafficking victims; and amend the Recruiting of Workers Act to specify the government agency that should assume responsibility for the associated administrative and enforcement functions of labor recruiters.

PROSECUTION

The government maintained prosecution efforts. The Trafficking In Persons Prevention Act (TIPPA), enacted in 2016, criminalized sex and labor trafficking. The punishment for adult trafficking was up to 25 years imprisonment, a fine of up to 1 million Barbados dollars (BDS) ($495,050), or both. The punishment for child trafficking was up to life imprisonment, a fine of up to 2 million BDS ($990,100), or both. These penalties were sufficiently stringent. However, by allowing for a fine in lieu of imprisonment, the prescribed punishment for sex trafficking was not commensurate with those for other serious crimes, such as rape.

Authorities conducted five investigations in 2017 (compared with three in 2016, six in 2015, eight in 2014, and three in 2013). One of these investigations stemmed from a raid on suspected trafficking activities in a nightclub (compared with two raids in 2016). Police found no evidence of human trafficking in these five investigations. There were no new prosecutions initiated under the TIPPA during the reporting period; the government has not reported initiating a prosecution since 2013. A 2013 case involving two suspected traffickers remained pending before the court. To date, the government has not convicted any traffickers. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government provided per diem support for two law enforcement, one immigration, and one civil servant official to attend INTERPOL anti-trafficking training abroad. In addition, the police continued sensitization training on trafficking for 120 front-line officers; immigration officials trained 50 front-line immigration officers.

PROTECTION

The government decreased efforts to protect victims. Officials did not identify any trafficking victims during the reporting period; this compared with eight victims identified in 2016 and 12 in 2015. Since 2014, the government has been drafting an anti-trafficking manual to outline procedures for law enforcement or immigration to use when interviewing suspected

trafficking victims, as well as guidelines for NGOs regarding victim assistance. Government officials did not have a date for the manual's completion or release, and they were not implemented during the reporting period. A formal referral process for government authorities and NGOs existed for victim care, as required by law. The gender affairs bureau was designated to coordinate assistance with local NGOs. There was no shelter on Barbados specifically for trafficking victims. Female trafficking victims could reside at the NGO-operated women's domestic shelter on the island; however, this shelter did not have the resources for, and previously struggled to assist, trafficking victims. The government had a separate agreement with an NGO to provide accommodations to male victims. Child victims would be placed under the care of the Child Care Board, which was represented on the government's anti-trafficking task force. 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, on a case-by-case basis, to remain and work in the country.

The TIPPA authorized the government to provide safeguards for victims' identities and those of their families, issue work permits, and provide transportation and security during legal proceedings. Government policy permitted victims to leave the country and return for hearings. The TIPPA provided victims with the right to pursue restitution from a trafficker after a conviction; however, there were no restitution cases because no cases had reached conviction. The government provided partial financial assistance for a regional workshop organized by an outside consultant on good practices in victim identification, which trained representatives from the Barbadian police, immigration, labor, and gender affairs. All agencies cited a lack of resources, particularly financial, which hampered anti-trafficking efforts.

PREVENTION

The government maintained its prevention efforts. The attorney general led the government's anti-trafficking task force, which met monthly and included permanent secretaries from several ministries. The task force's primary accomplishment this year was to offer a comprehensive training and workshop for law enforcement, immigration officials, and members of non-profit organizations held in Barbados in February 2018. The Government of Barbados, recognizing that there are constraints on their national budget, worked with an external consultant and funder, to organize and offer the training. The training represented one of the most overarching interagency and civil society engagements to date: immigration, labor, education, police, NGOs, health, foreign affairs, information service and the child care board participated. Participants in the training discussed regional coordination as well and began working on the formulation of standard operating procedures based on lessons from regional partners, as presented by a longstanding anti-trafficking and law enforcement official from The Bahamas. The government did not finalize its national anti-trafficking action plan, the draft of which covers 2016 through 2020, but is working through its anti-trafficking task force to advance the plan. The government did not report funding levels for anti-trafficking efforts, although agencies cited a lack of resources, particularly financial, which hampered anti-trafficking efforts. The government was unable to conduct formal monitoring or data collection efforts during 2016 or 2017 due to budgetary constraints. The labor department regulated recruitment agencies under the Recruiting of Workers Act. According to government officials, however, the law did not identify the agency that should assume responsibility for the associated administrative and enforcement functions.

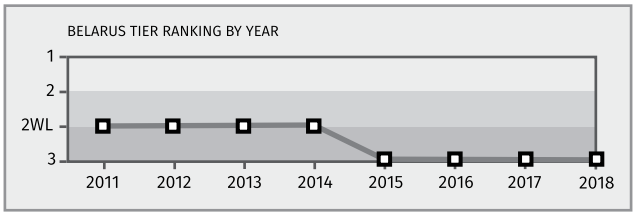
The government, in conjunction with NGOs, conducted 10 public awareness campaigns, which focused on both trafficking victims and on the demand for trafficking. These included spots on a local radio station, a mock UN Session during which students discussed human trafficking awareness, and presentations at various secondary schools. Additionally, participants in the February training from the Ministry of Education worked with a local NGO, Women of Purpose, to create a targeted outreach campaign to women over the radio focused on prevention and awareness to marginalized communities. Authorities, however, stated a need for a media campaign to increase awareness (print and electronic media), resources to develop an effective multi-media anti-trafficking product, and training to enable law enforcement and other government agencies to better identify victims of trafficking.

TRAFFICKING PROFILE

As reported over the past five years, Barbados is a source and destination country for women and children subjected to sex trafficking. Contacts report foreign women have been forced into prostitution in Barbados. Legal and undocumented immigrants from Jamaica and Guyana are especially vulnerable to trafficking, although individuals from additional countries in the Caribbean and South America are increasingly vulnerable. There are anecdotal reports by contacts 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 recruiting victims.

BELARUS: TIER 3

The Government of Belarus does not fully meet the minimum standards 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, and repealing a 2015 presidential decree that required unemployed persons to pay a tax to the state or face compulsory community service. 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 fifth 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 younger than 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's law enforcement efforts remained weak. Article 181 of the criminal code criminalized all forms of labor trafficking and some forms of sex trafficking and prescribed penalties ranging from five to seven years imprisonment and forfeiture of assets, which were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with international law, Article 181 required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The government reported one sex trafficking investigation in 2017 under article 181, compared with one in 2016, one in 2015, one in 2014, and six in 2013. Authorities initiated one investigation under article 181-1, which criminalized the use of forced labor, compared with no cases in 2016 and one in 2015. The Main Department for Drug Control and Combating Trafficking in Human Beings led law enforcement efforts and reported 69 officers directly involved in combating and investigating trafficking and related offenses. The government did not convict any traffickers under article 181; the last conviction was in 2012. Authorities prosecuted three individuals for potential child sex trafficking offenses under other articles in the criminal code in 2017, compared with four individuals in 2016 and six in 2015. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The interior ministry's law enforcement academy continued to provide trafficking-specific training to Belarusian law enforcement and NGO officials.

PROTECTION

The government maintained victim protection efforts. The government identified two confirmed and 129 potential trafficking victims during law enforcement investigations, compared with 184 confirmed and potential victims in 2016 and 121 in 2015. Of the 131 confirmed and potential victims the government identified in 2017, 127 victims, including 26 children, were sexually exploited. The government reported referring 60 victims to NGOs for reintegration services, compared with 55 in 2016 and 27 in 2015. NGOs reported law enforcement officials referred 134 victims to international organizations and NGOs for care, compared with 27 in 2015 and 32 in 2014; NGOs stated this increase was due to improved cooperation with law enforcement across the country. The government reported training police officers and diplomats on victim identification and referral procedures. According to a GRETA report, authorities did not identify some victims who had initially consented to perform a certain job or service in which they were later exploited; identification procedures did not specify the consent of victims was irrelevant when there was the presence of force, fraud, or coercion. The government reported screening individuals arrested for prostitution for trafficking indicators and exempting them from any legal liability; the government reported that of the 1,298 individuals convicted on prostitution charges in 2017, none were trafficking victims.

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 provide financial support for NGOs. NGOs reported assisting 137 trafficking victims in 2017, 22 of whom were children, compared with 279 victims assisted in 2016. An international organization providing victim services experienced a six-month gap in anti-trafficking program funding due to a lapse of international donor funding, which resulted in fewer identifications. The government did not have trafficking-specific facilities available to care for victims, but local authorities operated 128 "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. In 2017, the Ministry of Labor and Social Welfare, which monitored "crisis rooms" operations, adopted a new regulation that allowed victims seeking immediate assistance to shelter at a "crisis room" without a form of identification. The hours of operation were expanded from weekdays only to 24-hours a day. The government reported that three trafficking victims used these facilities.

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 had received services at these facilities, despite the government identifying child sex trafficking victims. The government reported providing medical care and information to 45 potential 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 1,166 calls for consultations in 2017. The government did not investigate or file charges related to illegal recruitment in 2017, compared to 50 companies charged in 2016; forced labor regulations were seldom enforced, and resources and inspections dedicated to preventing forced and compulsory labor were minimal and inadequate to deter violations. The government adopted the 2017-2019 State Program on Countering Crime and Corruption, which included anti-trafficking activities, in May 2017. The government reported efforts to reduce the demand for commercial sex.

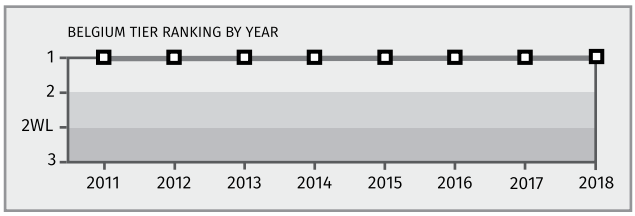
TRAFFICKING PROFILE

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. Data collected by NGOs suggests the majority of trafficking victims are men subjected to labor exploitation, primarily in Russia. 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. In January 2018 the government rescinded Presidential Decree Number 3, the so-called "parasite tax," which required unemployed persons to pay a fee to the state or potentially face compulsory community service. Presidential Decree Number 1 was simultaneously adopted with the rescindment of Decree Number 3. According to media reports, the president described Decree Number 1 as intended to "help people find employment while forcing the unemployed who are unwilling to work into jobs." The new presidential decree will be fully enforced on January 1, 2019. 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 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 strengthening the national referral protocol for child trafficking victims and victims of domestic servitude, and by mandating trafficking trainings for judicial officials who were on the career track to become magistrates and judges. Although the government meets the minimum standards, its appropriation mechanism for NGO-run shelters caused severe delays in disbursing funding. The government provided limited legal representation for victims, and sentences for convicted traffickers were often suspended. Law enforcement required more training on victim identification and freezing suspected traffickers' assets.



RECOMMENDATIONS FOR BELGIUM

Allocate regular and timely funding for NGO-run shelters for trafficking victims; vigorously investigate, prosecute, convict, and sentence traffickers with imprisonment; increase resources to assist unaccompanied child victims; increase seizure of traffickers' assets in order to compensate victims and further penalize the perpetrators; enhance training of relevant professionals to increase the number of trafficking victims identified, including child victims; increase legal representation for victims; increase efforts to reduce the demand for forced labor and international child sex tourism by Belgian nationals traveling 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 maintained law enforcement efforts. Belgium criminalized sex and labor trafficking through a 2005 amendment to the 1995 Act Containing Measures to Repress Trafficking in Persons. The prescribed penalties ranged from one to 20 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Belgium's definition of trafficking in persons was 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 were 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 did 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 used a definition more consistent with the UN TIP Protocol.

In 2017, the government prosecuted 328 defendants, compared to 324 in 2016, including 176 defendants for sex trafficking offenses, 116 for labor trafficking, 18 for forced criminality, and 18 for forced begging (184 for sex trafficking, 126 for forced labor, and 14 for forced criminality in 2016). Authorities convicted and sentenced 105 individuals under the trafficking statute, including 223 counts of aggravating circumstances, compared with 125 in 2016. The majority convicted received no prison time or a partially or fully suspended prison sentence. The government sentenced 84 convicted under the trafficking statute to prison terms (of which 41 were suspended or partially suspended), compared to 113 prison sentences (79 of which were suspended or partially suspended) in 2016; seven offenders were sentenced to one year, 43 were sentenced to one to three years, 19 were sentenced to three to five years, and 15 were sentenced to five years or more. GRETA reported the police gave lower priority to trafficking cases; resources were prioritized toward counterterrorism, and a judicial district reform reduced the numbers of federal police and prosecutors specialized in trafficking within each district. In 2017, the government convicted eight members of the Emirati royal family for human trafficking and degrading treatment of their domestic workers and sentenced each to 15 months in prison (fully suspended) and a €165,000 ($198,080) fine (half of the sum suspended). The government trained police, lawyers, and judges who handled trafficking cases on advanced investigations and collection and preservation of evidence. Each judicial district appointed a magistrate to specialize in trafficking who stood available as a resource to their district. The government's national training center provided basic trafficking training to federal police officers, as well as advanced training for officers specializing in cases of labor and sexual exploitation. A government official noted police who trained at provincial-level centers, rather than at the national training center, did not likely receive trafficking training. One NGO posited judges needed increased training. The government mandated trafficking trainings for judicial officials who were on the career track to become magistrates and who may eventually become judges. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The government participated in international investigations and cooperated with extradition requests during the reporting period.

PROTECTION

The government increased efforts to protect victims. In 2017, the government identified and assisted 137 victims (including 61 victims of labor trafficking, 59 victims of sex trafficking, and 17 victims of other forms of exploitation), compared to 144 victims in 2016 (including 69 victims of labor trafficking, 56 victims of sex trafficking, seven victims of forced criminality, and 12 victims of other forms of exploitation). First responders followed formal written procedures on proactive victim identification; however, government officials and GRETA reported challenges in accurately identifying child victims. NGOs reported a need for greater training among general police officers on understanding the indicators of trafficking and identifying victims. The government trained staff at asylum centers on identifying and assisting trafficking victims in migrant populations. The government published a revised victim identification and national referral protocol, which contained new guidance on identifying victims of domestic servitude in diplomatic households and child trafficking victims. While NGOs referred many victims to the shelters, most victims were identified by law enforcement, social workers, and medical professionals. Conditions existed in order 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's victim protection infrastructure was based on three specialized NGO-run shelters, which were allocated approximately €428,000 ($513,810) each in 2017, compared with €430,000 ($516,210) in 2016. The NGO-run shelters also received unspecified amounts of funding from regional governments. NGO-run shelters provided psycho-social, medical, and legal care and were open to all victims regardless of gender, immigration status, or nationality. Despite the government's complete reliance on these three NGO-run shelters for the majority of victims' services, NGO-run shelters carried the perennial administrative burden of requesting funding each year from different levels of government (region, community, federal), often with severe delays in receiving the appropriation. The government also funded two shelters for children; child trafficking victims shared these facilities with victims of other crimes. GRETA reported the government's child safety services lacked sufficient capacity to accommodate unaccompanied child victims. 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; suspected trafficking victims could receive a reflection period, which granted them 45 days to receive services while they decided whether to work with law enforcement. If they decided to make a formal complaint, they could receive a three-month residence permit that provided them the right to work. If a public prosecutor confirmed the individuals were trafficking victims, they could receive a six-month residence and work permit, renewable until the end of criminal case. Victims who were not citizens of EU member states could obtain permanent residency only upon the successful prosecution and sentencing of traffickers. During the year, the government issued or renewed 235 residence permits to trafficking victims, compared with 216 in 2016. Although government-supported NGOs provided some legal representation to victims, such support was reduced due to a lack of steady funding. Government-appointed pro bono lawyers could be provided to victims who had a monthly income less than €1,200 ($1,440). GRETA reported the high costs of legal representation discouraged victim cooperation in criminal proceedings. Civil society reported difficulty in obtaining damages for victims, usually because perpetrators made themselves insolvent ahead of trials; NGOs recommended investigators receive more training on freezing assets in the pre-trial stage. Belgium maintained a fund for victims of violence, but victims of labor trafficking reportedly found it difficult to access this fund.

PREVENTION

The government maintained efforts to prevent trafficking. The Inter-Departmental Coordination Platform (ICP), chaired by the Minister of Justice, continued to coordinate government-wide anti-trafficking efforts and monitored the implementation of the national action plan for 2015-2019. Representatives of the three government shelters were also included in the ICP. The Federal Migration Center (Myria), an independent public body, served as the secretariat for the ICP as well as the independent rapporteur and produced its own annual report on governmental anti-trafficking efforts. Myria assessed government-reported trafficking data as not standardized,

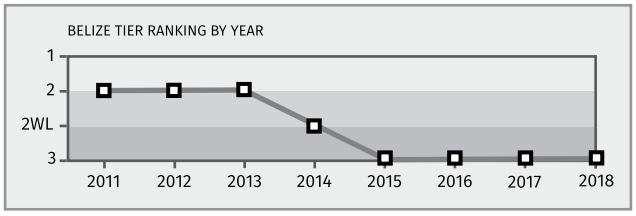
making it difficult to analyze efforts and policy. The government continued awareness campaigns targeting businesses, hospitals, schools, and vulnerable populations, but had not conducted any large-scale public awareness campaigns in recent years. Awareness-raising flyers were available in the consular sections of Belgian embassies and consulates abroad. 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 subsidized the wages of maids and domestic assistants. The government maintained a system to prevent the exploitation of domestic employees of foreign diplomats. Each of the three government-funded shelters operated a 24/7 victim hotline.

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 Eastern Europe and North and Sub-Saharan Africa, among them Romania, Morocco, India, and Nigeria. Male victims are subjected to forced labor in restaurants, bars, sweatshops, horticulture, fruit farms, construction, 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.

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 17 potential trafficking victims and the investigation of nine trafficking cases. However, the government did not begin any new prosecutions or convict any traffickers. The government did not investigate or prosecute any public officials for complicity in human trafficking-related offenses, despite allegations of a significant level of official complicity. During raids on commercial sex establishments, authorities uncovered few trafficking crimes due to limited intelligence-gathering, inconsistent application of formal victim identification procedures, and suspected complicity among some law enforcement officials. Victims were penalized for unlawful acts committed as a direct result of being subjected to trafficking.



RECOMMENDATIONS FOR BELIZE

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; consistently implement formal procedures to identify victims of sex and labor trafficking among vulnerable groups and refer identified victims to services; ensure trafficking victims are not penalized for crimes committed as a direct result of trafficking; provide specialized victim care, directly and 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 criminalize the knowing solicitation and patronizing of sex trafficking victims, including children; increase efforts to prevent and detect forced labor through the national labor recruiter registry; and provide training to diplomatic personnel.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. The 2013 Trafficking in Persons (Prohibition) Act criminalized sex and labor trafficking and prescribed penalties of a minimum of eight years imprisonment for the trafficking of adults and a minimum of 12 years imprisonment for the trafficking of children, which were sufficiently stringent, and with regard to sex trafficking, commensurate with other serious crimes, such as rape. The 2013 Commercial Sexual Exploitation of Children (Prohibition) Act criminalized the facilitation of prostitution of children younger than 18. This law, however, did 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 was no third party involved—leaving children of this age group vulnerable to sex trafficking.

The government reportedly investigated nine trafficking cases—three for forced labor and six for sex trafficking—compared to 10 in 2016, but for the third consecutive year did not initiate any new prosecutions. Authorities continued two prosecutions from 2015. The government did not convict any traffickers for the second consecutive year. 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.

Law enforcement activity against suspected trafficking resulted from government agency and NGO referrals as well as raids on brothels. Despite having created a specialized police anti-trafficking unit in 2017, authorities uncovered few trafficking crimes due to limited intelligence-gathering, inconsistent application of formal victim identification procedures, and suspected complicity among some law enforcement officials. The government attempted, but was unable to end the practice of allowing off-duty police officers to provide security for brothels, which may have inhibited police from investigating allegations of trafficking in brothels and may have dissuaded victims from reporting trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government cooperated with two foreign governments, which resulted in the arrest of traffickers in their country of origin. The government provided limited funding to NGOs for anti-trafficking efforts, provided anti-trafficking training to some law enforcement and immigration officers, and law enforcement and prosecutors attended workshops financed and delivered by foreign governments and international organizations.

PROTECTION

The government maintained efforts to protect victims. Authorities identified 17 potential victims in 2017—14 foreign nationals and three Belizeans; six adult females, two adult males, and nine minor females—compared to 12 potential victims in 2016. Although the government reported law enforcement, immigration officials, and social service providers used formal written procedures to identify victims, officials did not consistently follow these procedures in practice. Belize's anti-trafficking law exempted victims from punishment for crimes committed as a result of being subjected to trafficking; however, victims identified in raids of commercial sex establishments were arrested, jailed, or deported for immigration violations or otherwise penalized for unlawful acts committed as a direct result of being subjected to trafficking. Social service providers were not routinely present to screen, identify, and assist victims during law enforcement operations and raids on commercial sex establishments. The government said it screened 156 individuals for trafficking indicators during immigration operations with social workers ready to assist potential victims. Victims' fear of detention or deportation may have contributed to their reluctance to report trafficking to law enforcement officers. The government provided training to immigration officials, law enforcement, and social workers on victim identification and referral.

The government reported the Department of Human Services coordinated and funded shelter, medical, and psychological services to adult victims and potential victims during pending criminal proceedings generally provided by private parties, while children were placed in foster homes. Experts noted deficiencies in the foster care system, to include 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. However, the government said the support offered by foster families led to a successful conviction in 2016 and empowered victims. The government provided 200,000 Belizean dollars ($100,000) to the Ministry of Human Development for the human trafficking response, which included funding for victim services, public awareness-raising, and the national anti-trafficking council. The government encouraged victims to assist in investigations by providing witness protection, confidentiality, and coordinating lodging and services. 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. While the government had a policy to grant temporary residency status to foreign national victims willing to cooperate in investigations or prosecutions, it did not provide any victims this benefit in 2017, and anecdotal evidence suggested victims were often deported. Victims could apply for work permits free of cost, but the government did not grant any such permits in 2017.

PREVENTION

The government maintained minimal prevention efforts. The government reported it developed a 2016-2017 national anti-trafficking action plan with approximately 14 objectives. While it made progress by creating a specialized anti-trafficking police unit and formalizing the national ant-trafficking council, the remainder of the plan remained largely unimplemented. The government also reported authorities began developing a 2018-2020 plan during the reporting period. The government, in partnership with an NGO, raised awareness of the indicators of trafficking and a "crime stoppers" hotline number through billboards in English and Spanish. Radio and television broadcasters aired public service announcements to raise awareness about trafficking and sex tourism in English, Spanish, and Hindi. The national anti-trafficking council met quarterly, hired a permanent coordinator, and developed awareness-raising materials with the hotline number, including t-shirts, bags, bumper stickers, pens, and wristbands for distribution at health fairs and other public events. An NGO operated the "crime-stoppers" hotline, which was not trafficking-specific but could field trafficking-specific calls, although it did not receive any during the reporting period. 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 revised its policy relating to foreign workers, which included prohibitions on the hiring of foreign workers in domestic service, bars and nightclubs, restaurants, caregiving, and construction, among others, to address identified vulnerabilities to trafficking in these sectors. The government reported the labor code required labor recruiters to register, but none had done so. The government did not provide anti-trafficking training for its diplomatic personnel.

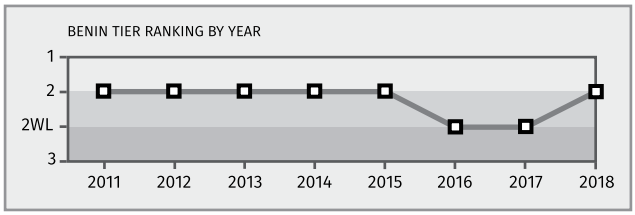
TRAFFICKING PROFILE

As reported over the past five years, 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 of Belizean and foreign women and girls and LGBTI persons, primarily from Central America, occurs in bars, nightclubs, and brothels. 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 or take advantage of migrants' illegal status to subject them to forced labor. Some migrants are subjected to forced labor in restaurants, shops, agriculture, and fishing or to sex trafficking. Alleged trafficking-related complicity by government officials remains a problem.

BENIN: TIER 2

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 increasing efforts compared to the previous reporting period; therefore Benin was upgraded to Tier 2. The government demonstrated increasing efforts by prosecuting and convicting more child traffickers, identifying more child trafficking victims, and establishing formal procedures for the identification and referral of children vulnerable to abuse, including trafficking. The government introduced screening procedures at airports to identify adult victims traveling abroad and increased coordination with neighboring countries to prevent transnational trafficking of adults, resulting in the identification of 16 potential adult victims. The government established a formal inter-ministerial committee and developed a national action plan to address all types of trafficking—including adults—in collaboration with NGOs and international organizations. However, the government did not meet the minimum standards in several key areas. Current laws do not explicitly criminalize

the trafficking of adults and provisions in the revised draft penal code, which would have addressed this omission, remained pending in the National Assembly. Deficiencies in the legal framework resulted in judges dismissing cases or reducing charges in adult trafficking cases. The government made limited efforts to identify adult victims or refer them to services.



RECOMMENDATIONS FOR BENIN

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 labor recruiters; develop systematic procedures for proactive victim identification—particularly 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 the Central Office for the Protection of Minors (OCPM) to provide adequate support to victims, including adults; improve efforts to collect law enforcement data on trafficking offenses and victim identifications, including adults; finalize the pending bilateral agreement with Gabon and multilateral agreements with Togo, Burkina Faso, and Nigeria to increase information sharing and cooperation on international trafficking investigations; use the 2011 bilateral anti-trafficking agreement with the Republic of The Congo to increase law enforcement coordination; and expand the OCPM's child trafficking database to include adult trafficking victims.

PROSECUTION

The government increased its law enforcement efforts to address child trafficking, but demonstrated lesser efforts to combat the trafficking of adults. Existing laws criminalized some forms of labor and sex trafficking. The 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking (Act 2006-04) criminalized child labor and sex trafficking. Article 21 of Act 2006-04 prescribed penalties of 10 to 20 years for sex trafficking of children, which were sufficiently stringent and commensurate with those for other serious crimes, such as rape. Article 22 of Act 2006-04 prescribed penalties of six months to two years imprisonment and a fine for forced child labor, which were not sufficiently stringent. Article 3 of the labor code criminalized forced labor of adults and prescribed punishments of two months to one year imprisonment or a fine, which were not sufficiently stringent. Article 334 of the penal code did not explicitly criminalize adult sex trafficking; however, it criminalized procuring or offering a person for prostitution and the facilitation of prostitution with penalties of six months to two years imprisonment. The National Assembly did not review anti-trafficking legislation that had been pending for five years; however, the inter-ministerial committee began work with the National Assembly to incorporate anti-trafficking provisions into the draft penal code, which remained pending at the end of the reporting period.

In 2017, OCPM—a specialized unit responsible for anti-trafficking enforcement—investigated 30 suspected child traffickers—compared with 48 child abuse cases that may have included trafficking—involving 66 suspects in 2016. Six of the 14 First Instance Courts reported prosecuting and convicting 13 child traffickers in 2017, compared with prosecuting six suspected child traffickers and zero convictions in 2016. The courts convicted three offenders for child sex trafficking, four for illegal transport of children, and six for child trafficking under Act 2006-04 on the displacement of minors and prevention of child trafficking. The government did not investigate or prosecute any trafficking cases involving adult victims or take action against potential illegal recruitment agencies. Judges reported dismissing adult trafficking cases or reducing the charges given the lack of a specific law criminalizing adult trafficking. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

In April 2017, the Ministry of Social Affairs and Microfinance (MSAM), in partnership with an international organization, trained 23 prosecutors and judges, 17 border officials, eight police officers, and two ministry officials on migrant smuggling, human trafficking, and victim identification and protection. In October, a prosecutor provided anti-trafficking training to an unknown number of unit chiefs from the Port of Cotonou's Joint Unit for Container Control, Maritime Gendarmerie, Gendarmerie Investigative Bureau, Benin Drug Investigative Unit, Customs units, Water and Forest Police, and the airport's anti-trafficking unit.

PROTECTION

The government increased efforts to protect child trafficking victims and made limited efforts to identify and assist adult victims. During the reporting period, the government identified and referred 370 potential child trafficking victims to OCPM for initial care, compared with 223 in the previous reporting period. OCPM officers and the police proactively identified potential child victims through patrols of high-risk areas such as borders, bus stations, and large markets. In February 2018, the Ministry of Interior, in partnership with an international organization, sought to harmonize OCPM, civil society, and police efforts by establishing formal standard operating procedures (SOPs) for the referral of vulnerable children, including potential victims of trafficking, to protective services. Prior to adoption of the formal SOPs, MSAM, OCPM, the ministries of justice and foreign affairs, international organizations, and NGOs developed a system to assist, repatriate, and reintegrate victims of child trafficking. As part of this process, OCPM assumed initial custody of child trafficking victims in Benin and provided temporary shelter in its Cotonou facility that could house up to 160 children (80 boys and 80 girls).

The OCPM shelter offered child victims legal, medical, and psychological assistance, and served as a transit facility for potential child trafficking victims while their cases were processed prior to placement in long-term shelters. After an OCPM interview and assessment, victims were referred to a network of NGO shelters throughout the country. Trafficking-specific services were not available for adult victims, although they received care under the auspices of programs to assist victims of other forms of abuse. In January 2018, government officials at Cotonou airport identified two Ghanaian women traveling to potentially exploitative conditions, interviewed them, and worked with the Ghanaian embassy to ensure safe repatriation.

OCPM assisted foreign trafficking victims, predominantly minors, before repatriating them to their home countries.

The government conducted repatriations of foreign victims in conjunction with an international NGO and the assistance of embassies or consulates of victims' countries of origin. During the reporting period, the government maintained support for OCPM's anti-trafficking work by contributing 19.2 million West African CFA francs (FCFA) ($34,140). This support included services for all children received in its shelter, including trafficking victims. The bilateral anti-trafficking cooperation agreement to facilitate law enforcement data sharing and repatriation coordination between Benin and Gabon remained pending, and no actions were taken under the 2011 Cooperation Agreement between Benin and the Republic of the Congo. Multilateral anti-trafficking cooperation agreements to increase law enforcement coordination on child trafficking cases between Benin, Togo, and Nigeria remained pending as well. Beninese law did not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship, although cases involving foreign child trafficking victims were considered on an ad hoc basis.

PREVENTION

The government increased efforts to prevent trafficking in persons. In September 2017, the government established an inter-ministerial committee to coordinate national anti-trafficking efforts, chaired by the chief of staff of the minister of planning and development and composed of directors of offices from across the Beninese government and partners from key NGOs and international organizations. The committee met twice during the reporting period; worked with the Ministry of Justice and the National Assembly to incorporate anti-trafficking provisions into the draft penal code; developed a national action plan to combat trafficking that explicitly included adults; and in November 2017, convened a summit involving law enforcement, NGOs, representatives from all 21 government ministries and international organizations. In July 2017, MSAM launched a public awareness campaign, in partnership with an international organization, which highlighted potential exploitation within Benin's main open-air markets (Dantokpa in Cotonou, Ouando in Porto-Novo, and Arzeke in Parakou). This campaign incorporated an inspection program conducted at the markets and along roads connecting major cities, which resulted in the identification of more than 800 potential child trafficking victims. The government made no discernible efforts to reduce the demand for commercial sex acts or forced labor.

The government increased coordination with neighboring countries on airport screening procedures for adults and, in 2017, assisted in the interception of 14 Beninese women en route to the Middle East for potentially exploitative work, facilitating reunifications with their families in Benin.

In November 2017, the government started the Administrative Census for the Identification of the Population, an effort to collect data on all Beninese citizens from birth, in order to create a national digital database and issue national biometric identification cards. A lack of identity documentation continued to be a contributing factor to increased vulnerability to trafficking across West Africa, and in Benin. The Ministry of Foreign Affairs has a code of conduct for diplomats that prohibited Beninese nationals deployed abroad from engaging in or facilitating trafficking in persons; however, the government did not report providing anti-trafficking training for its diplomatic personnel.

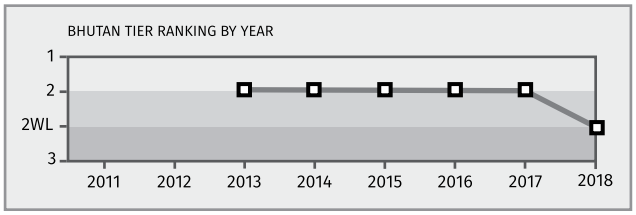
TRAFFICKING PROFILE

Benin is a country of origin, transit, and destination for women and children subjected to trafficking in persons, primarily for forced labor and sex trafficking. Trafficking victims most often come from low-income families, and frequently lack formal education or basic identity documents including birth certificates and national identification. Internal trafficking primarily draws children from rural areas in the north to the urban south of Benin in search of economic opportunity. International organizations and NGOs reported that *marabouts* continue to exploit children (*talibes*), especially in the northern regions of the country. Rising unemployment leads young girls to seek work abroad where they are at risk of sexual exploitation. Children from Benin who are subjected to trafficking externally are transported to West and Central African countries. Some parents 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 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 in Benin. 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. Benin is the largest source country for trafficking victims in the Republic of the Congo.

Traffickers exploit West African women in domestic servitude and forced commercial sex in Benin. There are increasing reports that young Beninese women are subjected to trafficking in Middle Eastern countries where they work as domestic help and are often forced into commercial sex. Traffickers and their accomplices continue to send child victims to their destinations alone and then meet the victims upon arrival, which makes investigations more challenging. International organizations report that potentially vulnerable adults now use airports in neighboring countries in order to circumnavigate anti-trafficking screening procedures put in place by the government at the International Airport of Cotonou.

BHUTAN: TIER 2 WATCH LIST

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 significant efforts during the reporting period by maintaining two women and child protection units and funding an NGO to provide shelter to women and child victims of crime, including human trafficking. The government also conducted an awareness event in partnership with NGOs and UNICEF for 200 *drayang* (karoke bar) dancers and their employers and continued to provide Bhutanese migrant workers with information about destination countries and migrant worker rights. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not report initiating any new trafficking case investigations or prosecutions, convicting any traffickers, or identifying any victims during the reporting period, despite an increase in media reports of possible trafficking cases. While the government continued to work with an international organization to draft standard operating procedures (SOPs) for victim identification and referral, for the third consecutive year it had not finalized and adopted the SOPs. The government's laws did not criminalize all forms of trafficking, and understanding and awareness of trafficking crimes remained low. Therefore Bhutan was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR BHUTAN

Finalize and disseminate SOPs for proactive victim identification and referral to protection services; amend penal code sections 154 and 227 and section 224 of the Child Care and Protection Act to bring the definition of human trafficking in line with the 2000 UN TIP Protocol; 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 decreased anti-trafficking law enforcement efforts. The law criminalized some forms of sex and labor trafficking. Section 154 of the penal code criminalized 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." Inconsistent with international law, this definition required the purpose of the human trafficking crime to be "illegal" rather than specifically for an exploitative purpose, such as forced labor or sex trafficking. Section 227 of the penal code defined trafficking to include buying, selling, or transporting a child for any illegal purpose. Section 379 of the penal code defined trafficking as selling, buying, or transporting a person into or outside of Bhutan for the purposes of prostitution. Section 224 of The Child Care and Protection Act (CCPA) criminalized child trafficking but, inconsistent with international law, required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. Section 154 of the penal code prescribed punishment ranging from three to five years imprisonment; section 227 from five to nine years; section 379 from five years to life imprisonment; and section 224 of the CCPA from five to nine years. These punishments were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The Labor and Employment Act criminalized most forms of forced labor with sufficiently stringent penalties ranging from three to five years imprisonment. The government steering committee of an international organization anti-trafficking program recommended the Office of the Attorney General's (OAG) national law review task force review the legal code and propose changes to align the law with international standards. The government did not report initiating any new trafficking case investigations or prosecutions, or securing any convictions during the reporting period, compared with one investigation and one prosecution initiated in the previous reporting period. A lower court acquitted a defendant of human trafficking charges in a case filed in a previous reporting period. The OAG appealed the case to the high court; 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 stated its commitment to anti-trafficking, it also acknowledged its efforts were hampered by low capacity and awareness of the crime. The lack of diplomatic relationships with destination countries and mutual law enforcement agreements hindered the ability of the Royal Bhutan Police (RBP) to properly investigate possible cases of transnational trafficking. In partnership with an international organization, the Department of Law and Order (DLO) and the National Commission for Women and Children (NCWC)—an autonomous agency funded by the government—held trainings for law enforcement and prosecutors.

PROTECTION

The government decreased protection efforts. The government did not report identifying any victims in the reporting period, compared with two potential victims identified in 2016. For the third consecutive year, the government, with support from an international organization, continued to draft SOPs on victim identification and referral. DLO held a consultative meeting with government stakeholders to finalize the SOPs but, at the end of the reporting period, the SOPs had not been adopted. RBP maintained two women and child protection units and eight desks, responsible for coordination with other agencies on matters relating to women and children and ensuring acts related to their protection were implemented. RBP referred potential victims to NCWC and an NGO on an ad hoc basis. NCWC could provide legal aid, assistance during judicial proceedings, and case management in collaboration with the RBP. The government continued to fund an NGO to provide shelter to women and child victims of crime, including human trafficking, and legal aid, counseling, vocational, and life skills to men, women, and children. The NGO was mandated to specifically aid victims of domestic, sexual, and gender-based violence and had limited capacity to serve potential trafficking victims. There was no shelter facility for men.

In January 2018, media reported the government assisted three women who had been sent to Iraq as domestic workers by an unregistered foreign employment agent and experienced exploitation and abuse; once the women were in Nepal, the government provided logistical support and airfare for their return to Bhutan. NCWC provided counseling and other psycho-social support to the three women and their families. At the end of the reporting period, the Ministry of Foreign Affairs (MFA) was reportedly attempting to locate and repatriate 12 other Bhutanese domestic workers in situations of exploitation in Iraq. 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. Bhutanese 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. In the previous reporting period, the Cabinet removed NCWC, with a mission that encompasses only women and children, as the head of the anti-trafficking coordination body and appointed DLO. DLO led regular

meetings with government stakeholders during the reporting period. The government continued to actively collaborate with an international organization on a project designed to enhance government and civil society responses to trafficking. In partnership with Bhutan InfoComm and Media Authority, RBP, NGOs and UNICEF, the Ministry of Labour and Human Resources (MoLHR), conducted an awareness event for 200 *drayang* (karoke bar) dancers and their employers to provide information on human trafficking legal provisions, reporting mechanisms, and protection services.

The Bhutan Labor and Employment Act of 2007 required labor recruitment agencies to be licensed and abide by the same labor laws as employers. MoLHR registered foreign migrant workers, monitored working conditions, and produced and disseminated pamphlets advising workers of their rights in Bhutan, including employer-paid medical exams, full and prompt payment of wages, and entitlement to retain personal identity documents. MoLHR licensed and monitored seven employment agencies to assist Bhutanese citizens over age 21 seeking work overseas, an increase from five agencies in 2016. MoLHR provided potential Bhutanese migrant workers with information about destination countries, including culture, environment, and laws, through in-person briefings and social media, and disseminated a pamphlet on migrant-worker rights. Government regulations on overseas employment allowed 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 were only collected after successful placement with an employer. Media reported MoLHR investigated the claims of 42 Bhutanese migrant workers against a licensed recruitment agency for misrepresenting the terms of employment, including hours and wages; at the end of the reporting period the MoLHR website publically listed this agency's license as terminated however, the government did not report if the agency faced criminal or civil penalties.

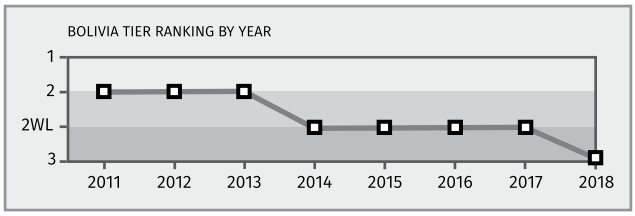
In July 2017, media reported two registered educational consultancy and placement firms—agencies that help Bhutanese navigate postsecondary education abroad— had illegally sent women to Kuwait, Oman, and United Arab Emirates for domestic work. The women had their identification documents and cell phones taken away and were forced to work as many as 16 hours a day for less than the promised salary. Media reported the MFA and the MoLHR intervened to help the women return to Bhutan at the expense of the firms. The Ministry of Education removed these firms from its website of registered consultancies and while the media reported OAG would prosecute the cases, it is unknown if it did. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. 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 who migrate overseas for work are vulnerable to human trafficking by unlicensed or unscrupulous recruitment agents. Bhutanese girls—working as domestic servants and entertainers in *drayangs* or Bhutanese 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. LGBTI Bhutanese individuals may be vulnerable to human trafficking. 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.

BOLIVIA: TIER 3

The Government of Bolivia does not fully meet the minimum standards for the elimination of trafficking and did not demonstrate overall increasing efforts to do so compared to the previous reporting period. Although Bolivia meets the criteria for Tier 2 Watch List, because it has been on Tier 2 Watch List for four consecutive years, it is no longer eligible for that ranking and was therefore downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including expanding public awareness campaigns at the national and sub-national levels, opening a shelter for female victims of violence in Santa Cruz, and starting to implement binational agreements to combat human trafficking, such as by creating monitoring stations on the Chilean border. However, authorities did not report investigating, prosecuting, or convicting trafficking crimes, nor did authorities report proactively identifying victims and referring them to services. Officials did not have adequate resources or training to investigate, prosecute, and convict human trafficking crimes, and protection services for victims remained limited. The government did not report any new developments in investigations of alleged official complicity. The government did not sufficiently fund the anti-trafficking national action plan.



RECOMMENDATIONS FOR BOLIVIA

Investigate, prosecute, and convict traffickers, including complicit officials; provide adequate resources to law enforcement agencies to conduct anti-trafficking operations; amend the anti-trafficking law to bring the definition of trafficking in line with the definition of trafficking under international law; train police, prosecutors, judges, and social workers on a victim-centered approach to investigations and prosecutions; increase availability for specialized victim services; implement established protocols for the proactive identification of trafficking victims among vulnerable populations, and for the referral of victims to care services; 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; and improve data collection and sharing on anti-trafficking efforts, distinguishing human trafficking from other crimes.

PROSECUTION

The government maintained inadequate law enforcement efforts. Law 263 of 2012—the Comprehensive Law against Trafficking and Smuggling of Persons—criminalized labor and sex trafficking and prescribed penalties of 10 to 15 years imprisonment for

adult trafficking and 15 to 20 years imprisonment for child trafficking. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the definition of trafficking under article 281bis of the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. However, article 322 of the law criminalized all commercial sex acts involving children, thereby addressing this gap. Article 322 prescribed penalties of 8 to 12 years imprisonment, which were also sufficiently stringent and, with respect to sex trafficking, commensurate with other grave crimes, such as rape. Article 281bis defined trafficking broadly to include illegal adoption without the purpose of exploitation, the sale of organs, and unlawful biomedical research. While Law 263 created separate criminal offenses for trafficking in persons and migrant smuggling, one government agency was responsible for both crimes; that agency often conflated the two crimes in its collection of data and response to perpetrators and potential victims of trafficking.

The government did not report trafficking-specific law enforcement data for the reporting period. The Ministry of Justice reported issuing sentences for 44 cases under Law 263, which included migrant smuggling, illegal adoption, and other non-trafficking crimes, between 2016 and 2017; however, some sources reported there had been only seven human trafficking convictions nationwide since Law 263 was enacted in 2012. In November 2017, sources reported Tarija department police were investigating a forced labor case involving 25 people from the Guarani indigenous group, including eight minors, exploited in the sugarcane harvest. The 2016 investigation and prosecution of an alleged trafficking ring based out of two popular nightclubs located in La Paz and Santa Cruz remained ongoing. In February 2017, authorities arrested two police officers, one municipal official, and a former migration unit police director for trafficking crimes in connection with the 2016 case. In August 2017, police arrested two individuals for attempting to bribe a victim in the case to retract her statement against the owner of the nightclubs. In April 2017, the department attorney general of Cochabamba reported sentencing an individual who exploited a minor in commercial sex to nine years imprisonment after he was convicted for "pimping." 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. Authorities also abused law enforcement resources to continue prosecuting two individuals on politically motivated trafficking charges, further bringing into question the veracity of the anti-trafficking data—and the resource constraints—reported by the government. During the reporting period, sources alleged complicity among law enforcement officials, such as some investigators reportedly stalling investigations and creating obstacles to prosecutors and judges, officers tipping off brothel owners to upcoming raids, and officials accepting bribes in exchange for dropping investigations. For the fifth 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.

General backlogs in the judiciary, insufficient resources and personnel, and poor training of law enforcement officials impeded law enforcement efforts. Contacts reported each prosecutor is responsible for 800 to 1,000 cases. The judiciary backlog added pressure on prosecutors to try to resolve cases through alternatives means such as plea deals and reduced crimes, with some sources claiming that alleged traffickers received inadequate sentences. Additionally, law enforcement did not have adequate resources to conduct monitoring to ensure alleged perpetrators remained in country and appeared for trials. Sources reported this lack of pre-trial monitoring, coupled with lax border controls, resulted in a growing number of alleged perpetrators fleeing the country and avoiding prosecution.

In October and November 2017, the government provided technical support to three workshops implemented by an international organization and funded by a foreign donor that trained 101 law enforcement officials, prosecutors, judges, national and departmental anti-trafficking committee members, and civil society members on human trafficking. Authorities provided only brief theoretical training in the police academy without practical in-depth case studies. The La Paz police department's anti-trafficking unit maintained 18 police investigators and other departments' anti-trafficking units allotted three to five investigators. In April 2017, the Bolivian National Police (BNP) reported publishing a 26 page online report detailing the responsibilities of anti-trafficking units; some units used this report. Some new recruits to the anti-trafficking police units reportedly did not receive any orientation or training on human trafficking crimes but rather were tasked to teach themselves about the anti-trafficking law and trafficking investigative techniques on their own time. Police were rotated into new positions every three months to one year, resulting in a cyclical loss of institutional knowledge and impeding specialization in trafficking crimes. Due to resource limitations, anti-trafficking police units relied heavily on collaboration with NGOs to provide resources and intelligence for police operations.

PROTECTION

The government maintained inadequate protection efforts. The government did not report the number of victims it identified or referred to services, though victim service providers reported receiving some sporadic government referrals. The government did not implement the protocol approved in 2014 for identifying trafficking victims during the reporting period. Prostitution was legal in the country and the Ministry of Health administered periodic medical tests to individuals in prostitution, but did not screen for trafficking indicators. As of February 2018, the Ministry of Labor employed six labor inspectors specifically charged with investigating cases of child labor and forced labor and an additional 87 labor inspectors, who had authority to investigate potential forced labor cases if they encountered them during their routine inspections.

The government relied on foreign donors and NGOs to fund and provide most victim services. The government drafted a victim referral protocol but did not approve it by the end of the reporting period. Six out of nine department governments managed temporary shelters for victims of domestic violence; these shelters accepted female trafficking victims but did not provide specialized services. In September 2017, the department of Santa Cruz opened a 70-bed shelter for female victims of violence, including trafficking victims. Law 263 also required the government to provide free access to services for victims, but the government did not provide adequate funding for such services. Due to the small number of shelters, police were often unable to secure safe accommodation for trafficking victims identified in raids and reportedly gave victims money for hotel rooms for a night. 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.

In December 2017, the BNP announced it would publish a list of "false victims" of trafficking crimes as an effort to prevent false allegations to police. While false claims may be an issue due to lack of public understanding of what trafficking crimes are, publication of such a list could discourage real victims to report crimes or participate in investigations and prosecutions, and inclusion on the list could endanger trafficking victims. Victims may submit a written statement to be presented in court rather than testify in person; the government did not report how many trafficking cases in which this was used. Foreign victims were able to receive a humanitarian visa but the process could take years; victims were unable to work while the application was pending, and victims must initiate a formal case against their alleged trafficker to qualify. The government did not report the number of humanitarian visas granted to trafficking victims during the reporting period. At the conclusion of criminal trials, victims may initiate civil proceedings to claim damages but the government did not report any civil proceedings for trafficking cases. In July 2017, the government announced it would cover all expenses to repatriate Bolivian victims identified abroad; the government did not report if it provided repatriation services to any victims abroad during the reporting period.

PREVENTION

The government maintained prevention efforts. The Plurinational Council against Human Trafficking and Smuggling coordinated the national governments' anti-trafficking efforts; the Council met once during the reporting period. The government began updating its 2016-2020 national action plan using the 2015-2019 action plan as a guide. At the end of the reporting period, the government had not approved the updated plan or allocated a budget. The Plurinational Council's national policy to implement Law 263 required each department to develop anti-trafficking plans; two of nine departments had developed and began implementing a plan. 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. Law 263 mandated creation of a federal registry of employment agencies; however, the government did not report whether the registry had been created and most labor recruitment is informal. During the reporting period, the government signed bilateral cooperation agreements to combat human trafficking with Chile, Argentina, Peru, and Brazil; in October, the government established six monitoring stations on the Bolivia-Chile border to combat human trafficking, migrant smuggling, and drug trafficking.

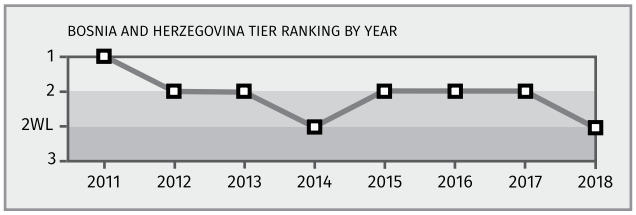
The government created an observatory of trafficking crimes to collect information on trends, and Law 263 mandated the Plurinational Council submit an annual report to Congress on its work; the council planned to submit its second report in April 2018. The Human Rights Ombudsman's Office launched an awareness campaign to warn vulnerable populations of fraudulent recruitment practices and an awareness campaign at bus stations while several other government ministries launched social media and internet campaigns. The Ministry of Communication spent approximately 114 hours discussing human trafficking and Law 263 on the radio during the reporting period. Several municipal and departmental governments launched public awareness efforts, including the Tarija municipal government, which developed a school outreach program that deployed 40 specialists to 115 schools; in 2017 the program educated 10,000 students, 1,200 teachers, and 5,000 parents on human trafficking. The Institute for Normalization of Quality, a semi-autonomous government agency, operated a "triple seal" certification program for sugar producers whose final products were certified to be free of child and forced labor, which could reduce the demand for forced labor. Two companies obtained the seal in 2017. 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 or abuse existing informal temporary employment agencies, through which they identify and recruit potential victims.

BOSNIA AND HERZEGOVINA: TIER 2 WATCH LIST

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 significant efforts during the reporting period by identifying more forced begging victims and granting compensation to four victims from their traffickers in the first successful civil suit. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government penalized victims for unlawful acts committed as a direct result of being subjected to trafficking, in part due to inadequate victim identification practices. Law enforcement and social workers justified cases of potential forced child begging, forced labor, and forced marriage involving Roma as traditional cultural practices. The government lacked victim protection, including victim-centered prosecutions and access to assistance outside of NGO-run shelters, and the strike force was ineffective due to a lack of participation among relevant actors. Therefore Bosnia and Herzegovina was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR BOSNIA AND HERZEGOVINA

Implement the law that exempts victims from penalties for unlawful acts committed as a direct result of being subjected to trafficking, particularly victims of sex trafficking, forced begging, and forced criminality; formalize a multidisciplinary national referral mechanism, including improving official identification procedures and providing assistance and support to all victims that is not contingent on cooperating with investigations; train first responders on victim identification and referral, particularly for those subjected to forced labor and forced begging; vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose sentences that reflect the serious nature of the crime; implement victim-centered approaches to investigations and prosecution; integrate Romani groups into decision-making processes regarding victim protection; allocate sufficient funding for NGO-run shelters and develop financial policies that effectively allocate funding for victim assistance; standardize victim assistance throughout the country, including the ability to access assistance and support outside of shelters and specialized assistance for male victims; increase proactive identification efforts, particularly for adult victims; and improve cooperation and coordination amongst State and sub-State actors, including allocating adequate resources and assigning personnel to the anti-trafficking strike force.

PROSECUTION

The government decreased law enforcement efforts. Bosnia consisted of two entities within the State, the Federation of Bosnia and Herzegovina (Federation) and the Republika Srpska (RS). Each entity had political, legislative, and judicial authority. The Brcko District (BD) was a self-governing area under the jurisdiction of the State. Entity-level authorities addressed domestic trafficking offenses internal to their territories and State-level authorities addressed cases with international aspects. Article 186 of the State-level criminal code criminalized sex and labor trafficking only in cases where the victim was exploited in a country in which he or she did not reside or have citizenship; it prescribed penalties of one to 10 years imprisonment. Articles 210a and 210b of the Federation's criminal code criminalized sex and labor trafficking and prescribed a minimum penalty of five years imprisonment. Article 198a of RS's criminal code criminalized sex and labor trafficking and prescribed a minimum penalty of three years imprisonment. Article 207a of BD's criminal code criminalized sex and labor trafficking and prescribed a minimum penalty of five years imprisonment. These penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The State Prosecutor's Office (SPO) investigated three suspects (one in 2016) and indicted three defendants (none in 2016). The State court convicted four traffickers (two in 2016) and sentenced two traffickers to one year and six months imprisonment but did not provide information on the other two traffickers. Federation authorities investigated seven suspects (four in 2016). The Federation prosecutors indicted one defendant (21 in 2016) and Federation courts convicted seven traffickers (six in 2016). Traffickers received sentences between eight months to three years and six months imprisonment. RS authorities investigated one suspect (two in 2016) but did not initiate any prosecutions in 2016 or 2017. RS did not report convictions in 2016 or 2017. BD authorities investigated one suspect and prosecuted one suspect. BD courts convicted one trafficker (two in 2016) and sentenced the trafficker to one year imprisonment. Authorities reported a BD appellate judge acquitted an alleged trafficker, who was convicted by a lower court, by citing forced child begging and early marriage as traditional Roma cultural practices and customs.

In contrast to the previous year, the government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking; however, corruption and official complicity in trafficking crimes remained significant concerns. The government continued joint investigations with France and the Netherlands of a Bosnian and Croatian married couple forcing six Roma children to pickpocket in the Netherlands; however, no indictments were made due to internal dysfunction and inefficient processing of evidence by the SPO. Additionally, the lack of bilateral agreements regarding witness protection created obstacles for witnesses and victims to participate effectively in international investigations. The State Investigation and Protection Agency (SIPA) maintained 12 specialized officers, including three women, but the other 15 police agencies did not have specialized units and authorities continued to regularly investigate and prosecute forced child begging and forced labor under lesser offenses. The government operated a standing anti-trafficking strike force to coordinate criminal justice responses, but the Federation and the State failed to appoint prosecutors and SIPA rarely participated in meetings. Police academies maintained basic and advanced courses on trafficking and the State continued to provide basic training for prosecutors and judges on trafficking cases. The State, in cooperation with civil society, trained police, prosecutors, and judges on various trafficking issues.

PROTECTION

The government slightly decreased victim protection efforts. The government identified 82 potential trafficking victims (44 in 2016). Of these, 15 were victims of sex trafficking, seven of forced labor, 52 of forced begging, seven of forced begging and involuntary sexual servitude in forced marriages, and one whose exploitation was not reported (six of sex trafficking, 12 of forced labor, 20 of forced begging; and six of both sex trafficking and forced labor in 2016); 58 victims were female and 25 were male (26 were female and 18 were male in 2016); 47 children (10 were children in 2016). Two bylaws provided standard operating procedures for identifying and referring victims to services. The government also maintained guidelines to assist first responders in identifying trafficking victims, including a list of indicators, but observers reported first responders did not know or consistently use the guidelines and lacked proactive identification efforts, particularly for adult victims. The government operated seven drop-in centers for children that conducted outreach work and a mobile team for street children in Sarajevo; drop-in centers and the mobile team identified 130 street children. International organizations reported law enforcement and social workers at centers for social welfare (CSW) justified cases of potential forced child begging, forced labor, and forced marriage involving Roma as traditional cultural practices and customs and sometimes returned children to their families even when parents were involved in the exploitation. First responders referred potential

trafficking victims to law enforcement who conducted an interview and had authority to officially recognize victims. However, GRETA and an NGO reported, in practice, the interview and identification procedures lacked transparency and only prosecutors' designation of whether a person was a trafficking victim was recognized; prosecutors often required victims to cooperate with law enforcement to receive assistance and support. The government-funded assistance programs required victims to obtain official recognition to access care and potential victims received assistance only when an NGO had funds from other sources; authorities referred 26 victims to NGO-run shelters (13 in 2016).

The government partly funded two specialized NGO-run shelters. The Ministry of Human Rights and Refugees allocated 60,000 marks ($36,810) to assist domestic trafficking victims in both 2016 and 2017. The Ministry of Security allocated 70,000 marks ($42,940) for assistance to foreign victims in both 2016 and 2017. Funding for victim assistance was disproportionately lower for domestic victims, although they constituted the majority of identified victims. The government returned to the State budget unused funds allocated to assist foreign victims but did not reallocate those funds for domestic victim assistance. NGOs reported good cooperation with the government but greatly lacked resources. The government, in cooperation with NGOs, provided accommodation, psycho-social support, medical assistance, legal assistance, and guardianship for children. However, access to care was not standardized and based on bylaws that were not legally binding; RS law entitled trafficking victims to social assistance but Federation and BD laws did not include trafficking victims to such assistance. NGO-run shelters allowed victims to leave voluntarily after informing the staff, but GRETA reported no mechanisms were in place to provide assistance to victims outside of shelters, including at CSW that lacked the resources and staff to provide specialized assistance to trafficking victims. One NGO-run shelter accommodated male trafficking victims but did not offer specialized services. Authorities reported developing a reintegration plan for each victim, including vocational training, but the government did not provide funding for reintegration programs and observers reported cases of children spending over two years at NGO-run shelters due to slow court proceedings and a lack of reintegration opportunities. The law provided repatriation assistance to Bosnian citizens identified abroad; the government repatriated one victim from Hungary in 2017. 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.

The government penalized victims for unlawful acts committed as a direct result of being subjected to trafficking; observers reported victims of forced begging and forced criminality were penalized with misdemeanor charges for petty crimes. The government may have deported, detained, or restricted freedom of movement of some trafficking victims due to inadequate identification efforts. 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. The government did not consistently conduct victim-centered investigations and prosecutions; authorities repeatedly interviewed victims and victims frequently appeared in front of their traffickers in court, causing re-traumatization. Police did not consistently notify victims' lawyers when conducting interviews and international organizations reported cases of victims' identity and personal information leaked to the media and published. Victims could seek restitution through criminal or civil suits. In 2016, a district court upheld an appeal made by an NGO that filed the first lawsuit for compensation on behalf of four trafficking victims and in 2017; the court ordered the traffickers to pay 12,100 marks ($7,420) to their four victims. Observers reported civil proceedings required victims to submit new testimonies and medical examinations, causing re-traumatization, despite the government convicting their trafficker in criminal proceedings.

PREVENTION

The government maintained efforts to prevent trafficking. The government continued to implement the 2016-2019 national action plan and the State coordinator continued to produce its annual report. Regional monitoring teams (RMT) met regularly but only served as forums to exchange information rather than their intended mandate of establishing local referral mechanisms. The government continued to allocate 10,000 marks ($6,130) to seven NGOs to conduct awareness raising activities. The government organized a study trip for labor inspectors to the Netherlands and France for various forced labor issues, but the labor inspectorate lacked resources to adequately inspect recruitment agencies. 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.

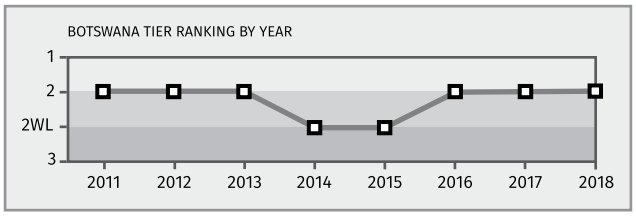
TRAFFICKING PROFILE

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 previous years, victims from Cuba, Gambia, Libya, 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 increased efforts compared to the previous reporting period; therefore Botswana remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting traffickers and training law enforcement and judicial officials on Botswana's Anti-Human Trafficking Act and sentencing guidelines. The government continued to identify trafficking victims and refer them to protective services, and continued to conduct awareness-raising activities throughout the country. The government adopted and launched a national action plan for the first time. However, the government did not meet the minimum standards in several key areas. The government decreased anti-trafficking law enforcement efforts. The government identified fewer trafficking victims and 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 government did not have access to conduct labor inspections of private cattle farms where child labor is widely believed to exist.



RECOMMENDATIONS FOR BOTSWANA

Formalize the system to refer victims to social services and ensure all victims receive protective services; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; disallow suspended sentences for convicted traffickers; implement the newly adopted anti-trafficking national action plan; 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 decreased anti-trafficking law enforcement efforts. The 2014 Anti-Human Trafficking Act criminalized labor and sex trafficking. The law defined trafficking broadly to include all child labor. The law prescribed penalties of up to 25 years imprisonment or a fine of 500,000 pula ($51,000), which were sufficiently stringent; however, by allowing for a fine in lieu of imprisonment, with regard to sex trafficking, these penalties were not commensurate with those prescribed for other serious crimes, such as rape. Sections 57 of the 2009 Children's Act criminalized inducing, coercing, or encouraging a child to engage in prostitution, and prescribed penalties of two to five years imprisonment and/or a fine of 50,000 pula ($5,100), penalties which were significantly lower than those prescribed under the 2014 anti-trafficking act.

The government investigated six trafficking cases and launched prosecutions against eight defendants under two sections of the 2014 anti-trafficking act, compared with 12 investigations and 18 prosecutions in the previous reporting period. The government did not convict any traffickers compared with one conviction during the previous reporting period. The Directorate of Public Prosecutions' (DPP) appeal of a partially suspended sentence for a convicted trafficker initiated in the previous reporting period remained pending. The DPP established specialized anti-trafficking units 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 April 2017, the Ministry of Defense, Justice, and Security (MDJS), in partnership with an international organization, trained magistrates and high court judges on Botswana's Anti-Human Trafficking Act and appropriate sentencing for offenders. The government provided transportation for law enforcement officers stationed countrywide to participate in the training. The government supported 15 workshops, organized by an international organization and Southern African Development Community (SADC), for front-line responders including child protection and law enforcement officers, district officers, and border officials on victim protection procedures. Additionally, the police service included a section on human trafficking in its curriculum to educate recruits and in its in-service training for officers on the anti-trafficking law, victim identification, and investigation of human trafficking cases.

PROTECTION

The government maintained uneven efforts to identify and protect trafficking victims. The government identified three adult and six child trafficking victims during the reporting period—three girls and three boys, of which two were labor trafficking victims and four were sex trafficking victims, two were Batswana and four were foreign nationals—a decrease from 27 victims identified during the previous year. The government referred all child victims to a government-funded NGO-run shelter to receive protective services; it disbursed 447,000 pula ($45,590) to the shelter to provide care services. A women's shelter, which cared for adult victims in the past, did not report any referrals. The government repatriated 10 foreign victims to their countries of origin, funding the costs of transport, flights, and hotels. The government did not provide formal written procedures to guide social service, law enforcement, or immigration officials in proactively identifying victims of trafficking and did not fully operationalize the victim referral measures detailed in the 2014 anti-trafficking act. One NGO-run shelter used its own assessment process for victim eligibility for admission to the shelter and access to care services. 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 increased prevention efforts. The Anti-Human Trafficking Committee, established under the MDJS in the previous reporting period in accordance with the 2014 anti-trafficking act, met four times during the reporting period. The committee adopted and launched a national action plan to combat trafficking. The MDJS coordinated multiple awareness-raising events throughout the country, including visiting secondary schools in areas where the prevalence of trafficking was high, reaching an estimated 15,000 students. The government conducted a random survey of 1,500 students who participated to determine the effectiveness of its outreach and more than 70 percent of students reported their awareness of trafficking was improved. The government conducted nine anti-trafficking workshops for community leaders, including traditional chiefs, and district councilors and an additional four workshops for religious organizations. MDJS officials also conducted a workshop for civil society organizations at the NGO Council forum. The Assistant DPP contributed to various regional training courses, training on prosecutorial strategies in trafficking cases as well as presenting on cross-border cooperation. Additionally, as a member of a Southern African regional task force, the office of the DPP provided technical input to the Regional Trafficking in Human Beings

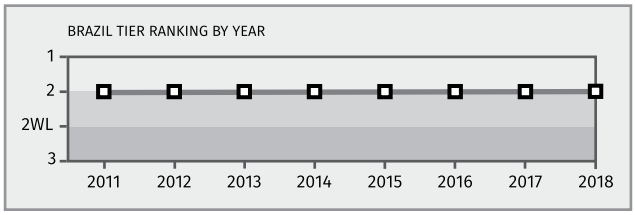
manual. The government continued to participate in the SADC regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, UNODC and SADC launched the first annual draft analysis report for the region. The government reported it conducted labor inspections regularly throughout the country, but an NGO reported it was unaware of inspections of private cattle farms where child labor is widely believed to exist. The government made efforts to reduce the demand for commercial sex acts during the reporting period by conducting periodic sting operations in establishments notorious for commercial sex; however, it did not make efforts to reduce the demand for forced labor.

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 Batswana 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. Batswana 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 increasing the overall number of investigations and convictions, improving data collection, and initiating restitution proceedings for victims in the Fazenda Brasil Verde case. However, the government did not meet the minimum standards in several key areas. Investigation and prosecution efforts in sex trafficking cases remained weak, reports of official complicity and corruption were largely unaddressed, foreign victims were penalized for crimes committed as a direct result of being subjected to trafficking, and assistance to victims remained weak and inconsistent.



RECOMMENDATIONS FOR BRAZIL

Amend the 2016 anti-trafficking law to criminalize child sex trafficking without elements of force, fraud, or coercion in accordance with the 2000 UN TIP Protocol; vigorously investigate, prosecute, and convict trafficking cases including those involving sex trafficking or complicit officials; ensure trafficking victims are not penalized for crimes committed as a direct result of being subjected to trafficking; 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; train federal, state, and municipal law enforcement officials on proactive identification of victims; 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; and finalize and begin implementing the third national action plan for the elimination of trafficking.

PROSECUTION

The government maintained prosecution efforts. Article 149a of law 13.344 criminalized all forms of labor trafficking and some forms of sex trafficking and prescribed penalties of four to eight years imprisonment and a fine, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, Article 149a required force, fraud, or coercion for child sex trafficking cases, and therefore did not criminalize all forms of child sex trafficking. However, 244A of the child and adolescent statute criminalized inducing a child to engage in sexual exploitation, without the need to prove the use of force, fraud, or coercion and prescribed penalties of four to 10 years imprisonment and a fine, which were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 149 of law 13.344 prohibited *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.

Contrary to previous years when law enforcement data occasionally included state and federal efforts, the 2017 investigation and prosecution data included information solely under federal jurisdiction. In 2017, authorities reported 190 investigations (171 investigations under article 149 and 19 investigations under article 149a), compared with 147 investigations in 2016 (103 new and ongoing investigations under the old penal code, 22 new and 20 ongoing investigations under article 149, and 22 investigations under article 149a). The government reported 57 prosecutions (55 under article 149 and two under article 149a), compared with 147 prosecutions in 2016 (135 under the old penal code, three under article 149, and three under article 149a in 2016). Authorities reported 81 total convictions in 2017 (four under article 149a in the superior court, 20 under article 149 in the superior court, two under

article 149a in lower courts, and 55 convictions under article 149 by lower courts), compared with a total of 23 convictions in 2016 (22 in lower courts and one final conviction in the superior court). Most sex and labor traffickers convicted by lower courts appealed their convictions; there were 78 appeals related to trafficking cases in the federal court system in 2017 (compared with 29 in 2016). The prolonged appeals process lasted years and hampered Brazil's overall law enforcement efforts. Authorities estimated 79.7 million cases were pending review in the Brazilian court system in 2017 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 for all cases, but media reported sentences for select cases ranged from two to seven years imprisonment. However, most convicted traffickers served 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 (MTE) inspectors handled administrative cases of *trabalho escravo* while cases with evidence of serious violations were referred to the labor court and public ministry for criminal prosecution. This resulted in uneven interagency coordination of anti-trafficking efforts. Labor inspectors and labor prosecutors could apply only civil penalties. The MTE conducted 7,491 inspections in 2017, an increase from 1,902 inspections in 2016 in part due to the resolution of 2016 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, of Brazil's three police forces, the DPF was the most competent in handling trafficking cases; however, specialized training for all law enforcement entities on trafficking indicators was lacking. In coordination with international organizations and foreign donors, the government trained law enforcement officials, prosecutors, immigration, and border officials on trafficking. 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 victims were not penalized for crimes committed as a result of being subjected to trafficking. Due to personnel changes, FONTET was active only in the first part of 2017. In December 2016, the Inter-American Court for Human Rights ruled against Brazil in a historic case (Fazenda Brasil Verde vs. Brazil) where for the first time it fined a country for failing to prevent slavery within its borders; it ordered the government to pay $5 million to 128 farm workers who were enslaved from 1988 to 2000 and to reopen the investigation. In January 2018, the attorney general announced the creation of a task force to re-open the investigation. The government did not report updates to cases of official complicity opened in past years, including 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. Similarly, there were no updates on the prosecution's appeal of an inadequate sentence given to a civil police investigator in 2016 for his involvement in a sex trafficking ring involving children. During the reporting period, an NGO reported that more than one in 10 high-ranking politicians received campaign donations from companies linked to conditions analogous to slavery.

PROTECTION

The government maintained protection efforts. Authorities continued to use guidance provided by the Ministry of Justice and Public Security (MJSP) for all federal, state, and local governments on victim identification and assistance, but the government did not report updating the guidance to reflect provisions of the 2016 legislation. The MJSP maintained 12 posts at airports and bus stations known as transit points for victims to identify likely traffickers and potential victims. Law 13.344 mandated the government provide victims with temporary shelter, legal, social, and health assistance, and protection against re-victimization. Seventeen of 27 state governments operated state-level anti-trafficking offices (NETPs) that referred victims to social assistance centers for victims of trafficking, sexual abuse, exploitation, and domestic violence. Specialized MTE divisions provided victims of forced labor with job training services, three months of unemployment pay, and limited counseling services. Observers indicated some NETPs had effective assistance and coordination teams that comprised police officers, prosecutors, and mental health professionals, whereas other state offices were not as well equipped to assist victims. Various agencies reported identifying victims and potential victims of trafficking, totaling 1,117 victims in 2017 (13 sex trafficking victims and 1,104 labor trafficking victims), compared with 1,268 in 2016. Seven of the 27 NETPs reported assisting 10 sex trafficking victims and 101 forced labor victims during the first half of 2017. The Rio de Janeiro state government reported identifying three sex trafficking victims and two labor trafficking victims in 2017. MTE reported identifying 1,008 children working in violation of minimum working age laws, some of whom may be trafficking victims. Officials did not report the number of victims of domestic servitude or commercial sexual exploitation of children identified in 2017.

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 or 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. The state of Sao Paulo maintained a shelter where female victims and their children could receive health benefits, education, food, and housing for three to six months. Another shelter in Sao Paulo provided temporary assistance for refugees and trafficking victims, but the government did not report how many victims stayed at the shelter. In 2017, there were 2,521 specialized social assistance centers across the country where psychologists and social workers assisted vulnerable people (compared with 2,521 centers in 2016). In 2017, many centers remained underfunded; however, 378 centers were certified to assist trafficking victims compared to 988 centers in 2016. The government did not report how many victims authorities assisted through the centers in 2017.

Victims of *trabalho escravo* remained vulnerable to re-trafficking due to inconsistent access to assistance and employment options; however, the government sought to address this issue by offering vocational training. The state government in Mato Grosso continued to offer vocational training to victims of *trabalho escravo*. The MTE and Ministry of 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 housing,

a discount on energy bills, and technical assistance—all implemented at municipal-level centers for social assistance.

During the reporting period, the MJSP reported the judicial system continued 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 did not report whether video testimony had been used in a trafficking trial yet. 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 or 2017. Foreign trafficking victims were entitled to permanent visa status, but authorities did not report how many victims received it in 2016 or 2017. 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 wished to return to their country of origin. NGOs and international organizations reported 24 victims received repatriation assistance in coordination with the government during the reporting period. During the reporting period, the government initiated administrative proceedings to pay 49 identified victims in the Inter-American Court of Human Rights' ruling in the Fazenda Brasil Verde case. There were reports of victims penalized for unlawful acts committed as a direct result of being subjected to trafficking. Authorities imprisoned two Ukrainian trafficking victims for drug smuggling prior to releasing them and allowing their return to Ukraine. In a separate case, authorities imprisoned five Kazakh trafficking victims for drug smuggling prior to releasing them and allowing their return to Kazakhstan.

PREVENTION

The government maintained prevention efforts. The 2013-2016 second national action plan for the elimination of trafficking expired in December 2016. The anti-trafficking inter-ministerial group was in the third of six stages of planning the 2018-2022 third national action plan at the end of the reporting period. Coordination among agencies at the national and state level was uneven and varied in efficacy. State and federal authorities reported reduced budgets and other priorities limited their implementation. The government continued to participate in the Blue Heart campaign focused on raising awareness on the plight of victims and gaining political support for the prosecution of traffickers. Municipal and state governments hosted workshops, trainings, art installations, performances, and roundtable discussions to commemorate World Day against Trafficking. In Sao Paulo, the state NETP conducted three anti-trafficking symposiums and monthly educational outreach trips engaging with representatives from education, industry, city governments, and regional offices. The government established the National Committee to Combat Trafficking in Persons to coordinate activities between NGOs, public, and private sectors and to advise the MJSP on trafficking-related public policies. The MJSP, with assistance from an international organization, completed a report assessing government efforts to investigate, prosecute, and convict trafficking crimes and efforts to identify and assist victims in 2014-2016, which will be publicly released later in 2018. The government operated a human rights hotline that received 13 calls reporting adult sex trafficking cases, 39 cases of child sex trafficking, 61 cases of adult forced labor, and seven cases of child forced labor. The government did not report whether it identified any victims or initiated investigations as a result of calls to the hotline. The MTE published a new version of the *lista suja*, or dirty list, following an October 2017 federal labor court ruling. The list identified individuals and businesses responsible for *trabalho escravo* and listed businesses could not access credit by public and private financial institutions. 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 2017. Troops received anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government did not report providing anti-trafficking training for its diplomatic personnel.

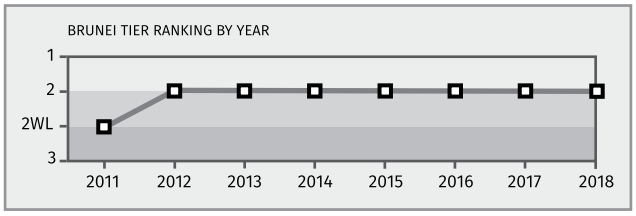
TRAFFICKING PROFILE

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. Brazilian women are subjected to sex trafficking abroad, especially in Western Europe and China. Women and girls from other South American countries, especially Paraguay, are exploited in sex trafficking in Brazil. The estimated 75,000 Venezuelan migrants who have crossed the border into Brazil are vulnerable to trafficking. 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 the United States. Brazilian men, and to a 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) and cities (construction, factories, restaurants and hospitality). Brazilian women and children, as well as girls from other countries in the region, are exploited in domestic servitude. Some Brazilian trafficking victims are forced to engage in criminal activity, 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. The government demonstrated increased efforts by expanding measures to prevent trafficking through migrant worker outreach, accommodating more victims at its shelter, 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. The government did not initiate any prosecutions or achieve any convictions under its trafficking law.



RECOMMENDATIONS FOR BRUNEI

Increase efforts to investigate, prosecute, convict, and punish both sex and labor traffickers, including complicit government officials, with strong penalties; cease the arrest, deportation, and punishment of trafficking victims for crimes committed as a direct result of their being subjected to trafficking; 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; 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 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 decreased law enforcement efforts. The 2004 Trafficking and Smuggling of Persons Order criminalized sex and labor trafficking and prescribed penalties of up to 30 years imprisonment and fines, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious offenses, such as rape. The law criminalized 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 (RBPF) screened for trafficking indicators in cases involving prostitution, unpaid wages, workers fleeing their place of employment, or physical abuse of workers. The RBPF investigated 28 cases of potential trafficking in 2017, compared with an unknown number in 2016 and 66 investigations in 2015. Of these, authorities passed two as alleged trafficking cases to the attorney general's chambers (AGC) for prosecution. In both cases, the AGC determined there was insufficient evidence of trafficking and subsequently prosecuted both cases for non-trafficking offenses. One additional alleged sex trafficking suspect remained under investigation. Authorities did not obtain any convictions under trafficking provisions in 2017, compared to three convictions in 2016, which were the first convictions under trafficking provisions since 2012. In previous years, authorities investigated government officials for complicity in trafficking offenses, including domestic servitude; no such investigations, prosecutions, or convictions took place during the reporting period.

The HTU trained the RBPF, immigration, labor, and anti-vice officers on trafficking and victim identification. Additionally, HTU conducted an outreach program for migrant workers through informational sessions at their respective embassies. The AGC trained multiple government agencies on cross-border control and trafficking.

PROTECTION

The government maintained efforts to protect victims. The HTU continued to employ a standard countrywide identification system to screen and identify potential trafficking victims when apprehending persons in prostitution or when accompanying immigration and labor officials on operations with suspected trafficking indicators. For cases reported directly to police stations and other law enforcement agencies, front-line officers conducted preliminary investigations and then referred them to the HTU. In some cases, authorities employed identification measures only after detaining 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 all 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, three individuals received assistance at the shelter, compared to one in the previous period. The government is in the process of renovating a dedicated trafficking shelter, but the completion date was undetermined due to budget constraints.

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 continued 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 could acquire a temporary stay on deportation while the government works with relevant local embassies to obtain new travel documents or repatriation assistance, and victims were eligible for temporary work passes on an ad hoc basis; the government did not report any victims benefiting 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 2017, the immigration department conducted two roadshows to educate the public on employment laws, recruitment, and labor rights; the events took place in one of Brunei's most popular malls and were open to the general public. The government disseminated information to the public making it clear employers should

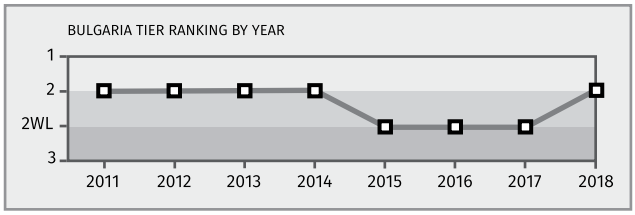
not withhold workers' passports, but it did not initiate any prosecutions against employers or agencies for passport retention; the practice remained widespread. With in-kind government support, including subject matter expertise, a local NGO organized a two-part awareness campaign and exhibition, featuring panel discussions with professionals from the government and civil society, which reviewed trafficking issues in Brunei. The government did not complete its draft national action plan to combat trafficking, but authorities reported implementing its provisions. 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. In an effort to prevent labor abuses, the government assigned dedicated liaison officers to construction projects that employ a significant number of migrant workers. 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. Although Brunei did not accede to the 2000 UN TIP Protocol, the AGC completed the Anti-Trafficking in Persons Order of 2017, which paves the way for accession.

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. There are approximately 100,000 foreign migrant workers in Brunei from regional countries, with a significant increase in mainland Chinese nationals in 2017 as construction at a Chinese-funded petrochemical plant accelerated. Some government officials have expressed concern that the increase in migrant workers could lead to an increase in prostitution and potentially sex trafficking. Men and women migrate to Brunei primarily for domestic and construction 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. 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

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 compared to the previous reporting period; therefore Bulgaria was upgraded to Tier 2. The government demonstrated increasing efforts by allocating more funding for victim services and opening two new facilities in Sofia for trafficking victims, including a crisis center for child victims. Authorities identified more victims—more than doubling the number of labor trafficking victims it identified in 2016—and convicted more traffickers. The government also approved a five-year national anti-trafficking strategy for 2017-2021. However, the government did not meet the minimum standards in several key areas. Judges and prosecutors continued to lack training on working with trafficking victims and cases, which had negative effects on witness protection, victim compensation, and sentencing for perpetrators. Courts continued to issue suspended sentences for most convicted traffickers. Officials' lack of knowledge of trafficking indicators hindered effective victim identification, especially among foreign nations and women exploited in prostitution. Corruption in law enforcement and the judiciary continued to hinder progress and investigations into complicit officials rarely led to criminal punishment.



RECOMMENDATIONS FOR BULGARIA

Hold convicted traffickers accountable with prison terms; enhance efforts to investigate and prosecute sex and labor trafficking cases; vigorously investigate, prosecute, and convict government officials complicit in trafficking, and hold convicted officials accountable with prison terms; proactively identify potential trafficking victims, especially among women exploited in prostitution; enhance efforts to train law enforcement officials, prosecutors, and judges to understand the severity of sex and labor trafficking crimes and its impact on victims; increase financial support for anti-trafficking activities, including for implementing objectives in the national strategy and national program, and training officials on victim identification; provide knowledgeable legal counsel and courtroom protections for victims assisting prosecutions; provide specialized services to child victims, including unaccompanied minors; and streamline the victim compensation process and increase the number of victims receiving compensation.

PROSECUTION

The government increased law enforcement efforts. Articles 159a-159d of the criminal code criminalized sex and labor trafficking and prescribed penalties of two to eight years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. In 2017, police initiated 81 investigations, prosecutors indicted 80 defendants, and courts convicted 59 traffickers; this is compared with 85 investigations, 73 prosecutions, and 35 convictions in 2016. Of the 59 convicted traffickers, only 18 (31 percent)received a prison sentence that was not suspended, a similarly low rate as in the previous four years. As in 2016, the government did not report the range of prison sentences imposed on convicted traffickers. Courts issued fines to 29 convicted traffickers in 2017, compared with eight in 2016 and 23 in 2015. Judges reportedly 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 was subsequent exploitation. In 2017, the government participated in six joint investigations with other foreign governments. Among the investigations, police from Bulgaria and Sweden targeted an organized crime group recruiting Bulgarians for forced begging in Sweden; the investigation resulted in 12 suspected traffickers arrested and charged. In addition, Bulgarian and Spanish authorities investigated an organized crime syndicate recruiting women for sexual exploitation; 31 suspected traffickers were arrested.

Corruption in law enforcement and the judiciary, selective prosecution, and long trials continued to hinder progress. Authorities initiated two investigations involving police officers who allegedly assisted pimps and traffickers. Separately, prosecutors of the anti-corruption unit initiated an investigation of several police supervisors who allegedly received bribes from a resident of Dobrich engaging in forced prostitution. Additionally, courts prosecuted two complicit officials for extortion of criminals involved in prostitution and pimping; the trials were ongoing at the close of the reporting period. Observers noted the government lacked resources to investigate cases and local anti-trafficking commissions lacked information materials and training. Observers also reported judges, prosecutors, and law enforcement officials needed training on working with and sensitivity toward trafficking victims. The national anti-trafficking commission provided specialized training for 60 local-level investigators, police, lawyers, prosecutors, and judges on applying the national referral mechanism, new trends and challenges, and future steps in combating trafficking. The commission also collaborated with a research foundation to provide training on improving interaction between lawyers and judges for better protection of trafficking victims; more than 40 lawyers, prosecutors, judges, investigators, and legal advocates participated.

PROTECTION

The government increased efforts to protect victims. Based on open pre-trial investigations in 2017, the prosecution service identified 407 victims (323 of sex trafficking, 67 of labor trafficking, and 17 of forced servitude), compared with 365 victims (329 victims of sex trafficking, 31 of labor trafficking, and five of both sex and labor trafficking) in 2016. Forty-two of the identified victims were children (21 in 2016). Authorities identified five potential foreign victims from Burkina Faso, Nigeria, Guinea, Sierra Leone, and Thailand during the year, compared with one foreign victim in 2016. However, observers alleged law enforcement could not effectively identify victims, particularly labor trafficking victims and victims among third country nationals. Additionally, 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. Law enforcement officials, prosecutors, investigators, and labor inspectors received training on trafficking, including on identification; those trainings were mostly funded by international grants and NGOs. Pre-trial authorities formally identified all trafficking victims, and the commission referred victims to services. The government co-funded projects with international donors, allocating 15 percent of the total costs. In 2017, the government spent 376,000 lev ($230,530) for services and implementation of the annual national anti-trafficking and victim protection program with an additional 254,000 lev ($155,730) from international donors. The government also co-funded 15 percent of the 390,000 lev ($239,120) allocated for shelters and crisis centers in Sofia and Varna, including the crisis center for children in Sofia. The government opened two new NGO-operated facilities in Sofia for trafficking victims: a shelter and a center (in one facility) for temporary accommodation of adult victims and a crisis center for child victims. The government also contracted NGOs to operate two centers offering consultative services for trafficking victims and three shelters offering residential services. Furthermore, 23 publicly-run crisis centers offered social services to children and women victims of violence, including trafficking. The centers provided support, counseling, and accommodations to 144 trafficking victims. Child victims could stay in centers for up to six months at which point child protection services could place them with relatives, a foster family, or another residential care institution. In March, the council on child protection began to institute a specialized service for referral and accommodation of unaccompanied minors with a view to providing them with care separately from adults. There were no specialized accommodation options or services for male victims.

The law allowed foreign victims who cooperated 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. For foreign victims who chose not to assist in trafficking investigations, the government provided a 40-day recovery period (70 days for foreign child victims) before repatriation. The law accorded 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 protect them from re-traumatization, effectively administer justice, and convict perpetrators with meaningful sentences. Observers reported victims lacked support during criminal cases, as the state reportedly did not provide knowledgeable legal counsel during trials. Victims were often required to give testimony in the presence of the alleged trafficker, and it was common practice for alleged traffickers to confront their victims in court and question them through their lawyers. Observers reported the process for seeking compensation continued to be overly bureaucratic and discouraged victims from making claims; as a result, no victims received compensation.

PREVENTION

The government increased prevention efforts. The government adopted and approved a five-year national anti-trafficking strategy for 2017-2021. The government also adopted a national program for combating human trafficking and victim protection, focusing on prevention among at-risk populations, more effective victim identification, and better support for survivors. NGOs assessed the goals in the strategy and program as relevant and realistic; however, they expressed concern about sustainability since international donors and projects funded most of the activities. The national commission held a conference on labor exploitation, aimed at improving the multidisciplinary cooperation through best practices and information sharing. The commission also conducted a national campaign dedicated to internet and social networks as recruitment tools. The campaign included web banners on popular job and dating websites that clicked through to a special information page. The government conducted 152 inspections of labor recruitment firms and identified 464 violations. The government also conducted 175 inspections of temporary employment agencies and identified 731 violations, and conducted 530 inspections of employers sending posted workers in EU countries and identified 2,781 violations. The commission conducted a study mapping areas of the country considered high risk for trafficking and published the findings on its website. The government demonstrated efforts to reduce the demand for commercial sex and forced labor.

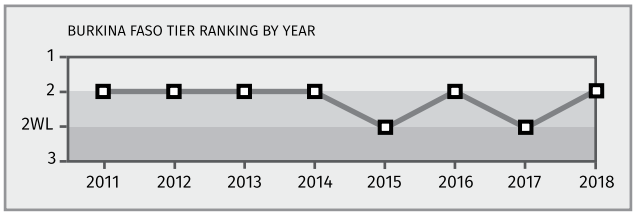
TRAFFICKING PROFILE

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 significant increase in the number of Bulgarian and Roma victims subjected to forced servitude, particularly in Poland, Spain, and the United Kingdom. Bulgarians of Turkish ethnicity and Romani women and girls, some as young as 13 years old, account for most of the sex trafficking victims identified in Bulgaria, particularly in the capital, resort areas, and border towns. Bulgarian women and children are subjected to sex trafficking throughout Europe. Victims are increasingly exploited through a combination of sexual and labor exploitation, including domestic servitude. Traffickers subject Bulgarian men and boys to forced labor across Europe, 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 abroad. Romani children are also vulnerable to forced labor, particularly begging and pickpocketing. Bulgaria is a destination country for a limited number of foreign trafficking victims, including trafficking victims from Africa and Southeast Asia. Government corruption in law enforcement and the judiciary continues to enable some trafficking crimes, and officials have been investigated for suspected involvement in trafficking.

BURKINA FASO: TIER 2

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 increasing efforts compared to the previous reporting period; therefore Burkina Faso was upgraded to Tier 2. The government demonstrated increasing efforts by reporting law enforcement data for the first time in two years, convicting 61 traffickers; identifying adult and child trafficking victims and referring them to care; removing children from exploitative conditions in the mining sector; and increasing collaboration between government ministries and NGOs on victim protection. However, the government did not meet the minimum standards in several key areas. All sentences imposed on convicted traffickers were below the minimum penalties set forth in the 2008 anti-trafficking law. The government did not adequately fund the police anti-trafficking unit or protective services, nor did it make efforts to address child forced begging by unscrupulous *marabouts* (religious instructors) in Quranic schools.



RECOMMENDATIONS FOR BURKINA FASO

Increase efforts to investigate, prosecute, and convict traffickers—including corrupt *marabouts* and traffickers posing as *marabouts* who exploit children in forced begging, and complicit officials—and apply terms of imprisonment as prescribed in 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; 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 and prosecuting trafficking cases, including cases that do not involve movement; investigate recruitment agencies suspected of fraudulently recruiting women for exploitation abroad; strengthen the system for collecting law enforcement and victim identification data; increase the availability of shelter and services for all victims, including adults; work with NGOs to raise awareness of trafficking, especially forced begging in Quranic schools and trafficking that does not involve movement; draft a national action plan to combat trafficking; and improve coordination among the anti-trafficking and child protection committees through funding, convening regularly, and sharing data.

PROSECUTION

The government increased law enforcement efforts. The 2008 anti-trafficking law criminalized labor and sex trafficking and prescribed penalties of five to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government began revising its penal code to increase the terms of imprisonment for human trafficking crimes from five to eleven years; the revisions were awaiting approval from the Council of Ministers at the end of the reporting period.

For the first time in two years, the government reported data on anti-trafficking law enforcement efforts. Between March 2016 and March 2018, 25 courts investigated, prosecuted, and convicted 61 traffickers. Courts reported data in different formats, so it was unclear exactly how many additional investigations and prosecutions were ongoing at the end of the reporting period. This was a significant increase from the previous reporting period, when the government reported 78 investigations but did not report data on prosecutions or convictions. Among the 61 convictions, 16 traffickers received prison sentences of between three months and three years imprisonment. Judges sentenced 45 traffickers to either a fine or a suspended sentence, which was inconsistent with the penalties prescribed in the 2008 anti-trafficking law. The government did not report if it continued to investigate the 78 investigations pending at the close of the previous reporting period, including investigations into debt bondage, forced begging in Quranic schools, sex trafficking, and the fraudulent recruitment of more than 47 women for domestic servitude in various Middle Eastern countries. While at least one court from all 13 administrative regions reported data, the courts that reported data only represented 25 of 45 sub-regional provinces. 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. Due to a lack of funds, the police did not complete any investigations into child forced labor in artisanal mines, despite reports of exploitative child labor. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, corruption remained a concern. Authorities alleged some officials exerted pressure over police and judiciary to drop labor trafficking cases, especially in the mining sector. An international donor provided anti-trafficking training for some law enforcement officials. 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 trafficking victims. With data from all 45 provinces, the government reported identifying 1,740 trafficking victims, an increase from 1,407 potential victims identified in 40 provinces the previous reporting period. Among the victims identified, the government reported Nigerian girls in sex trafficking within Burkina Faso and Burkinabes exploited abroad in forced labor in Libya and sex trafficking in Lebanon. This is a contrast from previous years, when the government primarily identified Burkinabe and West African 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 also identified and removed 1,284 child laborers from 86 artisanal gold mining sites in six provinces, some of whom might have been trafficking victims, and provided food, clothing, shelter, health care, and legal assistance to 25 of these children. An international organization provided assistance and repatriation to 22 additional female sex trafficking victims from Nigeria, some of whom the government had identified and referred to the organization for care. A second NGO identified 12 Malian girls in domestic servitude and provided care. The government had standard victim identification and referral procedures; in regions where authorities and front-line responders had been trained, such procedures worked efficiently. In addition, the government validated and disseminated throughout the country a case management guide for law enforcement and social services personnel to facilitate the uniform referral of child victims of crime, including trafficking, to care, and distributed 1,000 copies of a children's rights guide to social service actors to improve their knowledge of the care options available for vulnerable children.

The government operated and staffed one shelter in Ouagadougou; the shelter was open 24 hours per day and could accommodate long-term stays for both adults and children; the government referred 250 trafficking victims to the shelter during the reporting period, and they received shelter, food, and medical assistance. Outside of the capital, the government operated 35 regional protection offices that could provide psychological, social, and food assistance. These offices provided short-term services, but usually not shelter, to at least 108 Burkinabe and foreign child trafficking victims; the offices only operated during weekly business hours and when they had sufficient funding. The government and NGOs disbursed 61 million West African CFA francs (FCFA) ($108,480) to these offices during the reporting period for health care, education, vocational training, family reunification, and social workers; this was in addition to the funding the government provided for the shelter and office staffs' salaries. The protection offices relied heavily on local NGOs and international organizations for the majority of support. When trafficking victims outside of Ouagadougou required shelter, authorities and NGOs nearly always placed victims with host families or an NGO. Outside of Ouagadougou, there were no shelters or services specifically for adults; however, the government shelter and regional protection offices could accommodate adults when necessary. 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 mandated 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 had one such center during the reporting period and allocated 5 million FCFA ($8,890) to it in 2017, a significant increase from 1.68 million FCFA ($2,990) allocated in 2016. The ministry did not report how many victims it referred to this center during the reporting period.

The government did not have a formal policy to encourage victims to participate in trials against their traffickers but encouraged victims to do so by providing protection through the Ministry of Women, National Solidarity, and Family; a regional human rights office; or foreign victims' embassies. The government did not report if victims could legally file civil suits against their traffickers or otherwise obtain restitution. Foreign victims who face hardship or retribution in their country of origin could apply for asylum, but there were no reports trafficking victims applied for asylum during the reporting period. The government provided travel documents to facilitate repatriation of foreign trafficking victims identified in Burkina Faso and Burkinabes exploited in Lebanon. It transported Burkinabe trafficking victims repatriated from Libya, Nigeria, and Lebanon to the Ouagadougou shelter for care and, with an international donor, provided shelter, food, medical care, psychological support, and family reunification. 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, some victims could 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. The committee met once during the reporting period but continued to lack the resources to plan future initiatives or take proactive measures to combat trafficking. The hybrid government-NGO working group for child protection functioned more effectively, so the government used this body to coordinate and share information on child protection and child trafficking issues. The anti-trafficking committee had sub-committees at the regional, provincial, and departmental levels to coordinate locally; subcommittees were composed of police, social workers, transit companies, NGOs, and other regional stakeholders, and 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. These groups, also responsible for intercepting traffickers and identifying victims, lacked resources for day-to-day operations, and the government did not report how many groups met during the reporting period. The government did not report allocating any funding to these committees, compared to allocating 300,000 FCFA ($530) to each of the 24 networks in the previous reporting period. Despite the existence of the various anti-trafficking committees and child protection working groups, inter-governmental communication on anti-trafficking issues remained lacking and inhibited progress. The government did not have or begin drafting an anti-trafficking national 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 identified and removed children from mining through its 2015-2019 national program to combat child labor in artisanal mines, although the government did not devote any funding or resources to implement other tenets of the plan. 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 continued to operate a hotline to report cases of violence against children, including trafficking, and allocated 4 million FCFA ($7,110) to the hotline during the reporting period. The hotline operated during weekdays and did not receive any reports of trafficking during the reporting period. Unlike previous years, the government did not allocate any funding for vocational training for the social reintegration of young street children vulnerable to trafficking.

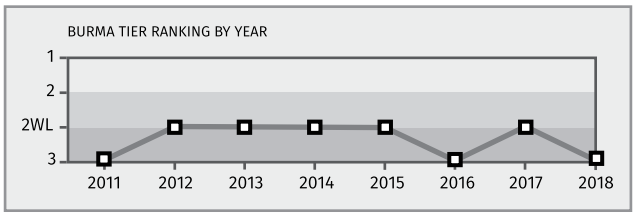
The government did not report any policies to prevent the fraudulent recruitment or exploitation of Burkinabes abroad, despite reports that such exploitation occurred. The Labor Inspectorate increased its number of labor inspectors from 154 to 169 during the reporting period, all of whom received basic training on child labor laws, although it did not report the number of inspections carried out or any child labor violations detected. The government did not make any efforts to reduce the demand for forced labor or commercial sex acts. The government did not report providing anti-trafficking training to its diplomatic personnel. The government, in partnership with foreign donors, provided Burkinabe troops with anti-trafficking training prior to their deployment abroad as part of international peacekeeping missions.

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. Traffickers promise families educational opportunities but instead force Burkinabe children to labor as farm hands, gold panners and washers in artisanal mines, street vendors, and domestic servants. In some cases, parents know their children will be exploited in domestic servitude but allow the exploitation to supplement the family income. Unscrupulous *marabouts* force children to beg in Quranic schools, sometimes with parents' knowledge. Girls are exploited in sex trafficking in Ouagadougou and in mining towns. Burkinabe children—including orphan street 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—to a lesser extent—Europe and subsequently subject them to forced prostitution. Burkinabe women are also exploited in domestic servitude in the Middle East. During the reporting period, an international organization repatriated approximately 895 Burkinabe adults from Libya, some of whom were exploited in forced labor in construction and agriculture and forced prostitution in Libya. 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, and it is a transit county for Ghanaian migrants traveling to Libya and Italy, some of whom are trafficking victims. Children from neighboring countries, including Cote d'Ivoire, Ghana, Guinea, Mali, Niger, and Nigeria, are subjected to forced labor and sex trafficking. 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. Nigerian girls are exploited in sex trafficking in Burkina Faso. In past years, authorities have identified Nepalese traffickers subjecting Tibetan women to sex trafficking in Burkina Faso and Sri Lankan citizens transiting Burkina Faso allegedly en route to forced labor in a third country.

BURMA: TIER 3

The Government of Burma does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Burma was downgraded to Tier 3. Despite the lack of significant efforts, the government continued to prosecute and convict traffickers, and it identified more victims than the previous year. It also committed resources to awareness-raising efforts aimed at preventing child soldier recruitment and use. However, Burmese armed forces (Tatmadaw) operations in Rakhine State dislocated hundreds of thousands of Rohingya and members of other ethnic groups, many of whom were subjected to exploitation in Burma, Bangladesh, and elsewhere in the region as a result of their displacement. While the Tatmadaw continued efforts to identify and demobilize child soldiers among its ranks, verified incidents of unlawful child soldier recruitment and use continued, and the government took punitive action against former child soldiers for desertion, alleged fraud, and defamation. Authorities continued to prevent the UN from playing a constructive role in eradicating the recruitment and use of children by ethnic armed groups (EAGs)—a practice that reportedly increased due to the security situation in restive areas. The Tatmadaw continued to require troops to source their own labor and supplies from local communities, thereby perpetuating the labor exploitation of adults and children. There were reports that government officials were complicit in both sex and labor trafficking, including by hindering law enforcement efforts against the perpetrators. The government reported some efforts to seek criminal accountability for officials complicit in trafficking, but not for the recruitment and use of child soldiers.



RECOMMENDATIONS FOR BURMA

Cease all unlawful recruitment and use of children by armed forces and make efforts to end the practice among non-state groups, including by supporting the UN's efforts to enter into child demobilization agreements with EAGs; cease arresting, detaining, and punishing victims—including minors absconding from Tatmadaw service—for acts committed while subjected to trafficking; cease official involvement in compelling civilians to perform any type of forced labor, including by reforming the "self-reliance" policy that drives the demand for forced labor and child soldier conscription; strengthen efforts to identify, prosecute, and convict individuals—including Tatmadaw and other government officials and civilian brokers—complicit in sex and labor trafficking, including the unlawful recruitment and use of child soldiers, and apply stringent penalties, including jail time; implement formal procedures to proactively identify victims among vulnerable groups and refer them to service providers, with an emphasis on communities displaced by

conflict; strengthen efforts to prioritize and significantly increase government funding for victim protection efforts, including victim shelters, provision of services for male victims, and reintegration support for former child soldiers; enhance law enforcement and justice sector efforts to retain suspected traffickers under pre-trial detention during court proceedings to reduce their risk of flight and the prevalence of convictions in absentia; amend the anti-trafficking law to ensure that a demonstration of force, fraud, or coercion are not required to constitute a child sex trafficking offense; in partnership with civil society groups and regional authorities, develop and implement oversight mechanisms to prevent forced labor in precious gemstone mining, with a focus on jade mining in Kachin State; and provide legal status to stateless persons in Burma to decrease their vulnerability to exploitation.

PROSECUTION

The government maintained law enforcement efforts. The 2005 Anti-Trafficking in Persons Law criminalized all forms of labor trafficking and some forms of sex trafficking. However, inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The law prescribed penalties of five to 10 years imprisonment and a fine for trafficking offenses involving male victims, and penalties of 10 years to life imprisonment for trafficking offenses involving female or child victims. These punishments were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Forced labor, including the recruitment of children into the Tatmadaw, was a criminal offense under the 2005 Anti-Trafficking Law, the 2012 Wards and Village Tracts Administration Act, and penal code section 374. The Tatmadaw reportedly continued to cite unknown provisions in military law to punish individuals who used or recruited children for purposes of exploitation; the government did not provide information about the identities of these individuals or their punishments in 2017, but those applied in prior years—including demotions and geographic reassignments—were disproportionately low compared to the seriousness of the crime. In 2017, the government continued a legal review to redraft and strengthen the 2005 anti-trafficking law. For the second consecutive year, a draft child protection law establishing clearer penalties for civilians and Tatmadaw personnel convicted of child soldiering offenses remained under parliamentary consideration at the end of the reporting period.

In 2017, the government reported investigating 185 trafficking cases (95 in 2016). Of these, 22 were cases of forced labor (46 in 2016), including one case of domestic servitude and 21 cases related to fishing, manufacturing, palm oil farming, and jade and precious stone mining. Most of the government's law enforcement efforts continued to focus on sex trafficking or the involuntary domestic servitude of Burmese women through forced marriages to Chinese men. Authorities reported prosecuting 532 individuals—an increase from 145 in 2016—but a significant number of these were conducted in absentia. Courts convicted 156 of these traffickers, compared with 145 in 2016. All 156 convicted traffickers received sentences of at least five years imprisonment, but only 86 went to prison; the remaining 70—who were not kept in pre-trial detention during the proceedings—absconded, were convicted in absentia, and remained at large at the end of the reporting period.

The Anti-Trafficking in Persons Division (ATIPD) maintained dedicated anti-trafficking task force (ATTF) police throughout the country and continued to modestly increase the number of officers among 29 regional offices. ATIPD leadership traveled throughout the country to brief regional offices of the government's Central Body for the Suppression of Trafficking in Persons (CBTIP) on trafficking investigations. It also reported hosting 29 workshops, 17 training sessions, and two coordination meetings on trafficking for government officials with foreign donor assistance. Civilian police capacity to address trafficking continued to improve, but overall progress was limited in the absence of key criminal justice reforms and amid ongoing organizational concerns. A lack of clarity between the roles and responsibilities of ATTF officers and general Myanmar Police Force (MPF) officers, coupled with poor police-prosecutor cooperation and rapid law enforcement turnover, continued to hamper the success of investigations and prosecutions. MPF officers often perceived they did not have the authority to pursue investigations proactively, believing instead that trafficking crimes fell solely under ATTF jurisdiction. Some MPF officers therefore turned away victims attempting to report their abuses. ATTF officers continued to consult and cooperate with law enforcement agencies in China, Laos, and Thailand as part of formal dialogues on trafficking issues; however, observers noted frequent turnover among ATTF officers prevented Burma from participating meaningfully in some of these cooperative mechanisms.

Some law enforcement officers reportedly facilitated or profited from the sexual exploitation of women and girls. Corruption and impunity reportedly continued to hinder the enforcement of trafficking laws; police officers acting on bribes, as well as individuals claiming to have ties to high-level officials, purportedly pressured victims not to seek legal redress against their traffickers in some cases. NGOs alleged some government officials were connected to or profited from entertainment establishments engaged in the sex trafficking of women and girls; despite these allegations, authorities did not report investigating or initiating prosecutions against any government officials suspected of complicity in trafficking crimes. Courts convicted two low-ranking police officers for their involvement in trafficking cases in 2017 and sentenced them to six years and 20 years imprisonment, respectively. According to NGO reports, the ATTF raided and arrested the managers of several karaoke bars and other establishments for alleged sex trafficking; in each case, the owners of the establishment absconded prior to the raid, leading to suspicions of advance warning from internal police contacts. An NGO provided services to several Burmese sex trafficking victims identified at the Chinese border by a police officer, who in turn threatened to arrest them unless they each paid a bribe. The same NGO assisted an underage sex trafficking victim who escaped captivity in a Rangoon brothel and fled to the MPF; rather than investigating her case and referring her to protective services, an officer confined her to his home and subjected her to one month of forced sexual servitude before she escaped again.

The power and influence of the Tatmadaw limited the ability of civilian police and courts to address cases of adult forced labor and child soldier recruitment and use by the armed forces. There was no evidence that any soldiers accused of trafficking crimes had ever been prosecuted in civilian courts, nor had the government ever prosecuted a civilian for child soldier recruitment, despite the prevalence of civilian recruitment brokers. The Ministry of Defense (MOD) reported taking unspecified disciplinary action against 19 Tatmadaw personnel for child soldier recruitment in 2017; this was a decrease from 36 personnel punished in 2016, despite the verification of more cases during the reporting period. The MOD did not

report punitive measures for Tatmadaw personnel guilty of subjecting adults to forced labor. In past years, most of these cases reportedly culminated in reprimands, fines, or decreases in pension—penalties significantly less than those prescribed by criminal law.

PROTECTION

The government maintained inadequate victim protection efforts. Authorities continued to rely on neighboring countries' screening and referral measures for the majority of victims identified. Police reported identifying or receiving foreign governments' referrals for 289 sex and labor trafficking victims in 2017, including 54 men and 235 women and girls (163 in 2016). The exact number of domestic victims identified by Burmese authorities was unknown, but police reported assisting victims in 44 cases of trafficking within the country (unreported in 2016). The government did not undertake victim screening or service provision efforts among vulnerable ethnic minority communities displaced by conflict in Rakhine State. The Tatmadaw granted most UN monitors' requests within 72 hours to access and inspect military installations for the presence of children, although the UN reported the Tatmadaw might have carefully controlled these visits and removed problematic indicators in advance. The Tatmadaw did not allow UN monitors to access its prisons and at times restricted humanitarian access to IDP camps. An uptick in violence in Rakhine State and continued conflict in Kachin and Shan states also constrained monitoring efforts. International monitors had verified at least 49 cases of child recruitment by the Tatmadaw in the first half of 2017 (101 in all of 2016), the youngest of which involved a 13-year-old. The UN reported methods of recruitment in these cases included force and coercion perpetrated by both civilian and military brokers. More than 100 additional unverified cases of recruitment were under review at the end of the reporting period. The government reported releasing 49 individuals originally recruited as children from the Tatmadaw through implementation of its UN-backed action plan on child soldiers (112 in 2016); it was unclear if these corresponded to the aforementioned 49 verified cases. Observers attributed the continued trend of recruitment and use to a spike in military conflict in several areas of the country, including Rakhine State. In addition to having formally recruited at least 49 children into its ranks, the Tatmadaw and its affiliate militias continued to use children for labor or other support roles, including barracks cleaning, portering, and cooking. There were at least 13 documented cases of children in such support roles in 2017, one of which involved more than 200 children.

NGOs continued to report cases in which the Tatmadaw detained and filed desertion charges against children absconding from its ranks. Two suspected minors detained on desertion charges were released and put on "light duty" during the reporting period. Using new biometric registration technology, authorities prevented 11 minors from enlisting in the Tatmadaw in 2017; however, the Tatmadaw filed fraud charges against some of these children for lying about their age, rather than referring them to protection services. The officer in charge of several Tatmadaw installations reportedly issued a written decree threatening any minors secretly enlisted under his command with jail time if they failed to come forward for demobilization prior to March 1, 2018. NGOs believed this policy might have dissuaded some minors from benefitting from demobilization services toward the end of the reporting period. Authorities convicted a former child soldier on defamation charges after he relayed his experience to an international media outlet; he was sentenced to two years in prison in April 2018. This may have further discouraged child soldiers from coming forward and accessing protective services.

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. Another housed repatriated trafficking victims. These victims also had the option to stay in transit centers prior to their reintegration, but it was unclear how many victims benefitted from this provision in 2017. The government also 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. Services in government facilities remained rudimentary, but authorities modestly increased 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 child soldiers 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.

The government also maintained Department of Social Welfare (DSW) offices throughout the country, each with full-time case managers, to provide health care, reintegration assistance, psycho-social care, and legal services to trafficking victims, including child soldiers. However, DSW continued to lack the resources necessary to adequately provide these services to trafficking victims, and high ATTF turnover and lack of awareness impeded the coordination required to ensure victims identified by law enforcement officers would be connected to DSW protection. While police and border officials continued to proactively identify suspected victims en route to China for marriages likely to result in sex or labor exploitation, or to Thailand for potential sex trafficking, authorities did not follow standardized, nationwide procedures or receive adequate training for the proactive identification of victims. The government appointed state and regional border affairs officials to lead local branches of the CBTIP in order to improve interagency coordination; however, some NGOs expressed concern that the change could hamper victim identification and protection efforts, particularly among domestic victims.

Trafficking 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. Restrictions on contact between victims and prosecutors further 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. Authorities reportedly arrested sex trafficking victims for prostitution due to inadequate efforts to screen for indicators of trafficking during anti-prostitution interventions.

PREVENTION

The government maintained prevention efforts. CBTIP continued to coordinate anti-trafficking programs and policies, but a draft five-year comprehensive trafficking prevention strategy initiated in 2016 remained under presidential review at the end of the reporting period. A 2014 directive prohibiting the use of children by the Tatmadaw remained in place. The government interfered with progress on a significant trafficking problem in the country by not allowing the UN to enter into child demobilization agreements with EAGs. Although oversight and monitoring of recruitment procedures remained insufficient to prevent child recruitment, the Tatmadaw continued to employ age verification measures and provide enlisted personnel, training centers, and recruitment officials with age assessment and child soldier prevention trainings. However, the Tatmadaw did not reform its "self-reliance" policy, which continued to make adults and children, particularly members of stateless ethnic minority groups, vulnerable to forced labor.

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. Rakhine groups fleeing the Tatmadaw incursion were especially vulnerable to forced labor in EAG-owned jade mines in Kachin state during the reporting period; some Rakhine individuals paid EAG-run brokerages to facilitate this internal migration, incurring large debts in the process and increasing their vulnerability to debt bondage. EAGs also increased their recruitment and use of child soldiers during the reporting period, likely spurred by an uptick in violence in several areas of the country and the Tatmadaw's refusal to allow international organizations to begin demobilization work with EAGs. Ethnic cleansing in northern Rakhine State following insurgent attacks on security posts also generated the mass migration of hundreds of thousands of Rohingya into neighboring Bangladesh, where many of them were subjected to exploitation—or transported to other countries for the purpose of sex trafficking—as a result of their displacement.

The government was unsuccessful in providing citizenship and identity documents to nearly one million men, women, and children in Burma—most of whom self-identified as Rohingya and lived 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. Authorities continued to offer a citizenship verification process pursuant to a 1982 law, but participation was low amid concerns that the authorities might require these individuals to list themselves as "Bengali" at some point in the process, potentially limiting their rights as full citizens. Government policies limiting freedom of movement in some jurisdictions hindered access to employment and education 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 reported conducting an awareness-raising campaign through 2,300 separate activities involving print, television, radio, billboards, roadshows, and other media—particularly in high-vulnerability states—and to train members of community-based watch groups and students on trafficking. It launched an updated national campaign to raise awareness about the recruitment and use of child soldiers and educate the public on reporting such cases, including by ordering the replacement of 182 billboards informing people of their rights. 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 significant efforts to punish labor recruiters or brokers for illegal practices that increase migrants' vulnerability to exploitation abroad. The police did not report any cases of child sex tourism during the reporting period. Authorities partnered with an NGO to raise awareness about child sex tourism. The government did not take steps to reduce the demand for commercial sex acts or forced labor.

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. It is also increasingly a destination and transit country for foreign victims, including women and girls from India. 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 abroad in fishing, manufacturing, forestry, agriculture, and construction, while women and girls are primarily subjected to sex trafficking, domestic servitude, or forced labor in garment manufacturing. NGOs continue 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 at a time without coming ashore. Burmese women are increasingly transported to China and subjected to sex trafficking and domestic servitude through forced marriages to Chinese men; 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. Rohingya children fleeing violence were abducted in transit and sold into forced marriage in India, Indonesia, and Malaysia; some of them may have experienced conditions indicative of forced labor or sex trafficking.

Within Burma, men, women, and children from predominantly ethnic minority areas—including the estimated 106,000 persons displaced by conflict in Kachin and northern Shan states and at least 150,000 displaced persons in Rakhine state—are at increased risk of trafficking. In Kachin, displaced women and girls are especially vulnerable to trafficking, including forced concubinism, via forced or fraudulent marriages to Chinese men arranged by deceptive or coercive brokers. Rohingya individuals are particularly vulnerable to labor trafficking in Rakhine state, including forced labor perpetrated by government authorities. Many women and girls among the estimated 687,000 Rohingya who fled from conflict in Rakhine to neighboring Bangladesh since August 2017 have been subjected to sex trafficking in Bangladesh and India. Ethnic Rakhine are reported to be victims of forced labor on the margins of conflict between the Tatmadaw and EAGs in Rakhine State.

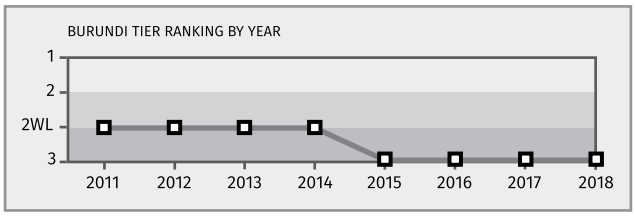
Local traffickers use deceptive tactics to recruit men and boys into forced labor on palm oil and rubber plantations, in jade and precious stone mines, and in riparian fishing. In Kachin State, men, women, and children are vulnerable to forced labor in jade prospecting throughout refuse areas created by larger mining operations. A majority of these prospectors are reportedly addicted to opiates or methamphetamines, which some traffickers—including members of EAGs—may exploit to retain their labor. Many people displaced by violence in Rakhine State, including ethnic Rakhine, travel to Kachin for this work. Forced eviction from new mining sites and resulting economic hardships also make Kachin communities more vulnerable to trafficking. 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 Tatmadaw personnel, civilian brokers, border guard officials, and EAGs continue to recruit or use child soldiers, particularly in conflict-affected ethnic areas. Civilian recruiters in some cases coerce or offer incentives to children or their families through false promises about working conditions, salary, and promotion opportunities. EAGs force men and boys to serve through intimidation, coercion, threats, arbitrary taxation, and violence. The Tatmadaw has employed the same tactics in the past, although many children identified in military service initially enter under the auspices of civilian brokers or enlist at the behest of their own families. Some child soldiers are deployed to the front-line as combatants. Observers note that, as the Tatmadaw continues to strengthen age verification measures and demobilize children identified among its ranks, forced labor of children in the private sector and by civilian officials is increasing. Tatmadaw-backed militias are also increasingly involved in the recruitment and use of children in conflict settings. Some EAGs abduct or recruit children, including from internally displaced persons' camps, to fight against the Tatmadaw.

The Tatmadaw, civilian officials, and some EAGs also use various forms of coercion, including threats of financial and physical harm, to compel adult victims into forced labor. In areas with active conflict, members of local populations—mostly men, but also women and children—are subjected to forced labor, including portering, cleaning, cooking, and public infrastructure projects. Civilians are also subjected to forced labor through the Tatmadaw's "self-reliance" policy, under which battalions are responsible for procuring their own food and labor from local communities. Although reports of Tatmadaw-controlled forced labor and other abuses occur across the country, prevalence is highest among ethnic minority communities in the conflict zones within Shan, Karen, and Kachin states; however, reporting and verification mechanisms are weak or non-existent in these areas, making it difficult to fully assess the scope of the crime. Land confiscation by the Tatmadaw, local government, and private businesses place agricultural workers and people living in mining areas at risk for forced labor, including on lands they had 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 revising the criminal code to integrate formally the penalties of the 2014 anti-trafficking law, organizing a workshop for law enforcement and civil society on the 2014 law, improving screening and scrutiny at the international airport, and investigating several cases involving the alleged recruitment of Burundian women for exploitation in the Middle East. However, the government did not investigate internal trafficking crimes and did not prosecute or convict any trafficking offenders for the third consecutive year. It did not investigate or hold accountable officials complicit in trafficking crimes, despite continuing allegations. 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 with adequate protection services; in fact, 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

Implement the anti-trafficking law and significantly increase efforts to more effectively investigate, prosecutes, and convict traffickers, including allegedly complicit officials; institutionalize anti-trafficking training to include how to implement the anti-trafficking law for all law enforcement, prosecutors, and judges; establish standardized procedures for officials to proactively identify trafficking victims, including children and adults, and refer them to appropriate care; implement the national action plan; develop national level data collection on law enforcement efforts and trafficking victims; ensure trafficking victims, including children and adults who are forcefully or fraudulently recruited into opposition armed groups, are not punished or detained 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 by providing separate shelter for children and adults; 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; and enact effective policies to regulate labor recruitment agencies and hold fraudulent recruiters criminally accountable and undertake efforts to reduce child sex tourism.

PROSECUTION

The government's law enforcement efforts remained insufficient. Burundi's 2014 anti-trafficking law criminalized forced labor and sex trafficking. Prescribed penalties under the law ranged from five to 10 years imprisonment and were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2017, the government revised the criminal code to integrate formally the penalties of the 2014 anti-trafficking law into the criminal code. Labor laws did not provide protection for domestic workers or

employees in the informal economy, leaving that population vulnerable to trafficking.

The government had no centralized data collection mechanism on trafficking, making comprehensive statistics difficult to obtain. While the government did not provide comprehensive statistics, according to media reports and statements by government spokespeople, at least 13 alleged traffickers were arrested for transnational trafficking in 2017; however, some of these arrests may have been for smuggling, as this is often conflated with human trafficking. This compared to the 25 arrests documented in 2016. Similar to the prior year, the government investigated transnational trafficking cases, but did not investigate internal trafficking or prosecute and convict any suspects during the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses, despite ongoing reports of official complicity in trafficking crimes, including allegations of officials involved in the falsification of identity documents to facilitate trafficking. Moreover, security remained a concern for civil society organizations or individuals reporting on these allegations; several anti-trafficking activists fled the country during the previous reporting period after receiving threats against themselves and their families when they attempted to investigate a trafficking network or provide care to trafficking victims.

The Ministry of Human Rights organized an awareness workshop on the 2014 anti-trafficking law, which included civil society, ministry officials, and the Burundian National Police Unit (BNP) for the Protection of Minors and Morals. However, in general, the government did not provide adequate funding or training for law enforcement agencies responsible for investigating trafficking crimes, and corruption continued to plague law enforcement, severely limiting its capacity and effectiveness. Without training on standard procedures, local police reportedly arrested suspected traffickers but often did not refer the cases to the BNP's Unit for the Protection of Minors and Morals, the lead investigating body for trafficking cases, which led to poor case investigations; officials' lack of investigative skills and insufficient understanding of trafficking crimes continued to impede investigations.

PROTECTION

The government maintained minimal protection efforts. The government did not maintain statistics on human trafficking, making it difficult to determine the number of victims, if any, whom the government referred to or provided with protective services. Civil society continued to provide the vast majority of assistance to trafficking victims. In 2017, the media reported that the BNP identified 46 potential female trafficking victims en route to Tanzania, Oman, and other Gulf countries, or planning to transit through Uganda, which was a decrease compared to 75 potential victims identified by police in 2016. One NGO reported identifying 338 victims who had returned from trafficking situations in various Middle Eastern countries, while another reported 356 women remained in potential trafficking situations in the Middle East. One NGO also reported identifying 134 potential victims en route to the Middle East; reportedly some were referred to services or returned to their families, but the NGO did not report how many received assistance. However, due to a lack of adequate training on victim identification and probable conflation with smuggling in some cases, some of the victims reportedly identified by law enforcement and NGOs may not have been trafficking victims. An NGO reported funding the repatriation of 31 young women from the Middle East, but noted that over 800 young women remained in Oman and Saudi Arabia awaiting repatriation. Another NGO reported funding and assisting in the repatriation of at least two Burundian trafficking victims and providing them with reintegration assistance; both were victims of fraudulent recruitment in Burundi and forced labor in Kuwait. An NGO reported that Burundian diplomats assisted in removing victims from exploitative conditions and in accessing medical assistance. However, the government did not report on efforts by its officials, including staff within its missions in destination countries, to facilitate or fund the repatriation of Burundian victims identified abroad, collaborate with host governments, or subsequently assist victims among this population. An international organization reported separating five Burundian children from opposition armed groups in the Democratic Republic of the Congo (DRC) during the reporting period, but did not report further details.

The government did not report the number of victims who received assistance. Overall, a lack of dedicated funding for victim protection measures seriously constrained the government's ability to assist victims. The government continued to operate Humura Center in Gitega, which provided protection to foreign and domestic victims of sexual, gender-based violence and trafficking, but did not report the number of trafficking victims it assisted during the reporting period. The Humura Center provided temporary shelter, medical care, and guidance on engaging with law enforcement and the judicial system and was accessible to victims with disabilities. The Seruka Center was an NGO-run center in Bujumbura that did not receive government funding; it provided medical and psycho-social assistance, as well as legal assistance to victims of various abuses, including human trafficking. Adult and child victims received assistance in the same facilities, and adults and children, men and women, and foreign and domestic victims all received the same care. The Seruka Center reported providing care to three trafficking victims in 2017.

The government did not have formal procedures for authorities to identify and refer trafficking victims to protection services, and law enforcement officials lacked adequate training to identify potential victims. However, immigration officials at the Bujumbura International Airport, some of whom received training on preventing trafficking provided by an international organization and a local NGO, did have some success in screening for trafficking; this resulted in the identification of some potential trafficking victims and deterrence of traffickers from transiting victims through Bujumbura. Screening included extensive questioning regarding the purpose and final destination of travel, including address and phone number, and review of documentation; however, the government did not provide information on the number of victims identified by immigration officials. The government routinely arrested victims for questioning and would sometimes inappropriately penalize trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking by detaining them in jail for several days. Despite the requirements of the 2016 law for the protection of witnesses, victims, and vulnerable persons, the government did not make any progress on the establishment of a unit within the Ministry of Justice to coordinate protection measures. Burundian law did not allow trafficking victims to obtain restitution; however, it did provide foreign trafficking victims with legal alternatives to their removal to countries where they may face hardship or retribution, subject to judicial decision.

PREVENTION

The government's prevention efforts remained insufficient. The government had an inter-ministerial trafficking committee that met at least once during the reporting period, but it was not effective in leading or coordinating anti-trafficking efforts. The government did not establish the Commission for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons, mandated by the 2014 anti-trafficking act, to provide inter-ministerial coordination and oversight. The government did not take steps to implement its national anti-trafficking action plan, which had been approved in March 2014. The government did not conduct anti-trafficking awareness campaigns in 2017. Burundi also remained without a government-run national hotline, but international organizations funded a national human rights hotline with operators trained to identify trafficking victims; the operators received 113 trafficking-related calls during the reporting period, but the international organization did not provide further details. Unlike the last reporting period when the government suspended the activities of five foreign recruitment agencies registered under the Agency for the Promotion of Investments, the government made no efforts to regulate labor recruitment agencies, nor were any held criminally accountable for fraudulent recruitment. The government did not make efforts to reduce the demand for forced labor, commercial sex, or child sex tourism. The government provided training on human rights and sexual exploitation, which reportedly included anti-trafficking elements, to its troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Burundi is a source country for men, women and children subjected to forced labor and sex trafficking. As the result of a complex political, economic, and security crisis that began in 2015, more than 420,000 Burundians sought refuge in neighboring countries and many others sought refuge at internally displaced persons camps or moved to the homes of extended family members. Burundi's challenging security environment and endemic poverty created an opportunity for criminals, including traffickers, to take advantage of Burundians in precarious or desperate situations. Between April and December 2015, approximately 70,000 Burundian refugees fled to Rwanda, which contributed to an increase in child sex trafficking of both male and female refugees in Rwanda. In July 2015, approximately 58 children, some younger than 15 years old, were fraudulently recruited and forced to participate in an anti-government armed invasion in Kayanza Province, which was ultimately put down by the government; it was unclear if these children were armed. Between May and December 2015, an international organization reported allegations that Burundian refugees residing in Mahama refugee camp in Rwanda were recruited into non-state armed groups, allegedly by Rwandan security forces, to support the Burundian opposition; many refugees alleged recruiters had 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 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.

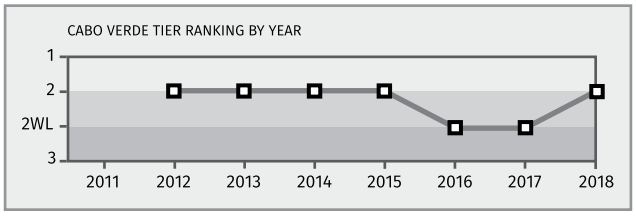
The government encouraged citizens to participate in community work each Saturday morning and the governors of various provinces sporadically fined residents who failed to participate. Both coercion and economic necessity pushed children and young adults into labor, including forced labor on plantations or small farms throughout Burundi, in gold mines in Cibitoke, in informal commerce in the streets of larger cities, collecting river stones for construction in Bujumbura, and in the fishing industry. Traffickers include victims' relatives, neighbors, and friends, who recruit them under false pretenses to exploit them in forced labor and sex trafficking. Some families are complicit in the exploitation of children and adults with disabilities, accepting payment from traffickers who run forced street begging operations. Children 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 guesthouses and entertainment establishments may also be exploited in prostitution. Children are fraudulently recruited from rural areas for domestic work and later exploited in prostitution, including in Bujumbura. International organizations reported that young Muslim women from Burundi were particularly vulnerable to forced labor and sex trafficking in various Gulf countries. Young adult Burundian women are fraudulently recruited for fake jobs and are instead subjected to forced labor and sex trafficking in various Gulf countries, such as Kuwait, Saudi Arabia, and Oman; NGOs estimate that between 500 and 3,000 young women have become trafficking victims in these countries between 2015 and 2016 and one NGO reported over 800 young women remain in these countries. In 2017, several adult Burundian women were identified in Kuwait, where they had been fraudulently recruited by Burundian recruitment agencies and Kenyan recruiters for work as domestic workers and receptionists; however, upon arrival they were subjected to forced labor and had their passports confiscated, were paid less than what was agreed, had restricted movement, and were made to work excessive hours without breaks.

Young women take vulnerable girls into their homes, eventually pushing some into prostitution to pay for living expenses. These brothels are located in poorer areas of Bujumbura, along the lake, on trucking routes, and in other urban centers such as *Ngozi*, Gitega, and Rumonge. Some orphaned girls are exploited in prostitution, with boys acting as their facilitators, to pay for school, food, and shelter. NGOs reported that some boys in the Lake Tanganyika fisheries are subjected to forced labor and that some girls and young women are exploited in domestic servitude and sex trafficking by fishermen. Incarcerated women facilitate commercial sex between male prisoners and detained children within the Burundian prison system. Male tourists from East Africa and the Middle East, as well as Burundian government employees, including teachers, police officers and *gendarmes*, military, and prison officials, are among the clients of Burundian girls in child sex trafficking. Businesspeople recruit Burundian girls for exploitation in prostitution in Bujumbura, as well as in Rwanda, Kenya, Uganda, and the Middle East; they also recruit boys and girls for various types of forced labor in southern Burundi and Tanzania. In 2015, Rwandan officials and international and local NGOs reported that Burundian refugee girls were exploited in prostitution in Uganda after transiting

Rwanda; some of these girls may also have been subjected to forced labor in domestic work in Uganda.

CABO VERDE: TIER 2

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 increasing efforts compared to the previous reporting period; therefore Cabo Verde was upgraded to Tier 2. The government demonstrated increasing efforts by prosecuting and convicting two sex traffickers; providing shelter and services to identified trafficking victims, including the first report of the government referring a trafficking victim to a government-run shelter for care; conducting several awareness-raising campaigns on trafficking, including child sex trafficking; and approving its first anti-trafficking national action plan covering 2018-2021. However, the government did not meet the minimum standards in several key areas. The government did not train law enforcement or judiciary officials on trafficking investigations and prosecutions; officials remained without formal procedures to identify trafficking victims and refer them to care; and the Ministry of Justice and Labor (MJT) did not receive any funding specifically for anti-trafficking efforts, including for implementation of the national action plan.



RECOMMENDATIONS FOR CABO VERDE

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers—including Cabo Verdean-American sex traffickers; develop and train officials on standardized procedures to identify trafficking victims—including adults and victims among vulnerable populations—and a mechanism to refer victims to services; train law enforcement and judiciary officials on the 2015 anti-trafficking amendment, article 271-A; through consistent referrals to government and NGO shelters, ensure all identified trafficking victims receive care, and collect data on such efforts; allocate resources to MJT to coordinate inter-ministerial anti-trafficking actions and implement the national action plan; undertake efforts to engage community members on preventing and reporting child sex trafficking; educate law enforcement that children younger than 18 exploited in sex trafficking are trafficking victims, and robustly investigate such cases, especially in high-tourist areas; 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; and develop a system to compile and share comprehensive anti-trafficking law enforcement and victim identification data among agencies.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The penal code criminalized labor and sex trafficking. Article 271 of the penal code criminalized slavery with penalties of six to 12 years imprisonment, and article 271-A criminalized all other forms of labor trafficking and sex trafficking and prescribed penalties of four to 10 years imprisonment; these penalties were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

During the reporting period, the attorney general's office published data on trafficking cases for the first time since the promulgation of article 271-A in 2015. The government investigated eight sex trafficking cases, prosecuted four suspects, and convicted two traffickers, compared with seven investigations and the prosecution and conviction of one trafficker the previous reporting period. Among the eight investigations, law enforcement initiated two during the reporting period and continued six from the previous reporting period. One investigation led to the prosecution of four suspects; the judge convicted two traffickers and prescribed sentences of 33 and 14 years imprisonment, respectively, and acquitted two alleged facilitators. Seven investigations involving foreigners in sex trafficking were ongoing at the end of the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government began working with a foreign government to facilitate the extradition of a suspected trafficker, subject of an ongoing investigation in Cabo Verde.

Officials admitted law enforcement and judges lacked understanding of trafficking crimes and the 2015 anti-trafficking amendment, which inhibited their ability to identify, investigate, and prosecute trafficking cases. While it did not provide training to such officials, the government provided modest financial support to enable 12 law enforcement and justice officials to attend an international anti-trafficking training. In addition, an international organization provided anti-trafficking training, including victim identification, to new police officers during standard academy training. 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 ability to identify victims, investigate crimes, and collect comprehensive data. Due to strong community ties, citizens often did not report, and often would not testify against other members of their communities in, cases of abuse, including trafficking. In addition, government social service providers preferred to resolve intra-familial abuse cases—which could include child sex trafficking—through non-judicial means.

PROTECTION

The government maintained efforts to identify and protect trafficking victims, and increased reporting on such efforts. Although it did not provide statistics on the number of trafficking victims identified and referred to care, the government identified at least five sex trafficking victims in the course of human trafficking investigations. This was similar to six sex trafficking victims identified in the previous reporting period, and an increase in referrals to care. 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, but the new national action plan called for the MJT to coordinate all victim care. The government conducted several ad hoc trainings on these topics for law enforcement and social services personnel. Border police had written procedures to identify trafficking victims and people vulnerable to trafficking, although they did not receive training on such procedures. With an NGO, the Cabo Verdean Institute for Children and Adolescents (ICCA) trained NGOs, civil society leaders, judges, and police on Sal and Boa

Vista islands to identify and refer trafficking victims to care; however, many authorities remained unable to differentiate sex trafficking from sexual abuse and negligence, which resulted in incomplete data on trafficking victims identified.

An international organization trained government officials and NGOs on three islands on how to create protection plans for child victims of sexual and gender-based violence, including sex trafficking, and such plans included referral procedures. 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. ICCA operated a national network to assist child victims of sexual abuse, which could coordinate referral to care and support throughout court processes. Law enforcement and first responders generally referred all victims to either ICCA (for child victims), the Public Ministry (for victims requiring long-term care), or MJT, who then referred child victims of any crime to ICCA and women to the Cabo Verdean Institute for Gender Equality (ICIEG) or an NGO. The government acknowledged the ad hoc, informal referral system was insufficient. ICCA did not report screening for trafficking among victims referred to its shelters. ICCA operated two shelters that provided temporary shelter and 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 had six primary shelters on two of Cabo Verde's nine inhabited islands and staff on all nine islands. During the reporting period, ICIEG opened its first shelter in Cabo Verde for victims of domestic violence, which trafficking victims could access. The government-funded, and police provided security for, ICCA and ICIEG shelters. Law enforcement referred at least four child sex trafficking victims to ICCA for care. The government did not provide psycho-social services to foreign trafficking victims before repatriation, and it did not report if it assisted six trafficking victims identified in the previous reporting period who remained in the country.

Law enforcement could conduct sex trafficking victim interviews in collaboration with psychologists and, in cases of children, the victims' parents, to provide a comfortable and safe environment. The government did not report if it provided these benefits to any victims during the reporting period. Cabo Verdean law does not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution; however, it could grant temporary residence and visas to trafficking victims on an ad hoc basis, and authorities provided these benefits to at least two sex trafficking victims from Senegal and Nigeria during the reporting period. The law did not provide for restitution or allow victims to file civil suits against traffickers. The 2011 law against sexual and gender-based violence provided a limited stipend for victims of sexual and gender-based violence, including sex trafficking victims, who faced life-threatening situations, although the government did not report providing this funding to any victims during the reporting period. 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

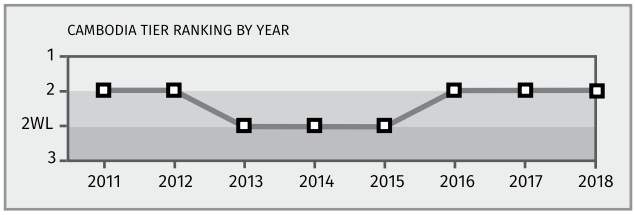
The government increased prevention efforts. MJT, in collaboration with other ministries and NGOs, drafted the government's first ever trafficking-specific national action plan covering 2018-2021. MJT had the lead for anti-trafficking efforts, although it did not receive any funding specifically for anti-trafficking activities, including implementation of the action plan, which impeded its ability to lead such efforts. ICCA continued to operate three centers for street children through its Nos Kaza project and six day centers, all of which aimed to reduce the vulnerability of street children to forced labor and sexual abuse, including sex trafficking. ICCA operated a hotline to report cases of violence against children, including trafficking, but it did not receive any reports of trafficking during the reporting period. Hotline workers did not have training to differentiate trafficking from similar crimes, such as child labor or sexual abuse. The government did not make efforts to reduce the demand for forced labor; however, it took action to reduce the supply of and demand for child sex tourism. The Sal Judicial Police and ICCA reported an unspecified number of cases in which parents were convicted of negligence for failing to protect their children from child sex tourists; most of the parents received suspended sentences and the children were referred to ICCA for care. Government ministries continued to implement the 2017-2019 National Plan to Combat Sexual Abuse and Violence, which included child sex tourism. Through the Ethics Code of Conduct for Tourism, MJT and police collaborated with European tourism operators to discourage the facilitation of child sex tourism on Sal and Boa Vista islands. In addition, MJT, police, and ICCA worked with a foreign donor to discourage child sex tourism on Fogo.

TRAFFICKING PROFILE

As reported over the past five years, Cabo Verde is primarily a source country for children subjected to sex trafficking within the country and a destination for women in forced prostitution. Boys and girls, some of whom may be foreign nationals, are victims of sex trafficking on Brava, Santiago, Fogo, Sal, and Boa Vista, sometimes through child sex tourism. During the reporting period, officials reported child sexual abuse perpetrated by tourists on the islands of Sal, Boa Vista, Sao Vicente, Fogo, and Maio. In some cases, parents encourage their daughters to be exploited in prostitution by tourists—especially Cabo Verdean-Americans—to gain immigrant visas or remittances to support the family. Authorities increasingly identify West African women—including Nigerians and Senegalese—in forced prostitution, including on Boa Vista and Sal Islands and sometimes through sex tourism. On Sao Vicente, girls as young as 12 years old have been sexually exploited in exchange for drugs. 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 traffickers may have forced Cabo Verdean women and children to transport drugs. 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. In a previous reporting period, there was one case of a Cabo Verdean man subjected to forced labor in Europe.

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 prosecuting and convicting more traffickers, repatriating more Cambodians subjected to trafficking abroad, strengthening efforts to raise awareness on child sexual exploitation in the hospitality industry, and taking steps to incentivize safe migration to primary destination countries. However, the government did not meet the minimum standards in several key areas. Endemic corruption continued to impede law enforcement operations, criminal proceedings, and victim service provision. Authorities 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. Against a backdrop of insufficient government oversight and accountability measures, unscrupulous business owners subjected thousands of men, women, and children throughout the country to debt bondage in hard labor with minimal interference—and sometimes assistance—from Cambodian authorities.



RECOMMENDATIONS FOR CAMBODIA

Vigorously investigate and prosecute trafficking offenses and convict and stringently penalize sex and labor traffickers, including complicit officials, with prison sentences; authorize the use of undercover investigative techniques for anti-trafficking operations; strengthen efforts to fully implement the nationwide protocol for proactive victim identification among vulnerable groups and train officials on its provisions; increase labor inspections in high-vulnerability professions, especially at brick kilns, fisheries, and plantations, with a focus on identifying debt bondage; increase the availability of services for male victims, especially men and boys exploited in commercial fishing; increase inspection and oversight of lending institutions, including private micro-finance organizations, to reduce vulnerability to debt bondage among economically disadvantaged communities; modify the law to allow restitution upon conviction of the trafficker; establish and allocate resources to implement systematic procedures at diplomatic missions to assist Cambodian victims abroad, including in countries without Cambodian diplomatic representation; strengthen efforts to inspect private labor recruitment agencies and their sub-licensed brokers for fraudulent recruitment and other trafficking indicators; increase public awareness on proper travel document application procedures to facilitate safe, legal migration; 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; increase budgetary allocations to national and provincial-level anti-trafficking committees; strengthen efforts to incorporate NGO input into the policy for formally transferring custody of child victims; allocate increased resources to anti-human trafficking police to better facilitate the monitoring of defendants released under judicial supervision pending trial; and enhance public awareness campaigns aimed at reducing domestic demand for commercial sex and child sex tourism.

PROSECUTION

The government increased some law enforcement efforts. The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation criminalized sex and labor trafficking and prescribed penalties of seven to 15 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Anti-Human Trafficking Juvenile Police (AHJTP) attempted to monitor and record information on the cases it investigated, but the government did not collect comprehensive data on overall law enforcement efforts, particularly among provincial courts. However, the information authorities provided, augmented by media and NGO reports, indicated authorities prosecuted 207 individuals under the anti-trafficking law or related provisions in the penal code in 2017 (53 in 2016). The National Committee for Counter Trafficking (NCCT) reported courts convicted at least 129 traffickers, up from 100 in 2016. The government did not provide data on sentencing, but courts reportedly 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.

Law enforcement authorities often did not take appropriate action against suspected or convicted traffickers, including orphanage directors complicit in child trafficking crimes. Judicial police lacked the resources to monitor the increasing number of defendants released on "judicial supervision" pending trial, allowing many to flee prior to their trial dates. Authorities did not always issue arrest warrants for absconded defendants. Citing resource constraints, prosecutors and investigating judges did not advance all of the trafficking cases for which police had supplied evidence. Authorities also abused law enforcement resources to detain, prosecute, and convict some foreign individuals on politically motivated trafficking charges, further bringing into question the veracity of the anti-trafficking data—and the resource constraints—reported by the government. Local experts continued to report 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.

The government continued to deliver donor-designed and funded training on the implementation of anti-trafficking laws to police, prosecutors, judges, and other government officials. During the reporting period, the NCCT delivered 66 trainings to 1,577 law enforcement officers on anti-trafficking laws, investigative techniques, and evidence collection; it did not report how many commune and provincial officials, judicial staff, and NGO workers participated in these sessions (7,689 in 2016). Local organizations and some officials continued to stress 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, except in rare cases when requested for child sex tourism raids conducted alongside foreign law enforcement agencies. This continued to significantly constrain

law enforcement officers' ability to address the increasingly clandestine nature of sex trafficking operations in Cambodia.

Endemic corruption at all levels of 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 corruption among anti-trafficking police, but it did not field any complaints during the reporting period. Local officials facilitated cross-border trafficking by accepting bribes for forging identity documents. One NGO noted law enforcement raids on sex trafficking establishments were sometimes unsuccessful due to advance warning from working-level police. However, some provincial police chiefs reportedly worked to minimize these leaks by turning over cases to the AHJTP, which conducted independent raids without notifying the local authorities until moments before they began. Some corrupt officials may have profited directly from establishments suspected of sex and labor trafficking. NGO observers claimed Cambodian police officers also solicited commercial sex with minors during the reporting period. One NGO alleged prosecutors and judges accepted bribes in return for dismissal of charges and acquittals. Corrupt officials often thwarted progress in cases where the perpetrators were believed to have political, criminal, or economic ties to government officials. Despite these trends, 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, who was ultimately promoted to a higher government position after his 2011 trafficking conviction was overturned in an unannounced, closed-door Supreme Court hearing in 2013.

PROTECTION

The government decreased protection efforts. Despite maintaining victim identification guidelines developed by the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) in early 2017, disparate victim identification, referral, and repatriation efforts remained underdeveloped and overlapping across government and law enforcement agencies. Authorities did not provide complete statistics on the number of victims they assisted or referred. During the reporting period, the government imposed a new regulation barring NGOs from representing individuals seeking formal recognition as trafficking victims. Under this new arrangement—which NGOs claimed severely intimidated victims and their families—victims were required to approach the Ministry of Interior for the formal identification needed to access protection services.

With assistance from an international organization, the government continued to operate two transit centers in the border city of Poipet, where it screened for trafficking victims among the approximately 70,500 migrants deported from Thailand in 2017 (55,000 in 2016). However, it did not report identifying any victims through this center; given the extent of trafficking among this population and the lack of universal implementation of victim identification standards, many victims likely transited the center unidentified. The government operated a temporary shelter in Phnom Penh for female victims of trafficking and other crimes, and it referred trafficking victims to donor-funded NGO shelters—most of which cared for victims of several forms of abuse—to receive further assistance. The government continued to rely heavily on NGOs to protect trafficking victims; however, it did not facilitate formal transfer of custody for 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 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 and 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 and International Cooperation (MFAIC), which bore the primary responsibility of aiding Cambodian trafficking victims, reported repatriating 986 Cambodian trafficking victims from nine countries (815 from 11 countries in 2016); this included 382 victims from Malaysia, 288 from Thailand, 171 from Vietnam, 53 from China, 49 from Laos, 23 from Indonesia, 12 from Japan, five from Singapore, and three from Burma. An international organization assisted in the majority of these repatriations. The government reportedly maintained a victim reintegration center specifically for Cambodian and foreign survivors of a widely publicized maritime forced labor case in Indonesian waters in 2015; through this center, authorities held an annual regional victims' workshop and provided psycho-social services, but it was unclear if this work relied on assistance from international donors. The MFA did not promulgate or implement standard operating procedures for the identification and referral of Cambodian victims abroad, leaving many Cambodians without the assistance necessary to repatriate legally and safely. According to local service provision NGOs, some returned victims had been unable to secure assistance from Cambodian consular services in Thailand and Korea due to unattended hotlines and unresponsive staff; others confined in forced labor conditions abroad, including in Malaysia, were unable to convince Cambodian consular staff they were in need of assistance.

MOSAVY reported assisting in the repatriation of 243 Cambodians in 2017, including 114 from Malaysia, 45 from Thailand, 21 from Indonesia, 21 from China, 18 from Somalia, 16 from Vietnam, six from Japan, and one each from Saudi Arabia and Singapore (195 total in 2016). Local police referred 179 sex and labor trafficking victims to provincial social service providers and NGOs for further protections (326 in 2016); MOSAVY did not report assisting in this process (62 referred by MOSAVY in 2016). One NGO recorded receiving and assisting 395 Cambodian trafficking victims from nine countries; it was unclear if this figure was captured in the statistics provided by the MFAIC, or to what extent the MFAIC data included cases received by MOSAVY. The number of Cambodian returnees who were subjected to trafficking abroad was likely much higher than reported due to an increasing tendency among these groups to return via informal migration channels.

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 three trafficking victims to Vietnam after they received care in NGO-run shelters (13 in 2016). Insufficient victim identification efforts left many potential victims at risk of law enforcement action, including punitive deportation without prior screening. Law enforcement often did not keep victims and perpetrators separated during interviews. NGOs noted police made some progress in implementing child-

friendly practices during the reporting period, and government social workers reported positive cooperation with the AHTJP, including in timely victim intake and referral procedures. However, provincial courts did not universally implement a child-friendly judicial program initiated in 2016 barring direct cross-examination of victims in front of the accused and relying instead on video-conferencing technology. Cambodia's weak and corrupt legal system and the lack of adequate victim and witness protection, exacerbated by a lengthy trial process and fear of retaliation by traffickers, hindered victims' willingness to cooperate in many cases. Victims were theoretically eligible for restitution, although it was extremely difficult to obtain due to a legal requirement delaying payment until after the completion of the trafficker's jail term; convicted traffickers' frequent abscondment further complicated this arrangement. NGOs noted victims rarely received the amount promised, and many victims' families settled out of court with traffickers or accepted bribes to drop the relevant charges.

PREVENTION

The government increased some prevention efforts. In November, Cambodia signed the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers, which aimed to further prohibit confiscation of migrant workers' travel documents, cease imposition of excessive recruitment fees, and increase regulation of recruiters. An interagency committee and its secretariat coordinated anti-trafficking activities and continued to implement the 2014-2018 national action plan; however, authorities did not report steps to prepare for activities subsequent to its conclusion in 2018. The government allocated 4.9 billion riels ($1.2 million) to fund this interagency committee—an increase from 4 billion riels ($975,000) in 2016—but observers noted this figure was still insufficient. Subsidiary provincial anti-trafficking committees, which reportedly continued to receive modest central government funds and assistance from NGOs, coordinated efforts at the local level to mirror the activities of the national action plan. With the help of international donors, six out of nine of these committees created their own provincial-level action plans and submitted them to the government (five in 2016). The secretariat of the NCCT maintained a working group to monitor the efforts of the interagency committee as well as those of its provincial subsidiary committees. However, NGOs noted the provincial committees' ad hoc reliance on insufficient surplus funds from General Social Services—rather than on their own annual budgets—undermined the scope and sustainability of their work. Lack of coordinating guidance from the national counterpart committee further impeded their effectiveness.

The Ministry of Labor and Vocational Training (MLVT) maintained 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. MLVT also continued to implement its "National Employment Policy 2025," which sought to generate secure employment opportunities in hopes of discouraging the use of illicit migration channels known for trafficking vulnerabilities. The government continued to investigate and prosecute labor recruiters for illegal practices that may have contributed to or involved trafficking; in August, authorities shut down an unlicensed recruitment firm and arrested three men suspected of facilitating illicit labor migration to Japan. The government did not report whether the arrests culminated in further investigations, prosecutions, or convictions; officials and NGO observers noted labor officials' failure to sufficiently inspect private recruitment agencies, and the ability of these agencies to sub-license their names to independent brokers, continued to perpetuate widespread labor exploitation.

The Ministry of Education trained 894 of its officials and teachers across six provinces on trafficking awareness and safe migration during the reporting period. The General Department of Immigration also issued 210,000 border passes to Cambodian migrant workers, in lieu of passports, to incentivize safe labor migration to Thailand; as part of the same initiative, the government sent 360 officials to Thailand on a 100-day campaign to issue necessary documentation to migrant workers. The MFAIC continued to implement consular screening measures to reduce the sex and labor trafficking of Cambodian women via forced and fraudulent marriages, including by assessing applicants against trafficking victim profiles jointly developed with China in 2016. However, the MFA did not report referring these potential victims to law enforcement or protective services. The government maintained two labor recruitment agreements with Saudi Arabia and signed a new domestic worker recruitment agreement with Hong Kong.

The Ministry of Tourism held workshops for hotel staff and government officials on preventing child sexual exploitation in the hospitality industry. As in prior years, the government generally focused on deterring foreign involvement in child sex tourism, rather than targeting campaigns to the local population that constituted the main source of demand for commercial sex with children in Cambodia. Authorities reported arresting five foreign individuals suspected of engaging in child sex tourism (12 in 2016) but did not report whether they initiated prosecutions 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

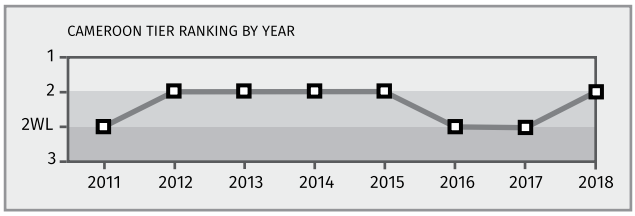
As reported over the last five years, Cambodia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Cambodian adults and children migrate to other countries within the region and increasingly to the Middle East for work; many are subjected 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, are at an increased risk of trafficking, but those using licensed recruiting agents also become victims of forced labor or sex trafficking. Children from impoverished families are vulnerable to forced labor, often with the complicity of their families, including in domestic servitude and forced begging or street vending in Thailand and Vietnam. Significant numbers of Cambodian men and boys continue to be recruited in Thailand to work on fishing boats and are subjected to forced labor on Thai-owned and operated 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 report severe abuses by Thai captains, deceptive recruitment, underpaid wages, and being forced to remain aboard vessels for years. A significant number of women from rural areas are 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 of these women are then subjected to forced factory labor or forced prostitution as a result of this debt.

All of Cambodia's 25 provinces are sources for human trafficking. Sex trafficking is largely clandestine; Cambodian and ethnic Vietnamese women and girls move from rural areas to cities and tourist destinations, where they are subjected to sex trafficking in brothels and, more frequently, such "indirect" sex establishments as beer gardens, massage parlors, salons, karaoke bars, retail spaces, and non-commercial sites. Cambodian men form the largest source of demand for children exploited in prostitution; however, men from elsewhere in Asia and Europe, the United States, Australia, and South Africa travel to Cambodia to engage in child sex tourism. The proprietors of brick kilns often subject Cambodian men, women, and children—often entire families—to debt bondage, either by buying off their preexisting loans or by requiring them to take out new loans as a condition of employment. An extensive, largely unregulated network of predatory microfinance organizations and private creditors contributes to this arrangement by proactively advertising loans to families in vulnerable communities and connecting them with the kilns. An NGO study conducted in 2017 found nearly 100 percent of brick kilns surveyed throughout the country featured indicators of debt bondage. Children as young as 13 are also subjected to forced domestic servitude and labor on riparian and oceanic fishing boats, karaoke bars, and cassava plantations to pay off family debts accrued through this system. Vietnamese women and children, many of whom are victims of debt bondage, travel to Cambodia and are subjected to sex trafficking. NGOs report criminal gangs transport some Vietnamese victims through Cambodia before they are exploited in Thailand and Malaysia. Traffickers in Cambodia are most commonly family or community members or small networks of independent brokers. Some Cambodian orphanages purchase local children from economically disadvantaged families and subject them to malnutrition and unclean living conditions in their facilities for the purpose of attracting and profiting from charitable donations; some of these children are at further risk of sex trafficking and domestic servitude as a result of poor government oversight of the adoption processes. Endemic corruption aids and abets trafficking crimes. Some police reportedly solicit commercial sex with children. Corrupt officials facilitate cross-border trafficking, thwart progress on investigations and prosecutions, and in some cases profit directly from establishments suspected of trafficking.

CAMEROON: TIER 2

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 increasing efforts compared to the previous reporting period; therefore Cameroon was upgraded to Tier 2. The government demonstrated increasing efforts by raising the number of investigations, prosecutions, and convictions of suspected traffickers; training law enforcement, judicial officials, and civil society actors on trafficking provisions in the revised penal code; increasing direct services to potential trafficking victims from Cameroon and other African countries; enhancing screening procedures at primary airports; and re-invigorating the inter-ministerial committee. However, the government did not meet the minimum standards in several key areas. The government did not fully disseminate its victim identification and national referral system (NRS) and standard operating procedures (SOPs) to all law enforcement or first responders, nor did it pass draft anti-trafficking legislation from 2012 that conforms to international law.



RECOMMENDATIONS FOR CAMEROON

Train law enforcement and NGO personnel on the NRS and SOPs on victim identification and referral to increase the ability of first responders to identify internal trafficking cases as well as movement-based forms of the crime; increase efforts to investigate, prosecute, and convict traffickers for all forms of trafficking—including complicit officials and cases referred by NGOs—under the "slavery in persons" provision of the penal code; increase repatriation assistance, including *laissez-passer* cards, to Cameroonian trafficking victims identified abroad; increase formal collaboration with NGOs on identifying and protecting victims and raising awareness of trafficking; provide training on trafficking investigations to the inter-ministerial anti-trafficking committee, and regularly convene the group; pass draft anti-trafficking legislation from 2012 that conforms to international law; amend the penal code to make a clear distinction between trafficking and smuggling; expand training for law enforcement, judiciary personnel, and social workers on the anti-trafficking section of the penal code and victim-centered investigations; publicize 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 of registered recruitment agencies to citizens; and develop a system to track trafficking cases and publicize relevant law enforcement and victim protection statistics.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. The 2011 anti-trafficking law criminalized all forms of labor trafficking and some forms of sex trafficking. Inconsistent with international legal standards, the law required a demonstration of threat, fraud, deception, force, or other forms of coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The law prescribed penalties of 10 to 20 years imprisonment and a fine of 50,000 to 1 million Central African CFA francs (CFA) ($88 to $1,760) for all forms of trafficking, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. If the offense involved a victim who was 15 years old or younger, the penalties increased to 15 to 20 years imprisonment and a fine of 100,000 to 10 million CFA ($180 to $17,610). The penalties for debt bondage ranged from five to 10 years imprisonment and a fine of 10,000 to 500,000 CFA ($18 to $880) and were also sufficiently stringent. The law was published in French and English, the two official languages of the government. The English version conflated trafficking in persons and smuggling offenses by referring to trafficking in persons offenses, as defined under international

law, as "slavery in persons," while referring to smuggling-related offenses as "trafficking in persons." Legislation drafted in 2012 to address victim and witness protection and correct inconsistencies with international law remained pending for the sixth consecutive year.

The Delegate General of National Security (DGSN) reported investigating 89 potential sex and labor trafficking cases during the reporting period that resulted in the prosecutions of 112 suspected traffickers under penal code article 342. Because article 342 prohibited both "trafficking in persons" and "slavery in persons," the 112 suspects may have included smugglers. The suspects were from all 10 regions of Cameroon and were either friends or family members of the potential victims. Although most of the reported cases involved alleged labor trafficking, at least five cases included suspected sex trafficking crimes. In addition to the 112 prosecutions stemming from DGSN investigations, the Ministry of Justice reported prosecuting 17 suspected traffickers, and convicting five traffickers during the reporting period, with four of those cases being tried under article 342 and one tried under charges of fraud. These efforts compared to 13 investigations, 13 prosecutions, and two convictions during the previous reporting period. The judiciary was reportedly investigating one government official for trafficking offenses that occurred over previous years.

Lawyer strikes in the Northwest and Southwest regions severely delayed court proceedings in Buea and Bamenda, where most of the trafficking cases were referred, which exacerbated judicial inefficiencies. In part because of insufficient—but improving—cooperation between the government and NGOs, and a weak judicial administration, some regional courts and NGOs encouraged victims to settle trafficking cases outside of court.

The government reported the Ministry of Justice, the DGSN, and Ministry of Social Affairs (MINAS) had each organized efforts to educate judges, law enforcement, and social workers on the provisions relevant to trafficking included in the revised penal code, although exact numbers of officials trained were unknown. In spite of these training efforts, some trafficking offenses may have been tried as child abuse or kidnapping, which carried lesser penalties.

PROTECTION

The government increased efforts to identify and protect victims, but did not provide comprehensive nation-wide statistics on the number of trafficking victims identified, referred, and assisted. The government reported identifying 104 potential victims through the course of law enforcement investigations, and identified and referred 32 probable child trafficking victims in Yaounde to the government-sponsored Centre d'Ecoute, where they received psycho-social services and other care. In 2017, MINAS reported identifying over 1,100 street children in urban centers throughout Cameroon who were highly vulnerable to trafficking; reunited 142 of those children with their families, placed 23 in government-sponsored care facilities, provided 40 with vocational training, and assisted 19 in resuming formal education. During 2016, the government reported identifying and providing services to 153 potential victims, although 42 of those were likely kidnapping victims. The Ministry of Health and MINAS partnered with international organizations to repatriate more than 559 Cameroonians from Libya and Niger, including potential trafficking victims. The government provided temporary shelter, medical care, and counseling to assist these individuals upon their arrival, in partnership with international organizations.

NGOs reported thousands of Cameroonian workers remained in Middle Eastern countries, and that many of these workers were victims of domestic servitude or sex trafficking. In 2017, the Cameroonian embassy in Saudi Arabia coordinated with the Ghanaian embassy in Kuwait to issue return travel documents to Cameroonian trafficking victims in Kuwait in March 2018. The victims have since been repatriated. During the reporting period, the government repatriated three trafficking victims who had been held in Kuwait's detention center and one victim from Saudi Arabia.

While the government had a NRS and SOPs to guide government officials in proactive identification and referral of victims of trafficking, implementation was limited and many officials had yet to be trained on the measures. MINAS had the authority to admit child trafficking victims to government institutions for vulnerable children, which offered shelter, food, medical and psychological care, education, vocational training, and family tracing. However, the government did not report referring victims to these facilities during the reporting period. Private centers funded by NGOs and regulated by MINAS provided care for an unknown number of child victims. Trafficking-specific services were not available for adult or child victims, but minors did receive services along with other vulnerable children.

The government did not have a formal policy to encourage victims to participate in investigations or prosecutions of their traffickers and did not report providing counseling, legal support, or any other assistance to victims who testified during court proceedings. NGOs reported the case of one victim who had to pay to travel long distances each time their suspected trafficker appeared at trial; the government gave no assistance or protection to the victim in spite of multiple adjournments, and threats made against her by the suspected trafficker's relatives. While there were no reports the government detained, fined, or jailed any trafficking victims for unlawful acts committed as a result of being subjected to trafficking, some victims may have remained unidentified in the law enforcement system due to the limited use of the NRS and SOPs. 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. MINAS, through its Reception and Observation Center in Douala Bepanda, continued to provide services during this reporting period to two foreign trafficking victims identified in previous reporting periods.

PREVENTION

The government maintained prevention efforts. A lack of coordination and funding impeded implementation of the 2017-2019 anti-trafficking national action plan. The anti-trafficking inter-ministerial committee held five meetings, compared with zero during the previous reporting period, and increased collaboration with NGOs and civil society representatives during those sessions. The government organized two press events to raise awareness of the risks of fraudulent recruitment to the Middle East that reached an unknown number of Cameroonians. Although the government did not provide specific funding to implement the national action plan, some of the activities under the action plan were included in the budgets of individual ministries. The government increased its engagement with NGOs and civil society, including through its inter-ministerial committee to combat trafficking, which was a key component of its national action plan.

MINAS and the police conducted a campaign in the summer of 2017 aimed at sensitizing parents of the risk of child labor (including trafficking) and warning of potential punishment for complicit parents. To reduce the number of Cameroonian women exploited in destination countries in the Middle East, the government enhanced screening procedures at its airports, requiring proof of valid contracts in some cases. Ministry of Employment and Vocational Training (MINEFOP) officials reported vulnerable individuals used unauthorized recruiters to seek employment abroad, but the government did not investigate those suspicious recruitment practices. The government reported that MINEFOP, in conjunction with the Ministry of Labor and Social Security, monitored formal labor recruiters and revoked the licenses of an unknown number of fraudulent labor recruitment firms. The government reported it was actively negotiating with the governments of Lebanon and Qatar to finalize anti-trafficking memorandums of understanding, initiated during the previous reporting period by the Ministry of External Relations. NGOs reported the government maintained its travel ban for women traveling to the Middle East from Douala Airport. While this may have prevented some cases of trafficking, to circumvent the ban, migrant workers were reported to have traveled through Nigeria en route to the Middle East, thus increasing their vulnerability to trafficking. In partnership with an international organization, the government provided briefings on international humanitarian law, which included a trafficking component, to members of the Cameroonian armed forces prior to their deployments abroad.

TRAFFICKING PROFILE

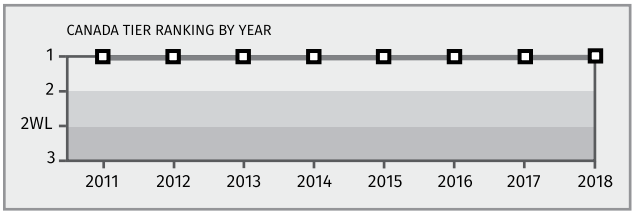
As reported over the past five years, Cameroon is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking and a source country for men in forced labor. Child traffickers often use the promise of education or a better life in the city to convince rural parents to give their children over to an intermediary, who then exploits the children in sex trafficking or forced labor. 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. 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.

An international organization reported Cameroon currently has over 665,000 individuals of concern as of February 2018—including refugees and internally displaced persons (IDPs)—who are vulnerable to trafficking due to their economic instability and lack of access to formal justice. There continued to be reports of hereditary servitude imposed on former slaves in some chiefdoms in the North region. Boko Haram's activities on the border with Nigeria and instability in neighboring CAR has contributed to the displacement of many of these refugees and IDPs. CAR refugee children are forced to engage in artisanal gold mining and sex trafficking in some areas of the East and Adamawa regions. An NGO alleged that in 2016 some officially sanctioned community watch groups (vigilance committees) may have used and recruited children as young as 12 years old. Boko Haram is a consistent terrorist threat, and continues forcibly to recruit Cameroonian children as porters, cooks, and scouts. Boko Haram also uses women and girls as forced suicide bombers and sex slaves; and boys as child soldiers.

Cameroonians from disadvantaged social strata, in particular from rural areas, are exploited in forced labor and sex trafficking in the Middle East (especially Kuwait and Lebanon), as well as in Europe (including Switzerland and Cyprus), the United States, and multiple African countries (including Nigeria). Most exploited Cameroonians abroad are between the ages of 20 and 38, and come from the Northwest, Southwest, Littoral, Center, South, and West Regions. Some Cameroonian women are recruited by fraudulent labor brokers for domestic work in the Middle East but fall victim to sex trafficking or domestic servitude upon arrival. Some economic migrants in search of opportunity became victims of trafficking in Libya, or while in transit through Niger. Trafficking networks commonly consist of local community members, including religious leaders and former trafficking victims who have transitioned to perpetrators. These networks advertise jobs through the internet and other media, and recruit and sell other Cameroonians directly to families in need of domestic servants. Advocates working in the field report local awareness-raising activities targeting fraudulent recruitment have raised awareness among vulnerable populations, but have caused intermediaries to operate with greater discretion, often directing victims to travel to the Middle East through neighboring countries, including Nigeria. International organizations, NGOs, and migrants report Cameroonian trafficking networks in Morocco force women into prostitution.

CANADA: TIER 1

The Government of Canada fully meets the minimum standards for the elimination of trafficking. The government 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 prosecuting traffickers, including labor traffickers; increasing its identification of financial transactions suspected of being linked to trafficking; providing funding for victim services and funding a new initiative to develop emergency housing for trafficking victims; and strengthening efforts to prevent labor exploitation and trafficking among temporary foreign workers. Although the government meets the minimum standards, it reported fewer convictions for the third consecutive year, and it did not provide comprehensive data on investigations, prosecutions, and convictions from all jurisdictions. It also did not provide comprehensive data on victims provided with services nationwide or provide sufficient emergency housing specifically for trafficking victims. The range, quality, and timely delivery of trafficking-specific services varied nationwide. While the government began consultations to develop a new national action plan, it did not publish a new plan in 2017.



RECOMMENDATIONS FOR CANADA

Publish and implement a new national anti-trafficking action plan; increase convictions of trafficking crimes through a victim-centered approach; increase use of proactive law enforcement techniques to investigate human trafficking, particularly forced labor; increase proactive identification of victims, particularly through screening among vulnerable populations; increase trauma-informed specialized services and shelter available to all trafficking victims, in partnership with civil society and through ongoing dedicated funding from federal and provincial governments; implement plans to fund and establish a national human trafficking hotline; improve trafficking data collection, including documentation of investigations, prosecutions, and convictions and numbers of identified victims and assistance provided nationwide; 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; draft and enact a code of conduct for federal procurement to address risks of trafficking in the federal supply chain; and investigate and prosecute Canadian child sex tourists.

PROSECUTION

The government maintained law enforcement efforts. Criminal code sections 279.01 and 279.011 criminalized sex and labor trafficking, prescribing penalties of four to 14 years imprisonment for trafficking adults and five to 14 years imprisonment for trafficking children. Such penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes. Inconsistent with the definition of trafficking under international law, the law did not establish the use of force, fraud, or coercion as an essential element of the crime. Section 279.02 also criminalized receiving financial or any other material benefit from trafficking and prescribed 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 criminalized withholding or destroying documents to facilitate trafficking; and prescribed 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. Section 286.1 criminalized purchasing commercial sex acts from an individual under 18 years of age and prescribed a maximum penalty of 10 years imprisonment.

Government officials at the federal, provincial, and municipal levels may investigate, prosecute, and convict traffickers; however, the government did not report comprehensive data at each of these levels. The government reported federal officials responsible for enforcing immigration law opened six new investigations. In 2017, federal, provincial, and municipal law enforcement officials charged 78 individuals in 47 trafficking cases (two for labor trafficking) compared to 107 individuals in 68 trafficking cases (none for labor trafficking) in 2016, and 112 individuals in 63 cases (two for labor trafficking) in 2015. Federal, provincial, and municipal prosecutions continued against 295 individuals, including 10 suspected labor traffickers, compared to 300 individuals, including 34 suspected labor traffickers, in 2017. The federal courts reported convictions of five traffickers in 2017, including one labor trafficker, compared to 10 sex traffickers and no labor traffickers in 2016, and imposed sentences ranging from two to 12 years imprisonment, compared to sentences ranging from six months to 9.5 years imprisonment in 2016. Federal authorities continued to collect provincial and municipal data through the Uniform Crime Reporting Program, however not all jurisdictions participated. The federal government did not provide data on investigations or convictions at the provincial or municipal level, however it launched a pilot project with Ontario to provide all relevant provincial trafficking case data and which may serve as a national model. 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 trafficking varied, leading some officials to categorize trafficking cases as other crimes or to bring civil instead of criminal charges. Federal law enforcement coordinated its sixth proactive "Northern Spotlight" operation to identify sex trafficking victims and investigate and prosecute traffickers, which resulted in 21 charges against suspects in 2017. The federal government continued its work to identify and report financial transactions suspected of being linked to the laundering of proceeds from trafficking, which resulted in 196 disclosures nationwide in 2017 compared to 102 in 2016. 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 147 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. Police identified 60 new victims in trafficking-specific cases in 2017, compared to 77 in 2016 and 99 in 2015. Of the 60 new victims identified, 57 were female and three were male; 31 were adults and 29 were children; 57 were victims of sex trafficking and three were victims of forced labor. Authorities reported a total of 416 trafficking victims related to current and ongoing cases before the courts where trafficking-specific charges were laid in 2017, compared to 367 trafficking victims in 2016. Police, immigration officials, and prosecutors used victim identification guidelines specific to their roles to screen potential trafficking victims using established indicators and both federal and provincial officials partnered with NGOs to provide training and conduct outreach to vulnerable populations. At the provincial level, the government of British Colombia identified 132 potential victims through calls received by their hotline. Civil society reported provincial and territorial governments needed additional resources and personnel to proactively identify trafficking victims among vulnerable groups and monitor effectively the labor conditions of temporary foreign workers.

The federal government reported assisting trafficking victims through its crime victim assistance regime, which relied on Justice Canada's funding to the provinces and territories. Through this regime, the federal government allocated funding to several NGOs to provide services to trafficking victims, and these NGOs assisted at least 409 victims in 2017. 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 provided 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. Such services generally included shelter, legal and immigration services, medical care, psychological and crisis counseling, income support, and interpretation. While service providers operated 629 shelters for women who were victims of violence nationwide, only three shelters provided beds specifically for trafficking victims. Service providers expressed concern about the lack of shelters given that only 24 beds are dedicated specifically to such victims, which led to having to relocate victims to other provinces and a burden on service providers. 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. The government did not have dedicated shelters for male victims. In 2017, the federal government announced a new initiative to provide 8.4 million Canadian dollars ($6.7 million) to at least three provinces to develop emergency housing to address the specific needs of trafficking victims, including an initiative in Ontario to provide emergency and transitional housing and other services. Similar to past years, the Department of Justice designated 500,000 Canadian dollars ($398,400) for 14 projects spread across the country for victim services to female sex trafficking victims in 2017. The Department of Justice funded child advocacy centers operated by provincial or municipal governments or NGOs, some of which provided trafficking-specific services to victims. 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. The government did not report any victims who filed for or obtained restitution in 2017 for the second consecutive year.

At least four of the 10 provincial governments dedicated funding to victim assistance: Alberta funded a coalition to provide coordination and services; British Columbia funded a government entity to provide referrals and services, which provided assistance to at least 30 trafficking victims; Manitoba funded a government-NGO response team; and Ontario funded a government entity to provide coordination and services, which provided assistance to approximately 500 trafficking victims. 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. In 2017, Manitoba provided at least 10.3 million Canadian dollars ($8.2 million) for initiatives to identify and assist those at risk of and victims of sexual exploitation, including sex trafficking. Also in 2017, Ontario provided 19.3 million Canadian dollars ($15.4 million) to improve survivor's access to services such as housing, mental health services, and trauma counseling. Québec'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.

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 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 long wait times to receive TRPs if victims do not cooperate 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 issued TRPs to 29 foreign victims in 2017 and three to dependents, denying only two applications, compared with 67 TRPs in 2016. Sixteen permits were issued to first-time recipients and 16 were issued to persons who had previously received TRPs. The government provided foreign trafficking victims eligibility for short-term 180-day TRPs or long-term three-year TRPs. TRP holders could apply for fee-exempt work permits, but the government did not report how many foreign victims received permits in 2017. Some government officials and NGOs reported difficulties and delays in getting TRPs for foreign victims despite the fact that victims were not required to cooperate with law enforcement to receive a TRP. 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. Canadian law provided extensive victim witness protections to encourage victims to participate in the investigation and prosecution of cases, including video testimony, the presence of a support person during testimony, a ban on publishing the names of witnesses, and the exclusion of members of the public in the courtroom.

PREVENTION

The government increased prevention efforts. Public Safety Canada (PSC) led a federal interagency task force, reviewed its national anti-trafficking strategy through consultations with stakeholders, and released its annual progress report on the implementation of the national plan. In 2017, PSC also hosted two national teleconferences for provincial and regional governments and stakeholders to share information, trends, and best practices related to forced labor and victim services. The government announced plans to provide 14.5 million Canadian dollars ($11.6 million) over five years, beginning in 2018-2019, to establish a national human trafficking hotline to be operated by an NGO. The government-funded and promoted awareness-raising campaigns, including on labor trafficking and fraud in foreign labor recruiting, 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 continued to implement its comprehensive, survivor-focused provincial anti-trafficking strategy. The province allocated 72 million Canadian dollars ($57.4 million) over four years to address human trafficking, and in 2017 announced 7 million Canadian dollars ($5.6 million) in new funding to 44 service providers, 1.4 million Canadian dollars ($1.2 million) of which is dedicated to providing housing support to victims, a significant need in Ontario. NGOs cited the need for better coordination among the federal, provincial, and territorial governments on anti-trafficking law enforcement.

The government strengthened the Temporary Foreign Worker Program by allocating 199.6 million Canadian dollars ($159 million) over five years to enforce laws and prevent labor exploitation and trafficking among these workers. In 2017, the government increased on-site inspections and received 900 tips related to conduct often associated with labor exploitation and potential forced labor cases via its online reporting tool and hotline, 176 of which it referred for further investigation.

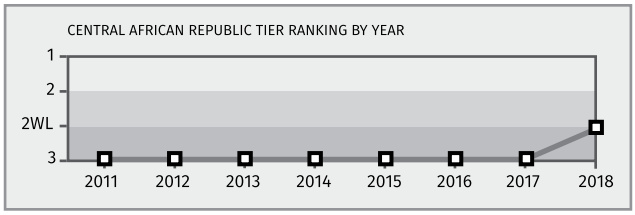
The government held seven consultations with provincial or territorial governments, employers, employer associations, organized labor, legal service providers to receive feedback on the program and began updating communication materials about worker rights and employer responsibilities. The government provided funding for awareness-raising workshops with foreign workers and an online reporting tool. According to NGO contacts, Canada's temporary foreign worker program continued to be a vehicle for trafficking. The government conducted outreach to domestic workers of foreign diplomats to prevent and identify trafficking cases, but it 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 government did not report any child sex tourism investigations, prosecutions, or convictions in 2017 for the second consecutive year. The government provided more than 18 million Canadian dollars ($14.3 million) to support anti-trafficking initiatives in more than a dozen countries globally. Canada participated in the fourth annual trilateral trafficking in persons working group meeting with Mexico and the United States and shared best practices in the area of monitoring financial transactions potentially linked to human trafficking. The government made efforts to reduce the demand for commercial sex and forced labor through awareness-raising, training, and research. The government researched and began developing a new code of conduct for federal procurement to address risks of trafficking in the federal supply chain. The government provided anti-trafficking information to its military forces prior to deployment on international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, 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, children from indigenous communities, migrants, LGBTI youth, at-risk youth, runaway youth, and youth in the child welfare system are especially vulnerable. Foreign women, primarily from Asia and Eastern Europe, are subjected to sex trafficking in Canada by traffickers with links to transnational organized crime. 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 2 WATCH LIST

The Government of the Central African Republic (CAR) 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 CAR was upgraded to Tier 2 Watch List. These achievements included establishing the Mixed Unit for Rapid Intervention and Repression of Sexual Violence to Women and Children (UMIRR) in Bangui; implementing a disarmament, demobilization, and reintegration program through which it identified and referred more than 3,000 child soldiers to care in partnership with an international organization; and providing training to law enforcement, judicial, and civil society actors. The government partnered with international organizations to implement standard operating procedures for identifying trafficking victims and launched an awareness raising campaign. Despite these achievements, the government did not report prosecuting or convicting any traffickers or holding accountable armed groups that recruited and used child soldiers.



RECOMMENDATIONS FOR CENTRAL AFRICAN REPUBLIC

Increase efforts to investigate, prosecute, convict, and adequately sentence traffickers, specifically government officials or armed group members who unlawfully recruit child soldiers; increase anti-trafficking training for the UMIRR and the Special Criminal Court so that they can effectively identify and prosecute trafficking cases and refer victims to care; take concrete steps to provide comprehensive protection services to victims of all forms of trafficking, and ensure trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; fully implement the child soldier reintegration national action plan; 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; in collaboration with NGOs and the international community, provide care to demobilized child soldiers and children in commercial sexual exploitation and forced labor; incorporate and implement programs to combat all forms of human trafficking in existing national action plans; 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 anti-trafficking law enforcement efforts during the reporting period. Article 151 of the penal code criminalized sex and labor trafficking and prescribed penalties of five to 10 years imprisonment, which were sufficiently stringent and ,with respect to sex trafficking, commensurate with penalties prescribed for other serious offenses, such as kidnapping. If the offense involved a child victim of sex trafficking or forced labor similar to slavery, the prescribed penalties increased to five to 10 years imprisonment with hard labor. Articles 7 and 8 of the 2009 Labor Code criminalized forced and bonded labor and prescribed sufficiently stringent penalties of five to 10 years imprisonment.

The government did not report investigating or prosecuting any trafficking cases during the reporting period, and has not convicted any traffickers since 2008. Due to years of destabilizing conflict, formal judicial capacity outside the capital has been severely limited, which has led to the use of customary dispute resolution methods through which traditional chiefs or

community leaders administer punishment for criminal acts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government coordinated with an international organization to organize six anti-trafficking trainings for 99 government and civil society actors including law enforcement officials, magistrates, lawyers, and heads of human rights organizations.

In June 2017, supported by international organizations, the government inaugurated the UMIRR based in Bangui, composed of gendarme and police. The UMIRR focused on sexual violence against women and children in armed conflict, which included child soldiers and potential victims of forced labor or sexual exploitation. The UMIRR investigated an estimated 10 cases during the reporting period, but the government did not report the results of those investigations or if any involved trafficking crimes.

PROTECTION

The government increased efforts to identify and protect victims. The government reported identifying 39 child trafficking victims—the same number identified during the previous reporting period; however, it did not report additional details on the forms of exploitation endured or whether it provided care to any of these victims or otherwise referred them for services. An international organization identified 253 victims (177 women and 76 men), but did not report whether they were victims of forced labor or sex trafficking.

The Ministry of Justice, with support from an international organization, implemented standard operating procedures (SOPs) —developed in 2016—for the identification of victims during the reporting period; however, the government did not report the number of trained personnel familiar with the procedures, which raised questions about the effectiveness of the SOPs. 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. 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 NGOs or other service providers for assistance. 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 report providing legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

During the reporting period, the government's Disarmament, Demobilization, and Reintegration program leveraged partnerships with NGOs, international organizations, and foreign governments to assist with the reintegration of child soldiers into civilian life, and provided them medical and psychological services, in addition to vocational training. The government reported identifying more than 3,000 children associated with armed groups, including more than 800 girls, and referred them to international organizations for care in 2017. 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 modestly increased prevention efforts during the reporting period. It partnered with an international organization to develop and launch an awareness raising campaign in 10 communes across the country and used community radio broadcasts in local languages to increase its reach. The government operated a 24-hour hotline operated by UMIRR, which was staffed by French and local language speakers; however, the government did not provide statistics on the number of calls it received. The government did not make any progress in drafting or implementing a national action plan to combat trafficking and remained without a lead entity or coordinating body to drive national anti-trafficking efforts.

As part of the International Day against the Enlistment of Children in Armed Groups, the government collaborated with international organizations to launch a one-month campaign against the recruitment of child soldiers in February 2018. Additionally, the government developed a national action plan to address the recruitment and use of child soldiers, and to plan for the reintegration of victims. The 2017-2021 National Recovery and Peacebuilding Plan (RCPCA) aimed to re-establish peace and security, and support reconciliation, through disarmament and reintegration of child soldiers, in addition to promoting legal reform, seeking justice for victims, and improving access to education; however, implementation of the national action plan to address the recruitment of child soldiers and the RCPCA was limited due to budgetary shortfalls, lack of security across the country, and gaps in coordination within the government, and with donors. The government did not have an effective policy on holding foreign labor recruiters liable for fraudulent recruitment. 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 and transit 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 more than one million people, increasing the vulnerability of men, women, and children to forced labor and sex trafficking. In 2017, almost 700,000 people remained internally displaced inside the country and approximately 540,000 individuals sought refuge in neighboring countries. This is an increase from 402,000 internally displaced people and 464,000 refugees the previous year. An international organization has identified more than 10,000 refugees residing in CAR and more than

45,000 refugee returnees spontaneously returned to CAR in 2017. The government's lack of control and presence in much of the country impairs its ability to effectively combat the worst forms of child labor nationwide. There is limited information about the forms of exploitation believed to have increased as a result of ongoing conflict.

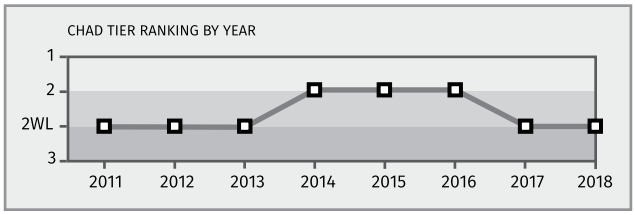
The recruitment and use of children by armed groups, at times through force, has been widely documented; however, there were no verified cases of government-affiliated forces recruiting or using child soldiers during the reporting period. An international organization reported between 6,000 and 10,000 children were recruited by armed groups during the latest conflict through 2015. The government ratified the UN Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict in September 2017 and ratified the African Charter on the Rights and Welfare of the Child in July 2016. The Ministry of Justice announced measures to incorporate into national legislation provisions to criminalize actions committed by members of armed groups to include the recruitment or use of children in armed conflict.

United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) has more than 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 investigated six alleged sexual exploitation cases of MINUSCA peacekeepers, police, and UN civilian staff. More than 100 cases were reported since MINUSCA's inception in September 2014. Peacekeepers from the DRC and the Republic of Congo allegedly perpetrated the majority of these 50 reported cases.

The Lord's Resistance Army (LRA), a Ugandan rebel group that operates in CAR's eastern regions, continued to abduct boys and girls for use as cooks, porters, concubines, and combatants during the reporting period. Due to regional counter-LRA operations, LRA activities decreased compared to previous years, but the group remains a threat.

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 enacting a new criminal code that criminalized all forms of labor and sex trafficking, beginning implementation of an identification and referral procedure, and forming a national commission to combat trafficking. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government reported a decrease in the number of prosecutions compared to the previous year and did not convict any traffickers for the second consecutive year. Therefore Chad remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR CHAD

Vigorously investigate and prosecute suspected trafficking offenders according to Presidential Ordinance 006/18; increase training on the trafficking investigation guide and new criminal code to law enforcement officers, prosecutors, and magistrates; disseminate standard operating procedures for the identification and referral of trafficking victims to security services, law enforcement, and civil society; work with NGOs and international organizations to increase the provision of protective services to all trafficking victims; regularly convene the National Commission against Trafficking in Persons and inter-ministerial committee, and include civil society, international organizations, and NGOs in the meetings; 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 maintained minimal law enforcement efforts. In May 2017, the president signed the revised penal code into law, which criminalized labor and sex trafficking offenses through a variety of new criminal provisions. Article 330 criminalized the recruitment, transfer, harbor, or receipt of a person for the purpose of trafficking and prescribed penalties of five to 10 years imprisonment and a fine of 100,000 to 5 million Central African CFA francs (CFA) ($180 to $8,810); these penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Articles 327 and 331 together criminalized "involuntary labor" or servitude through the use of force, fraud, or coercion and prescribed a penalty of two to 10 years imprisonment, or a fine of 100,000 to 1 million CFA ($180 to $1,760), or both; these penalties were sufficiently stringent. Articles 328 and 331 together criminalized slavery through the use of force, fraud, or coercion and prescribed penalties of 10 to 20 years and 200,000 to 10 million CFA ($350 to $17,610); these penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 335 and 336 together criminalized the prostitution of adults through the use of force, fraud, or coercion and the exploitation of children through prostitution and prescribed penalties of two to five years imprisonment and 100,000 to 2 million CFA ($180 to $3,520); these penalties were sufficiently stringent but not commensurate with other serious crimes, such as rape. The African Charter on the Rights and Welfare of the Child, the January 1991 Ordinance on the Reorganization of the Armed Forces, and the Optional Protocol to the Convention on the Rights of the Child criminalized recruitment of children younger than 18 years; punishment for those who violate this provision was at the discretion of military justice officials. In March 2018, the president signed an ordinance that criminalized trafficking in persons and created the National Commission for the Fight against Trafficking in Persons. The National Assembly was reviewing proposed revisions of the Child Protection Code, Labor Code, and Family Code, which contained additional provisions criminalizing child trafficking and increasing protections for children working in the informal sector.

Although the government did not collect comprehensive law enforcement data, it reported investigating one potential trafficking case involving an 11-year-old girl, and it did not prosecute any suspected traffickers. The government did not convict any traffickers for the second consecutive year. During the previous year, the government investigated and prosecuted one *marabout*, a teacher at a Quranic school, for the alleged forced begging of two Quranic school students; however, prolonged strikes and closures of the courts due to a lack of government funding stemming from a severe economic crisis resulted in the suspension of cases across the country, including the trafficking case. The government provided no further information on the progress of this case. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, NGOs reported some local officials' suspected involvement in trafficking during the reporting period. In November 2017, government law enforcement officials cooperated with INTERPOL in an international anti-trafficking investigation that resulted in the release of over 500 potential trafficking victims, but authorities did not share any investigation or victim referral data.

PROTECTION

The government maintained minimal efforts to identify and protect trafficking victims, but worked to improve its capacity to undertake such efforts by initiating the implementation of a victim identification and referral procedure. Acknowledging Chad's public sector services were unavailable for most of the reporting period, especially outside of N'Djamena, officials did not report identifying or referring any victims to services, compared with two victims identified and referred to a public hospital during the previous year. The government's regional child protection technical committees, located in eight of Chad's 23 regions, also did not report identifying or referring any child victims of trafficking to protective services. The government established formal victim identification and referral procedures, consisting of law enforcement officials or other first responders notifying the Ministry of Justice's Child Protection Directorate, international organizations, and NGOs of potential trafficking cases; however, dissemination and implementation were unknown. Due to budgetary constraints, the government did not disseminate its guide for security forces and civil society, which outlined steps to assist suspected trafficking victims with a victim-centered approach. The guide also detailed the roles of different institutions during an investigation and provided guidance on social services, health centers, and shelters, as well as information about how to reunite victims with their families when possible.

The Ministry of Women, Family, and National Solidarity, in partnership with an international organization operated reception centers throughout the country. During the reporting period, these shelters provided temporary housing, food, and education to victims of gender-based violence and other crimes, including potential victims of trafficking. The government did not have a formal policy to offer temporary or permanent residency for foreign victims of trafficking, and did not report providing services to those victims. There were no reports the government punished trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking; however, without widespread implementation of formal victim identification procedures, some victims may have remained unidentified in the law enforcement system.

PREVENTION

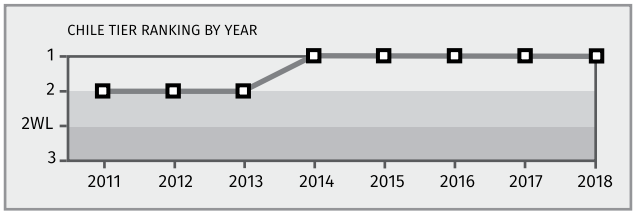
The government increased efforts to prevent trafficking. At the end of the reporting period, the president issued a decree highlighting the government's commitment to combating human trafficking and publicized the announcement on national television. The decree created the National Commission for the Fight against Trafficking in Persons, which will be supervised by the Ministry of Justice. Unlike previous years, the government did not report implementation of its national action plan, due to widespread government shutdown of services for much of the reporting period. For the second consecutive year, the inter-ministerial committee responsible for coordinating government efforts to combat trafficking did not convene due to multiple 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. A lack of identity documentation is a risk factor for trafficking in Chad, and the government continued to implement the 2013 birth registration policy requiring universal issuances of uniform birth certificates, as well as proceeding with plans for biometric identification documents. The government provided Chadian troops human rights training, which included an anti-trafficking component, 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 in urban areas, agricultural laborers, gold mining in the north of the country, charcoal production, and as domestic workers. In some regions, children are involved in catching, smoking, and selling fish. Some children who leave their villages to attend traditional Quranic schools, known as *mouhadjirin*, 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, the 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 internally displaced people in Chad. Forced labor in prisons occurred. According to an international organization, Chad hosts over 606,000 refugees, internally displaced persons, asylum-seekers, and refugee returnees; populations that are vulnerable to trafficking due to their economic instability and lack of access to support systems. NGOs report the Nigerian terrorist group Boko Haram and its offshoot Islamic State-West Africa are involved in child trafficking. Vigilante groups tasked with defending people and property in rural areas 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 tripling the number of convictions, increasing funding for victim services, assisting a greater number of child sex trafficking victims, and securing a line item budget for the national action plan. Although the government meets the minimum standards, weak sentences for trafficking convictions continued to hamper efforts to deter and hold traffickers accountable. No convicted traffickers received prison sentences during the year. The government continued to prosecute and convict internal child sex trafficking cases under a law that did not prescribe penalties commensurate with other serious crimes. The government did not provide adequate specialized shelters for male victims or those outside of the capital.



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 article 411 of the penal code; expand access to specialized shelters for victims, including male victims and victims outside the capital; increase training on application of article 411 for judges and prosecutors; strengthen law enforcement's capacity to respond to trafficking victims, including by providing interpretation services when needed; increase reintegration services and mental health services available to victims; increase legal representation to victims who wish to seek restitution; develop guidelines for officials to screen for trafficking indicators for children involved in illicit activities, and to ensure no potential trafficking victims are penalized for crimes committed during their trafficking situation; and make efforts to reduce the demand for commercial sex and forced labor.

PROSECUTION

The government maintained prosecution efforts. Article 411 of the penal code criminalized sex and labor trafficking, prescribing penalties ranging from five years and one day to 15 years imprisonment, plus fines ranging from $4,000 to $8,000. These penalties were sufficiently stringent and, with regard to sex trafficking, 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 penalized promoting or facilitating child sex trafficking, but penalties for this crime ranged from three to five years imprisonment, which were significantly lower than the penalties prescribed under the anti-trafficking law. In practice, judges frequently suspended or commuted sentences of individuals convicted of human trafficking, and to a lesser extent, other serious crimes. Anti-trafficking police units opened 21 new investigations in 2017 (13 for sex trafficking and eight for labor trafficking), compared with 23 cases in 2016 (four for sex trafficking and 19 for labor trafficking). Authorities prosecuted 17 formal cases (14 under article 367 and three under article 411, compared with 109 total prosecutions in 2016 (103 under article 367 and six under article 411). The drop in formal prosecutions was largely due to the government changing their reporting methods during this reporting period. The government convicted 29 traffickers (26 under article 367 and three under article 411, two for sex trafficking and one for labor trafficking), compared with eight convictions (three under article 367 and five under article 411) in 2016. However, only 15 convicted traffickers ultimately spent time in prison; of those only five served at least one year in prison. None of the traffickers convicted under article 411 were sentenced to terms of incarceration, an inadequate penalty given the severity of the crime. Half of the traffickers convicted under article 367 received prison terms ranging from 323 days to three years, which were below the penalty prescribed by law and were inadequate given the severity of the crime. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Chilean courts denied a foreign government's request to extradite two suspected traffickers from Chile; the two suspects were convicted under article 411 and sentenced to intensive probation. The government's interagency task force on trafficking (MITP), in collaboration with the prosecutor's office, began development of a system to better monitor any potential participation of government officials in trafficking situations.

The government provided specialized training on trafficking—including training on the anti-trafficking law—to more than 300 officials in 2017, including law enforcement, prosecutors, and justice officials. The public prosecutor's office, which is independent of the executive branch, maintained an active anti-trafficking working group that provided guidelines for investigating trafficking cases and maintained a 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. Authorities continued reporting a 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 cooperated with five foreign governments on 16 separate trafficking cases and reached agreement with Bolivia to exchange trafficking law enforcement best practices and data.

PROTECTION

The government increased victim protection efforts but identified fewer victims for the second consecutive year. MITP identified 21 trafficking victims during the year (17 women and four men, 11 for labor trafficking, and 10 for sex trafficking), compared with 23 trafficking victims in 2016 and 65 in 2015. All but one victim were foreign. The MITP's protocol on victim assistance, developed in 2016, provided assistance to all 21 victims. The services provided by government agencies included safe housing, health services, psychological services, legal assistance, employment assistance, and regularization of migratory status. 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 allocated 133 million

Chilean pesos ($216,530) to fund the NGO-operated shelter for women victims of trafficking, smuggled women, and their children, an increase from 92.2 million pesos ($150,110). The shelter facilitated health, immigration, and employment services. In 2017, the shelter housed 10 women (six sex trafficking, three labor trafficking, and one child victim), including four foreigners. The shelter was at full occupancy and all other victims were referred to non-specialized shelters for victims of domestic abuse. The government did not fund most NGOs that provide victim assistance. The National Service for Minors (SENAME) provided services to child sex trafficking victims through its national network of 18 NGO-operated programs—opening one additional program during the reporting period—for children, including boys, subjected to commercial sexual exploitation. SENAME assisted 1,350 children in 2017, compared with 1,341 in 2016; authorities reported 493 of those children assisted were new in 2017. SENAME increased funding to 2.95 billion Chilean pesos ($4.8 million) in 2017, compared with 2.717 billion Chilean pesos ($4.4 million) in 2016. There were no shelters for adult male victims or victims outside the capital. The Social Action Program of the Ministry of Interior had a separate fund to assist vulnerable migrants that can be used for trafficking victim services.

In 2017, MITP's interagency group published a comprehensive referral guide for all agencies involved in the group to highlight social services and programs offered for victims. 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 illegal activities. Reintegration services such as education and job placement assistance were insufficient, and officials reported access to quality mental health services was expensive and limited. The government increased training efforts outside the capital and maintained robust efforts to train first responders, including health workers, public officials, and victims. Authorities provided training on victim assistance and identification to more than 450 government officials, including labor inspectors, SENAME staff, border officials, and first responders, and collaborated with an international organization on training for health workers on victim identification. The Department of Migration continued to provide no-fee visas for foreign trafficking victims and issued nine in 2017. The visa is valid for six months, renewable for up to two years if the victim reports the crime to the prosecutor's office. Foreign victims received the same victim services and methods of participation in court—such as teleconference and video testimony—as Chilean victims. The government did not report granting any victims restitution through civil or criminal cases in 2017.

PREVENTION

The government maintained prevention efforts. The Ministry of Interior continued to lead the MITP—which included government agencies, international organizations, and local NGOs—and its three sub-commissions. The government created a specific line item budget, for 102.6 million Chilean pesos ($167,040), for MITP's continued implementation of the 2015-2018 national action plan, primarily aimed at victim assistance and protection. While there was improvement in interagency cross-referencing and sharing of data, more robust coordination was needed.

A law enacted in 2016 strengthened protections for domestic workers, including by requiring registration of 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 conducted multiple awareness campaigns and distributed materials, including brochures, at various public venues and border crossing regions. The government monitored immigration patterns in coordination with international organizations, holding a seminar for MITP members on the relationship between international migration and vulnerability to trafficking, and collaborated with a foreign government's police officials to educate foreign immigrants within Chile on their rights and potential vulnerability to trafficking. The government did not operate an anti-trafficking hotline, but potential victims of trafficking were encouraged to use hotlines from multiple agencies within MITP. The government did not report efforts to reduce the demand for forced labor or commercial sex. Authorities provided anti-trafficking training to Chilean troops prior to their deployment abroad for international peacekeeping missions.

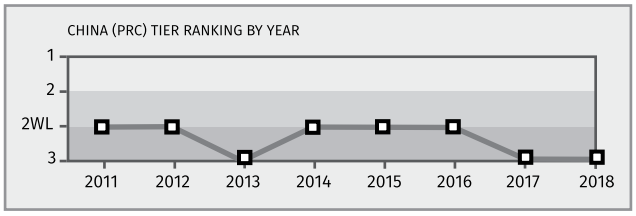
TRAFFICKING PROFILE

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 and Haitian 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.

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 remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by cooperating with international authorities to address forced and fraudulent marriages in China—a key trafficking vulnerability for foreign women and girls; seeking criminal accountability for officials complicit in commercial sex crimes that may have included sex trafficking; and continuing trainings for officials on victim identification and assistance, in conjunction with international organizations. However, state-sponsored forced labor continued to be an area of concern. Unlike in prior years, the government did not report identifying any trafficking victims or referring them to protective services. Authorities detained women arrested on suspicion of prostitution—sometimes for months—and often forcibly returned foreign victims to their trafficking circumstances after they escaped and reported their abuses. Authorities attempted

to extradite Chinese and Taiwan individuals abroad—some of whom were reportedly victims of forced labor—and charge them as criminals.



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 fully criminalize 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, foreign women, and Chinese women and children arrested for prostitution—and train front-line officers on their implementation; cease penalization of victims for acts committed as a direct result of being subjected to trafficking, including by immediately screening individuals suspected of prostitution offenses for sex trafficking indicators and referring identified victims to protection services; 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; and increase the transparency of government efforts to combat trafficking and provide disaggregated data on investigations and prosecutions, victim identification, and service provision, including by continuing to share relevant data with international partners.

PROSECUTION

The government maintained insufficient law enforcement efforts. It continued to report statistics for crimes outside the definition of human trafficking according to international law, making it difficult to assess progress. Not all statistics were captured by the central government. The criminal code criminalized some forms of sex and labor trafficking. Article 240 of the criminal code criminalized "abducting and trafficking of women or children," which it defined as a series of acts (e.g., abduction, kidnapping, purchasing, selling, sending, receiving) for the purpose of selling women and children; however, it did not link these acts to a purpose of exploitation as defined in international law. A 2016 opinion from the Supreme People's Court (SPC) interpreting article 240, et seq. established that the selling and buying of persons, along with trafficking, was a banned offense "for any reason […] for whatever purpose according to the law." Crimes under article 240 were punishable by at least 10 years imprisonment. Article 241 criminalized the purchase of women or children; like article 240, it did not require that the purchase be done for the purpose of exploitation. Article 358 criminalized forced prostitution and prescribed penalties of five to 10 years imprisonment. Article 359 criminalized harboring prostitution or seducing or introducing others into prostitution, and prescribed a maximum of five years imprisonment and a fine; for the seduction of girls younger than the age of 14 into "prostitution," it prescribed a sentence of five years or more and a fine. Penalties prescribed for sex trafficking offenses under articles 240, 241, 358, and 359 were sufficiently stringent and commensurate with the penalties prescribed for other serious crimes, such as rape. Article 244 criminalized forcing a person "to work by violence, threat or restriction of personal freedom" and recruiting, transporting, or otherwise assisting in forcing others to labor, and prescribed three to 10 years imprisonment and a fine. These penalties were sufficiently stringent.

The government continued to provide some law enforcement data. However, based on China's nonstandard definition of trafficking—which may include migrant smuggling, child abduction, forced marriage, and fraudulent adoption—the exact number of investigations, prosecutions, and convictions remained unclear. Unlike last year, the Ministry of Public Security (MPS) did not report the number of investigations initiated into possible trafficking cases (1,004 in 2016), although media reports suggest authorities continued to investigate some cases. The SPC reported prosecuting and concluding 1,146 trafficking cases, culminating in 1,556 convictions (1,756 in 2016); this included 1,097 convictions for the trafficking of women and children, 420 convictions for forced prostitution, and 39 convictions for forced labor. Authorities did not disaggregate conviction data by the relevant criminal code statutes. As in prior years, the vast majority of these cases were not prosecuted under section 240 of the criminal code, and were instead tried under article 358—especially for those involving sexual exploitation. The government did not provide sentencing data, but media reports indicated imposed penalties ranged from five months imprisonment with fines of 74,000 renminbi (RMB) ($11,380) to life imprisonment. 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; however, according to media reports, county- and provincial-level authorities investigated at least 24 cases of disabled persons who may have been abducted or transferred for the purpose of sexual or labor exploitation.

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 engaged in law enforcement cooperation with foreign governments, investigating cases of Chinese citizens subjected to trafficking in the United States, Africa, and Europe; however, it was unclear how many of these investigations resulted in prosecutions, and in some instances—namely in Europe—Chinese authorities attempted to extradite the trafficking victims as criminals. During the reporting period, the government increased its consultative partnerships with Lao and Vietnamese law enforcement authorities to jointly address trafficking via the forced and fraudulent marriage of their citizens to Chinese individuals. Some law enforcement personnel in neighboring countries reported their Chinese counterparts were unresponsive to requests for bilateral cooperation on cross-border trafficking cases. The Supreme People's Procuratorate (SPP) and the SPC reported providing anti-trafficking training for law enforcement or judicial officials at the city and provincial levels without providing detailed information on these efforts, including whether they were held with the assistance of international organizations. In August, the vice mayor of Dongguan and a former member of the National

People's Congress were sentenced to life imprisonment for their involvement in "organizing prostitution" in 2014, but it was unclear whether the criminal acts involved trafficking offenses. Despite reports of police accepting bribes from sex traffickers, including brothel owners, the government did not report any additional investigations of government employees complicit in trafficking offenses.

PROTECTION

The government decreased efforts to protect victims. Unlike last year, the government did not report how many victims it identified during the reporting period, nor did it provide agency-specific data, although media reports indicated authorities continued to remove some victims from their exploitative situations. 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. Victims were entitled to shelter, medical care, counseling, social services, and—in some cases—rehabilitation services, all made available through the Ministry of Civil Affairs, a nationwide women's organization, and grassroots NGOs. Access to specialized care depended heavily on victims' location and gender, and the extent to which victims benefited from these services was unknown. The efficacy of the government's previously reported victim assistance—including its eight border liaison offices with Burma, Vietnam, and Laos, victim funds, hotlines, and government-to-government agreements to assist victims—remained unclear. Foreign embassies in China reportedly provided shelter or other protective services to victims.

In conjunction with an international organization, authorities sponsored and participated in trainings on victim identification and assistance for consular officials and law enforcement, regulation of marriage migration, and interagency implementation of the national referral mechanism. MPS promulgated written instructions to law enforcement officers throughout the country with the aim of clarifying procedures for identifying victims among individuals in prostitution and those who may be subjected to exploitation via forced or fraudulent marriage. MPS officials reportedly maintained a procedure to screen for trafficking indicators among individuals arrested for alleged prostitution offenses. A 2016 policy limiting the detention of such individuals to 72 hours remained in place. Despite the existence of these procedures, and contrary to the aforementioned policy, law enforcement officials continued to arrest and detain foreign women on suspicion of prostitution crimes without screening them for indicators of sexual exploitation—sometimes for as long as four months—before deporting them for immigration violations. In some cases involving the sex and labor exploitation of Burmese women and girls via forced and fraudulent marriage to Chinese men, rural border officials—particularly in Yunnan—received victims' complaints, provided them with temporary shelter, and helped to fund and escort their return to Burma. However, observers noted this assistance was ad hoc, and even less prevalent among front-line officers working farther inland, where some foreign victims escaped, reported these abusive circumstances to the authorities, and were summarily arrested and forcibly returned to their Chinese "husbands." Because the national referral mechanism was not universally implemented across law enforcement efforts, it was likely unidentified Chinese trafficking victims were also detained following arrest for unlawful acts committed as a direct result of having been subjected to trafficking.

Victims were legally entitled to request criminal prosecution and claim financial restitution through civil lawsuits against their traffickers; the government did not report whether any victims benefitted 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 reported repatriating a number of victims in 2017 but did not provide further information, including whether they were Chinese or foreign. The government cooperated with law enforcement agencies in European countries to shutter large-scale telephone fraud operations involving dozens of Chinese and Taiwan individuals. European authorities deemed most of the apprehended suspects in several of these cases to be victims of forced criminality and referred them to protective custody. However, PRC authorities attempted on multiple occasions to formally extradite these individuals and charge them as criminals, raising further concerns on China's screening and identification measures. The government did not provide suspected North Korean trafficking victims with legal alternatives to repatriation. Authorities continued to detain North Korean asylum-seekers and forcibly returned some to North Korea, where they faced severe punishment or death, including in North Korean forced labor camps; it was unclear whether the government screened these individuals for indicators of trafficking. In compliance with a UN Security Council Resolution, the government reportedly repatriated some North Korean labor migrants; they were not screened for trafficking indicators or offered options to legally remain in the country.

PREVENTION

The government maintained efforts to prevent trafficking. It 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, including among vulnerable rural communities. Authorities held a third 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. The government did not report the extent to which it funded anti-trafficking activities in furtherance of the action plan (more than 55 million RMB ($8.5 million) in 2016). MPS reportedly sent 350,000 police officers to public schools to educate children about the risks of exploitation. Academics and experts noted the gender imbalance created by the previous one child policy likely continued to contribute to trafficking crimes in China. Provincial government efforts in 2016 to "legitimize" unregistered marriages between foreign women and Chinese men—a trend that was often permissive or generative of trafficking—were ongoing at the end of the reporting period. The government reportedly began a series of pilot programs to enable Cambodian and Vietnamese citizens to enter legally into southern China for work in hopes of stemming illicit labor migration through especially porous sections of the border; the extent to which this mitigated trafficking vulnerabilities—or to which it was implemented—was unknown.

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, particularly for Chinese victims returning from exploitation broad. The government continued to address some of these vulnerabilities by requiring local governments to provide a mechanism for migrant workers to obtain residency

permits. Authorities also commissioned several studies to develop mechanisms for the protection of children whose parents migrated internally for work, leaving them unsupervised and at elevated risk of exploitation; no further details on this initiative were available. The government reported efforts to reduce forced labor by including language in written agreements with foreign businesses and countries explicitly prohibiting trafficking. It attempted to reduce the demand for commercial sex through its ongoing crackdown on corruption and high profile arrests of men soliciting or procuring prostitution. The government did not report investigating or prosecuting any Chinese citizens for child sex tourism, despite widespread reports of the crime. 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 indicate such practices continue, thereby making certain workers vulnerable to forced labor. African and Asian men are exploited on Chinese maritime vessels, working under conditions indicative of forced labor. Forced begging by adults and children occurs throughout China. Traffickers target persons with developmental disabilities and children whose parents have left them with relatives to migrate to the cities—estimated at more than 60 million—and subjected them to forced labor and forced begging.

State-sponsored forced labor continued to be an area of concern in China. In 2013, the National People's Congress ratified a decision to abolish "Re-education through labor" (RTL), a punitive system in which individuals were subjected to extra-judicial detention involving forced labor, 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 continues. Religious and political activists held in legal education facilities have previously reported forced labor occurring in pretrial detention and outside of penal sentences. Despite an official policy promulgated in 2016 limiting the maximum time women could be detained for prostitution offenses to 72 hours, officials continue to detain Chinese and foreign women on prostitution charges for months at a time without screening for sex trafficking. Officials detain foreign women fleeing abuse, to include sex and labor trafficking, experienced in relation to their forced or fraudulent marriages to Chinese men; many of these women remain in detention for months before authorities repatriate them—or in some cases return them to their abusive circumstances. Some of these women are held without due process in "custody and education" centers, where they were subjected to forced labor. In February 2017, local authorities in Xinjiang issued a notice that rural obligatory labor had been completely abolished throughout the province; however, amid tight government control over the flow of information out of Xinjiang, the extent to which this ban was implemented remained unclear. Although there were no confirmed reports of forced labor in Xinjiang during the reporting year, human rights organizations previously expressed concerns about forced labor under the "hashar" system of compulsory agricultural labor and under the auspices of the Xinjiang Production and Construction Corps—an economic and paramilitary organization with administrative control over several cities in the province. According to some reports, the Chinese government has also detained tens of thousands—and possibly hundreds of thousands—of Uighurs and sent them to special facilities for the purpose of "political reeducation." The families of these detainees may be at elevated risk of exploitation in their absence. The impact of formal discriminatory employment policies barring Uighurs from jobs in many sectors may also place them at higher risk of exploitation. Implementation of a law placing foreign NGOs in mainland China under MPS supervision continued to impose burdensome requirements and restrictions on the activities of civil society organizations—including those able to provide services for trafficking victims and communities vulnerable to the crime. International media and the ILO report children in some work-study programs supported by local governments and schools are forced to work in factories.

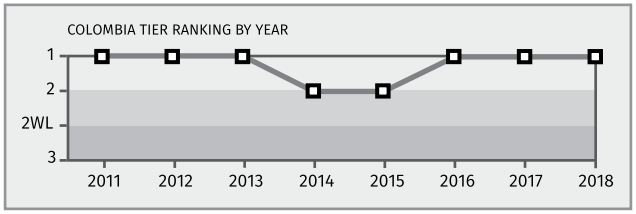
Chinese women and girls are subjected to sex trafficking within China. Traffickers typically recruit them from rural areas and take them to urban centers, using a combination of fraudulent job offers and coercion by imposing large travel fees, confiscating passports, confining victims, or physically 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. Illicit brokers increasingly facilitate the forced and fraudulent marriage of South Asian, Southeast Asian, and African women and girls to Chinese men for fees of up $30,000. The men—sometimes in partnership with their parents—often incur large debts to cover these fees, which they attempt to recover by subjecting the "brides" to forced labor or prostitution. Some Chinese men are reportedly circumventing this brokerage system by traveling to Southeast Asian capitals and entering into legal marriages with local women and girls, then returning to China and subjecting them to forced prostitution. There are also reports of Chinese men and their parents deceiving Southeast Asian women and girls into fraudulent marriages in China, then confining them in forced concubinism for the purpose of pregnancy.

Chinese men, women, and children are subjected to forced labor and sex trafficking in at least 57 other countries. Chinese men, women, and girls 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. Congolese men and boys experience conditions indicative of forced labor in Chinese-owned mining operations in the Democratic Republic of the Congo. 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. Chinese men reportedly engage in child sex tourism in Cambodia.

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 reintegrating more than 140 former child combatants, proactively identifying more trafficking victims, funding the implementation of its national anti-trafficking strategy, and piloting a new trafficking information system to collect statistical data across government agencies. Although the government meets the minimum standards, it did not adequately fund or coordinate services to victims and struggled to screen and provide services to potential victims among the influx of Venezuelan migrants.



RECOMMENDATIONS FOR COLOMBIA

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 efforts to screen and protect potential trafficking victims among incoming Venezuelan migrants, and provide them with adequate services; vigorously prosecute and convict trafficking crimes, including forced labor; improve access to long-term care for trafficking victims; vigorously investigate, prosecute, and convict members of illegal armed groups or organized crime groups involved in forced child recruitment or forced criminal activity; increase efforts to identify child victims exploited in sex trafficking, forced begging, and within informal sector activities, such as street vending; increase efforts to hold criminally accountable public officials complicit in trafficking; and improve data collection and disaggregation, such as by fully implementing the national trafficking information system.

PROSECUTION

The government maintained law enforcement efforts. Article 188 A of Law 985 of the penal code criminalized of sex and labor trafficking and prescribed punishments of 13 to 23 years imprisonment plus fines up to 1,500 times the monthly minimum salary. These penalties were sufficiently stringent, and with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government did not disaggregate statistics for trafficking and trafficking-related offenses, likely incorporating cases that were not trafficking. Authorities sometimes charged traffickers with lesser crimes, such as induction into prostitution or pimping. In 2017, the attorney general's office opened 164 cases (150 in 2016 and 135 in 2015), of which 73 cases yielded full investigations. Police arrested 30 suspects for trafficking or trafficking-related crimes (29 in 2016 and 40 in 2015). Authorities prosecuted 31 suspects for trafficking crimes (59 in 2016 and 31 in 2015) and convicted 21 of trafficking and trafficking-related crimes (25 in 2016 and 31 in 2015). The attorney general's office reported investigating 1,872 trafficking-related crimes tied to illegal armed groups in 2017. Although Colombian law prohibited forced child recruitment and forced criminal activity by illegal armed groups, such crimes are not considered to be human trafficking. In 2017, the attorney general's office investigated 428 cases of forcible use of children in the commission of criminal activities and 344 cases of forcible recruitment. Following 2016 allegations of a trafficking ring involving police cadets sold into prostitution, authorities convicted a retired colonel and a retired police major on charges of inciting prostitution during the reporting period.

Authorities collaborated with foreign governments and international organizations on anti-trafficking law enforcement operations. Often through partnerships with international organizations and foreign donors, the government provided training to more than 414 prosecutors, investigators, labor inspectors, family advocates, and other officials during the reporting period. In September 2017, the government hosted the third meeting of the Ibero-American Network of Prosecutors on Trafficking in Persons and Smuggling of Migrants in Cartagena to enhance regional cooperation investigating and prosecuting trafficking cases.

PROTECTION

The government increased protection efforts. The Ministry of Interior (MOI) reported authorities identified 96 trafficking victims (68 in 2016 and 67 in 2015). Of these, 69 were exploited in sex trafficking, 12 in forced labor, two in forced begging, and 13 were unknown. The Colombian Family Welfare Institute (ICBF) identified seven girls exploited in trafficking in 2017 (39 girls and seven boys in 2016). International organization and media sources reported the government struggled to identify and provide services to potential trafficking victims among Venezuelan migrants due to financial and personnel constraints. Authorities and an international organization identified at least 140 children who separated from illegal armed groups in 2017 (167 in 2016 and 229 in 2015); all received medical and psychological evaluations from an international organization and reintegration services from the ICBF.

Presidential decree 1069 of 2014, which clarified the implementation of Law 985, mandated the government to provide emergency trafficking victim assistance, which includes medical and psychological services, 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 days and could be extended for an additional three days as needed; medium-term assistance was provided for up to six months and could be extended for an additional three months. Of the 96 identified victims, the government provided 37 victims with emergency assistance and 59 with medium-term assistance in 2017 (compared to providing 63 with emergency assistance and 37 with medium-term assistance in 2016). The government provided repatriation assistance to 35 victims. Seven child victims identified by the ICBF received services. 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 and led a working group with the MOI to coordinate service provision 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. Following a 2016 constitutional court decision, victims were not required 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 regarding reporting standardization, identification of victims, and provision of rapid assistance. NGOs acknowledged improved coordination, but criticized delays in service delivery, lack of long-term victim assistance, lack of attention to vulnerable populations, and lack of systematic verification of quality of care. NGOs indicated the absence of formal procedures for engagement with civil society resulted in uncoordinated and limited engagement by the government. During the reporting period, Colombian consulates in Lima, Peru; Guayaquil, Ecuador; and Mexico City, Mexico assisted Colombian victims abroad.

In 2017, the government appropriated 2.3 billion pesos ($771,350) to assist internal trafficking victims through the MOI and ICFTP, and earmarked 222.8 million pesos ($74,720) to assist Colombian trafficking victims abroad, the same amounts as in 2016. Authorities lacked sufficient funding and personnel to provide specialized services to trafficking victims. Decree 1069 of 2014 makes local governments responsible for providing services beyond emergency care, but most had no funding dedicated to providing specialized services.

During the reporting period, the government assisted one trafficking victim and one witness 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 penalized for unlawful acts committed as a direct result of being subjected to trafficking. 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 did not report doing so during the reporting period. Trafficking victims were entitled to request restitution or file civil suits at any time under articles 102 and 103 of the criminal procedure code; however, there were no reported victims who received restitution. The department government of Guaviare allocated 215 million pesos ($72,100) for its restitution program in 2017.

PREVENTION

The government increased prevention efforts. The ICFTP conducted 45 technical advisory meetings with departmental, municipal, and district committees during the reporting period to improve coordination between the ICFTP and regional committees, review functions and responsibilities at various levels, and make recommendations for the preparation of territorial action plans. In 2017, the government appropriated almost 2.3 billion pesos ($771,350) to implement the 2016-2018 national anti-trafficking strategy. The absence of a national trafficking information system hindered monitoring and evaluation of efforts; however, the government piloted an information system with various agencies in 2017. Authorities maintained an interagency commission for the prevention of child recruitment by armed groups and child sexual exploitation. The ICBF, with the support of an international organization, met with 17 departmental authorities to develop and implement awareness and prevention activities. Colombia's 24-hour anti-trafficking hotline received 889 calls. Through the hotline, the government provided advice on job offers abroad, including corroborating the veracity and legality of employers. The government 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.

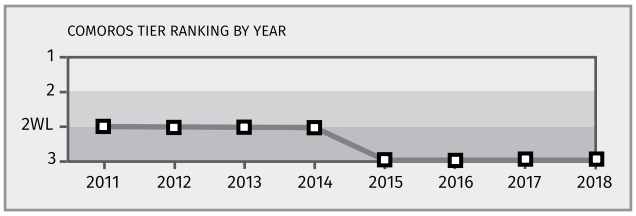
TRAFFICKING PROFILE

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 throughout Latin America, Asia, and Europe. Groups at high risk for trafficking include internally displaced persons, Afro-Colombians, Colombians with disabilities, indigenous persons, and Colombians living in areas where armed criminal groups are active. Sex trafficking of Colombian women and children occurs within the country and around the world. Colombian children are exploited in sex trafficking in areas with tourism and large extractive industries. 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, harvest illicit crops, and to exploit them in sex trafficking. Children and adolescents who separate from the ranks of illegal armed groups are vulnerable to trafficking. Venezuelan migrants, whose numbers rose during the reporting period (as of February 2018, the government estimated at least 600,000 Venezuelans were residing in Colombia), are particularly vulnerable to trafficking.

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 government took some steps to address trafficking by funding the salaries of new personnel at a listening center that provided assistance to victims and by adding a second emergency hotline to ensure crimes from all three islands could be reported. However, the government did not investigate, prosecute, or obtain convictions

for any sex trafficking or forced labor crimes, including those committed by complicit officials. Since 2014, it did not identify or refer any trafficking victims to protective services, and lacked formal procedures to do so. Authorities continued to lack an understanding of trafficking, and the government did not provide adequate resources or training to law enforcement officials, including the office charged with investigating child abuse and exploitation. The extensive use of mediation and financial settlements in lieu of investigation and prosecution of crimes resulted in the return of children to their alleged exploiters. The Anti-trafficking Task Force, which became operational in 2016, made no discernable efforts during the reporting period.



RECOMMENDATIONS FOR COMOROS

Significantly increase efforts to investigate, prosecute, and convict traffickers, including complicit officials; drastically improve the identification of victims and the provision of protective services to trafficking victims, including providing appropriate care to victims nationwide and developing formal procedures to do so; end the practice of returning trafficking victims to their exploiters through arbitration; enact comprehensive anti-trafficking legislation that criminalizes all forms of trafficking and prescribes penalties that are sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape; undertake efforts to engage French officials to prevent the trafficking of unaccompanied Comorian youth in Mayotte; expand anti-trafficking public awareness campaigns; increase effectiveness of the coordination committee to drive national anti-trafficking efforts; develop national level data collection on law enforcement efforts and trafficking victims; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government did not make anti-trafficking law enforcement efforts. Comorian law did not criminalize all forms of human trafficking. The labor code prohibited forced and bonded labor for adults, but did not prescribe penalties for these crimes, which was not sufficiently stringent. Article 323 of the penal code criminalized the facilitation of child sex trafficking and forced prostitution of adults and prescribed punishments of two to five years imprisonment and a fine between 150,000 and 2 million Comoros francs ($360 and $4,870), which were sufficiently stringent, however, the penalties prescribed for sex trafficking were not commensurate with those prescribed for other serious crimes, such as rape. The Law Countering Child Labor and Trafficking in Children (child labor law), effective January 2015, criminalized 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 prescribed sufficiently stringent penalties of five months to 10 years imprisonment and a fine of 100,000 to 5 million francs ($240 to $12,170). Article 8 in the child labor law criminalized child sexual exploitation and prescribed penalties of five to 10 years imprisonment and a fine of 1 million to 2 million francs ($2,430 to $4,870). Article 13 of the child labor law criminalized child trafficking and prescribed penalties of ten years imprisonment and a fine of 30 million francs ($72,990). The penalties for Articles 8 and 13 were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. There appeared 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. The government did not report investigating, prosecuting, or convicting any traffickers during either of the last two reporting periods despite reports that one listening center recorded many cases that may have amounted to trafficking.. The government has not reported investigating a trafficker since 2014 and has never reported convicting a trafficker. The government also did not report any investigations, prosecutions, or convictions of government employees allegedly complicit in human trafficking offenses. Corruption and official complicity at all levels of government, law enforcement, and the judiciary remained significant concerns, inhibiting law enforcement action during the year. 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. Some police reportedly returned sexually abused children to their exploiters. 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, among other things, for implementing the 2015 child labor law prohibiting child trafficking—did not receive training on the trafficking law and did not receive operational resources to conduct labor inspections of informal work sites, where children were 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 but provided financial support and office space to the listening centers, alongside support from an international organization; the listening centers, one located on each of the three islands, offers services to abused and neglected women and children. There were no government shelters for adults or child victims of abuse or human trafficking. The government continued to provide the salaries for the employees of the listening centers; in 2017, the number of employees on Grande Comore increased from two to six, while Anjouan maintained three employees and Moheli maintained one employee. The listening center on Grande Comore reported providing medical care for 133 women and children and provided 23 women and three children with psychological care; the listening center recorded these persons as victims of abuse, but because of inadequate trafficking training, some of these victims may have been trafficking victims. In the absence of adequate funding, listening center staff sometimes provided temporary shelter in their private homes; however, government officials often

returned children to their parents or guardians. 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, as there were no standard procedures or proactive screenings, victims may have remained unidentified in the law enforcement and immigration systems.

PREVENTION

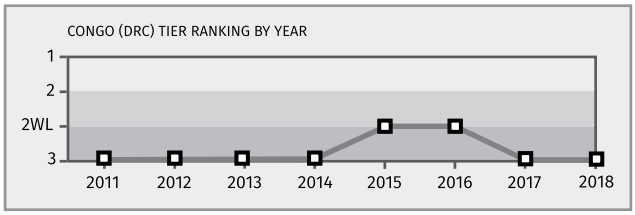
The government decreased efforts to prevent trafficking. The interagency Anti-trafficking Task Force, operationalized in 2016, was comprised of representatives of relevant government agencies, the listening centers, and international organizations; however, it made no discernable efforts during the year and did not adopt the draft national action plan it began drafting last reporting period. The government did not coordinate any public awareness campaigns during the reporting period. The government continued to fund toll-free emergency lines, adding a second line to increase accessibility in 2017. The emergency lines were used to report victims of child abuse and exploitation; however, the government did not report any further information on the use of these hotlines during the year. In 2016, the labor ministry signed an agreement with several labor recruitment agencies to facilitate review of the transnational recruitment processes and to monitor advertisements in an effort to identify recruitment activities that might endanger Comorians seeking overseas employment; however, no efforts were made to regulate labor recruitment agencies in 2017. In 2016, the Ministry of Health adopted a National Policy for the Protection of Children in Comoros, which included actions to combat child labor and child trafficking; however, no discernable actions have been taken since its adoption. The government did not make efforts to reduce demand for commercial sex acts. Comoros is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, Comoros is a transit country for women and children and a source country for children subjected to forced labor within the country. Comorian women and Malagasy women who transit Comoros may be subjected to forced labor in the Middle East. Unsubstantiated media reports alleged that children from Madagascar who travel to Comoros are exploited in prostitution with foreign men working on road construction projects. Comorian women and children are subjected to forced labor in Mayotte. 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. The estimated 3,000-4,000 unaccompanied Comorian children on Mayotte are especially vulnerable to domestic servitude and sex trafficking. 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 migrant smuggling.

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 DRC remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including repatriating several trafficking victims and coordinating with an international organization on centralizing data collection. The government also continued efforts to combat sexual exploitation and certify mines to prevent the use of forced and child labor. The government also continued to undertake measures to prevent and end the use of child soldiers, including separating child soldiers from armed groups, and occasionally provided modest protection services to these victims. However, the Congolese National Army (FARDC) executed unarmed children suspected of belonging to the Kamuina Nsapu armed group and supported and collaborated with various proxy militias that recruited and used children. Authorities continued to arrest and detain some victims, including child soldiers. The government did not establish a formal anti-trafficking inter-ministerial committee, adopt comprehensive legislation criminalizing all forms of trafficking, or adequately hold accountable complicit officials. 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

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; develop legislation to comprehensively address all forms of trafficking, consistent with international law; cease collaboration with armed groups recruiting and using children; 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 or suspected child soldiers, are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; create an inter-ministerial anti-trafficking committee and adopt an anti-trafficking national action plan; 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; provide training and develop procedures for front-line 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; and raise awareness about human trafficking among the general public.

PROSECUTION

The government maintained law enforcement efforts. Congolese law criminalized all forms of sex trafficking and some forms of labor trafficking. However, the lack of a comprehensive anti-trafficking 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. The government did not criminalize adult forced labor under Congolese law, although the Constitution prohibited involuntary servitude. The government also did not criminalize fraudulent labor recruitment under Congolese law. The 2006 Sexual Violence Law 06/018 criminalized sexual slavery and prescribed penalties ranging from five to 20 years imprisonment as well as a fine of 200,000 Congolese francs ($130). The 2006 law also criminalized child sex trafficking and forced prostitution of adults, and prescribed penalties ranging between 10 to 20 years imprisonment and three months to five years imprisonment, respectively. These penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Articles 182 and 183 of the 2009 Child Protection Law 09/001 also criminalized the prostitution of children and child sexual slavery and prescribed penalties of five to 20 years and 10 to 20 years with a fine between 8,000 and 1 million Congolese Francs ($5 and $630), respectively; these penalties were sufficiently stringent and commensurate with other serious crimes, such as rape. Article 187 criminalized child labor, including forced child labor, and prescribed penalties of one to three years imprisonment and fine between 100,000 and 200,000 Congolese francs ($63 to $130); these penalties were not sufficiently stringent. The enlistment of persons under 18 years old into the armed forces and the police carried penalties of 10 to 20 years imprisonment.

The government 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; however, in response to a regional initiative by the Southern African Development Community (SADC), the Ministry of Interior worked with immigration authorities and INTERPOL to standardize its data collection statistics with other SADC countries. The government reportedly prosecuted 547 cases of sexual violence in military court in 2017, this compares to 496 prosecutions in 2016; however, unlike in previous years, the government did not report if the cases involved sex trafficking, how many of all cases resulted in convictions, what penalties were applied, or the number of prosecutions and convictions in civil court. An NGO reported that during the reporting period the government initiated the investigation of seven cases for forced labor, two cases for forced prostitution, and four cases for both. An NGO also reported that in 2017 the government convicted two traffickers for forced prostitution and four traffickers for both forced labor and sex trafficking; in addition to fines, all convicted traffickers received penalties between 22 months and 15 years imprisonment. The government did not make adequate efforts to hold accountable complicit officials, and corruption remained a significant concern, inhibiting law enforcement during the reporting period. For example, the government had yet to initiate prosecution for former FARDC officials charged in 2014 and 2015 for suspected child soldier recruitment; the government was also complicit in harboring an escaped convict and member of an armed group that recruited child soldiers, and refused to return him to prison. 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 maintained protection efforts for trafficking victims. The government continued efforts to identify and refer child soldiers to international organizations for assistance. However, 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 scale of these problems was significant. As part of its national Disarmament, Demobilization, and Reintegration (DDR) Plan, the government continued to cooperate with an international organization and NGOs to identify and remove child soldiers from illegal armed groups operating in eastern DRC. The government worked with an international organization to identify and separate at least 2,360 children from armed groups in 2017, a significant increase from the prior year. Procedures were in place for referring the victims for specialized care, which most but not all of the children received. The government-funded the repatriation of seven Congolese trafficking victims from Kuwait and facilitated, but did not fund, the repatriation of 19 persons vulnerable to trafficking from Libya; however, the government did provide the victims from Libya with temporary shelter and food for one month. In the previous reporting period, the government of Uganda reported that eight Ugandan children were separated from the Allied Democratic Front armed group in the DRC; six of the children were repatriated by an international organization during this reporting period and two remained in host families in DRC.

The government did not have national standard operating procedures to systematically identify and refer all trafficking victims to appropriate care; however, some NGOs reported that during the reporting period police, the Ministry of Social Affairs, and the General Directorate of Migration (DGM) identified and referred an unknown number of potential trafficking victims to NGOs for care on an ad hoc basis. The government did not provide specialized services and care to trafficking victims as distinct from other vulnerable groups. The government reportedly offered housing for up to three months and family reunification for street children and children separated from armed groups, and that it provided support for socio-economic integration for victims of sexual violence, some of whom may have included trafficking victims. However, the government did not report providing any of these services to trafficking victims during the reporting period. The government relied heavily on NGOs to provide the vast majority of services to trafficking victims. Several NGOs 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.

Trafficking victims could file cases against their traffickers in civil courts, though few victims pursued this avenue due to a lack of trust in the judicial system. The government generally allowed for the safe repatriation of foreign child soldiers in

cooperation with an international organization. Despite these efforts, some trafficking victims, including child soldiers or suspected soldiers, continued to be subject to detention or punishment for unlawful acts committed as a direct result of being subjected to human trafficking. For example, in 2017, the FARDC and Congolese National Police arrested 302 children because of their alleged association with armed groups; officials released these children after periods ranging from one day to one year. However, some children remained in detention centers at the end of the reporting period. The FARDC executed unarmed children who were suspected of belonging to the Kamuina Nsapu armed group, and the FARDC supported and collaborated with proxy militias that recruited and used children.

PREVENTION

The government made uneven efforts to prevent trafficking. 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. The government remained without a national action plan to combat trafficking and a formal anti-trafficking inter-ministerial committee. However, for the first time, representatives from the Ministries of Justice, Interior, Gender, and the Diaspora as well as law enforcement and the judiciary, participated in three meetings of an unofficial anti-trafficking working group with local NGOs, lawyers, international organizations, and members of the diplomatic corps. The unofficial working group discussed strategies to establish an official inter-ministerial anti-trafficking committee and draft comprehensive anti-trafficking legislation.

In collaboration with an international organization, the government's Joint Technical Working Group (JTWG) for implementing the UN National Action Plan to end child recruitment—which comprised government ministries, NGOs, and international organizations—continued to implement a national action plan to end the recruitment and use of child soldiers and remove them from armed groups. The working group met monthly throughout the reporting period, and with collaboration from an international organization, developed a 2018 roadmap for ending child recruitment, helped train 1,240 law enforcement officials on the action plan to end child recruitment, held seven workshops on age verification, and established a new JTWG in the Kasai province. There were no confirmed cases of child soldier recruitment by the FARDC for the third consecutive year. In partnership with NGOs, the government screened more than 800 new FARDC recruits to verify their ages; through the screening process, the government prevented more than 85 children from joining the FARDC in 2017. However, there were multiple reports of the FARDC's broad collaboration with proxy militias that recruit and use children. There are currently no measures to address the termination of these proxy relationships within the national action plan to end the recruitment and use of child soldiers.

The government did not initiate anti-trafficking public awareness campaigns during the reporting period. The government continued the operation of a hotline to report crimes, but the government did not report whether it received any calls on trafficking. 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 2017, the government continued its efforts in cooperation with an international organization to validate and certify 419 artisanal mining sites in eastern DRC as conflict-free and child labor-free, a significant increase from 285 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. The government did not have effective policies regulating labor recruiters and did not hold fraudulent recruiters accountable—a trafficking crime affecting many Congolese. The government did not provide anti-trafficking training for FARDC troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, the DRC is a source and destination country for men, women, and children subjected to forced labor or sex trafficking, and a transit country for children subjected to forced labor. Worsening political and economic conditions throughout the country exacerbated already high levels of instability, insecurity, and political tension and rendered populations more vulnerable to trafficking. Some traffickers were individuals or family members who promised victims or victims' families educational or employment opportunities but instead forced trafficking victims to work as domestic servants, street vendors, gang members, or prostitutes; most trafficking is internal and involves forced labor in artisanal mining sites, agriculture, domestic servitude, forced prostitution, or child recruitment by armed groups. In February 2018, an international organization estimated that were more than 150 different armed groups in the DRC. In 2017, 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, traffickers would force some children to commit crimes for them, such as looting and extortion. In 2017, an international organization reported 1,031 confirmed cases of children who were forcibly recruited and used by armed groups, while at least 2,360 children were separated or escaped from armed groups, a significant increase from the prior year. 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, were stopped by government officials while reportedly transiting through the DRC to fight in armed groups in Burundi. Child soldiers 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.

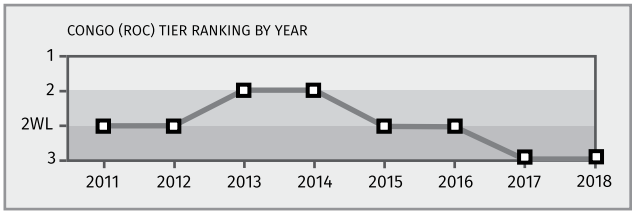
For a third consecutive year, there were no cases of child recruitment by the FARDC. However, there were multiple reports of the FARDC's collaboration with proxy militias that recruit and use children. For instance, an international organization reported ongoing collaboration between the FARDC and Mai 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 FARDC officials—which recruited and used at least 42 children in 2017. Local and international organizations, as well as media, reported ongoing collaboration between government officials, the FARDC, and the Bana Mura armed group in Kasai that abducted and used children as child soldiers, porters, and for sexual exploitation

in 2017. Reports alleged that government officials supplied the armed group with various weapons and ammunition and that the FARDC led and coordinated operations with the Bana Mura.

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. 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 remained on Tier 3. Despite the lack of significant efforts, the government investigated at least three suspected traffickers, prosecuted one suspected trafficker, and convicted one trafficker in absentia. However, the government did not fund or take any steps to implement the 2014-2017 national action plan, did not provide funding to the Trafficking in Persons Coordinating Committee in Pointe-Noire, and did not provide care to any victims or provide any support to NGOs that did. Cases remained pending prosecution for up to seven years and harassment by government officials, reportedly including police, of anti-trafficking activists continued during the reporting period. The lack of an inter-ministerial coordinating body and incomplete understanding of anti-trafficking laws among government officials continued to hinder countrywide efforts.



RECOMMENDATIONS FOR THE REPUBLIC OF THE CONGO

Significantly increase investigations, prosecutions, and convictions of traffickers, including allegedly complicit officials; drastically improve the provision of protective services to trafficking victims that provides appropriate care to victims nationwide and develop formal procedures to identify trafficking victims among child laborers, illegal immigrants, women and girls in prostitution, and indigenous persons; enact comprehensive anti-trafficking legislation that criminalizes all forms of trafficking and prescribes penalties that are sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape; while respecting due process, expedite hearings to address the trafficking case backlog or consider prosecuting trafficking cases in the low court in the interim; fund the Trafficking in Persons Coordinating Committee, the national action plan, and protective services such as the foster care system; extend anti-trafficking efforts beyond Pointe-Noire and Brazzaville; significantly increase anti-trafficking training for all law enforcement, prosecutors, and judges; provide adequate security and supervision for victims placed in foster families and with anti-trafficking activists and partners; establish a national inter-ministerial 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 the Democratic Republic of the Congo (DRC); and accede to the UN Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol.

PROSECUTION

The government maintained inadequate anti-trafficking law enforcement efforts. The country's laws criminalized some forms of sex and labor trafficking. Article 60 of the 2010 Child Protection Code criminalized child trafficking, including sex trafficking and forced labor, for which article 115 prescribed penalties of hard labor for an undefined period of time and a fine between 1 million to 10 million Central African CFA francs (CFA) ($1,760 to $17,610). Article 68 of the Child Protection Code also criminalized forced child labor and debt bondage, for which article 122 prescribed penalties between three months and one-year imprisonment or fines of 50,000 to 500,000 CFA ($88 to $880). Article 4 of the country's labor code prohibited forced or compulsory labor, but there were no penalties defined in the law. None of these penalties were sufficiently stringent, and the penalties prescribed for sex trafficking were not commensurate with those prescribed for other serious crimes, such as rape. Article 131 of the penal code criminalized forced prostitution and carried penalties between two and five years imprisonment and fines between 1 million and 10 million CFA ($1,760 to $17,610). The penalties for forced prostitution were sufficiently stringent, but with regard to sex trafficking, were not commensurate with those prescribed for other serious crimes, such as rape. Congolese law did not criminalize all forms of trafficking of adults, including 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 pending for the fifth consecutive year.

The government initiated the investigation of at least three traffickers in 2017, a decrease compared to investigating five traffickers the prior year. An NGO reported conducting

investigations into 21 potential cases during the reporting year and, of these, working with victims to reach out-of-court settlements in 18 cases and turning over the remaining three to local authorities for further investigation. The government reported prosecuting and convicting one trafficker in 2017, a decrease from five prosecutions but an increase from zero convictions in 2016. The Criminal Court in Pointe-Noire convicted and sentenced one Beninese trafficker under the Child Protection Code, in absentia, to 30 years imprisonment—the government's first conviction of a trafficker. The Beninese trafficker was found guilty of falsifying documents to facilitate taking children from Benin to the Republic of the Congo for domestic servitude; however, at the time of the trial, the trafficker had already fled the country while on bail and will consequently avoid punishment. The government did not coordinate with the Government of Benin on the extradition of the convicted trafficker or in investigations of any additional cases, despite most of the trafficking victims originating in Benin; both governments were partners in a 2011 bilateral agreement, which has never been utilized. Additionally, an NGO continued to allege that a powerful trafficking network fraudulently recruited young children from destitute communities in Benin with the promise of economic opportunities and education in the Republic of the Congo only to face domestic servitude and forced labor in market vending upon arrival. Many cases continued to languish, some without progress for up to seven years, partly because of a significant backlog in the high court.

The government reported one investigation of a government official allegedly complicit in human trafficking offenses; however, it did not report efforts to prosecute or convict allegedly complicit officials despite ongoing and significant concerns of corruption and complicity during the year. The government reported investigating an official at the Ministry of Social Affairs, responsible for anti-trafficking matters, who was allegedly complicit in child trafficking for the purpose of domestic servitude. In addition, an NGO reported alleged official complicity of a non-Congolese foreign government official with diplomatic immunity, who was purportedly involved in facilitating the flight of a trafficker by bribing a Congolese official and falsifying documents to facilitate child trafficking. However, the government did not investigate this allegation. The government reportedly continued to include anti-trafficking training in the standard academy training for new police and immigration officers; however, there was some concern over the quality of the content and whether instructors always covered the entire curriculum. The government did not provide any other 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 anti-trafficking law enforcement efforts. Human trafficking activists reportedly continued to face harassment and threats, including from officials, which inhibited their work and progress in providing justice and assistance for trafficking victims.

PROTECTION

The government decreased protection efforts. The government continued to focus the majority of its efforts on West African children in forced labor in Pointe-Noire and did not report efforts to identify or assist Congolese victims or foreign victims exploited in other cities or other forms of trafficking during the reporting period. 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, the government did not identify any trafficking victims. An NGO identified 15 victims, compared to the 16 it identified in the previous reporting period. Of these 15 identified victims, there were 11 children and four adults, eight females and seven males, at least eight were Beninese and two were Congolese, and all were victims of forced labor with one victim also exploited in sex trafficking. Once identified by the NGO, law enforcement would generally assist in removing the victim from the exploitative situation, dependent on funding for the operation from the NGO.

The Trafficking in Persons Coordinating Committee in Pointe-Noire, which aids in assigning identified West African 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, and has not since 2014. The government did not provide care to any victims, 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 in Pointe-Noire, 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. The government did not facilitate or fund the repatriation of any trafficking victims, a decrease from 13 repatriations it facilitated in 2016.

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. While most victims choose to settle cases outside of court, officials encouraged victims to assist in the prosecution of their traffickers, but did not expect child victims to testify in court. Congolese law did not provide legal alternatives to the removal of victims to countries where they would face retribution or hardship; while the government reported it did not deport foreign victims, it did not report issuing temporary or permanent residency status to victims on an ad hoc basis during the reporting period.

PREVENTION

The government made negligible efforts to prevent trafficking. The Trafficking in Persons Coordinating Committee in Pointe-Noire, which solely focuses on West African child trafficking victims in Pointe-Noire, did not meet to coordinate anti-trafficking efforts during the reporting period, but did hold a few internal meetings on how to revitalize the committee. The government did not establish an inter-ministerial coordinating body to guide national anti-trafficking efforts. The government did not conduct any awareness-raising campaigns during the reporting period. The government did not fund the implementation of the 2014-2017 action plan or the efforts of the Coordinating Committee. The government did not operate a hotline within the country that trafficking victims could use. The government did not have effective laws or policies regulating labor recruiters nor did they prosecute any for fraudulent recruitment. The government did not take discernible measures to reduce demand for commercial sex acts, forced labor, or child sex tourism. 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; however, amidst several complaints, Congolese peacekeepers were relieved of duty in 2017.

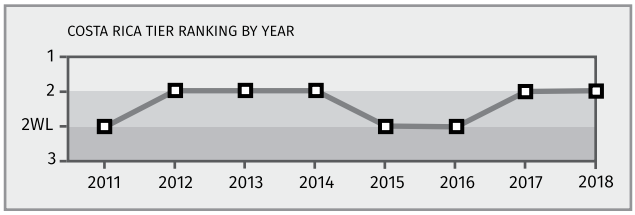
TRAFFICKING PROFILE

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 servitude and market vending. Women and girls from Benin, ages 7 to 19, constituted the majority of identified trafficking victims in the previous reporting period, 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 remained on Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more traffickers; addressing complicity by arresting a police officer for allegedly assisting a criminal trafficking network; identifying more trafficking victims than in the previous year; and approving a new protocol to improve identification of child trafficking victims. However, the government did not meet the minimum standards in several key areas. Distribution of government-funded resources to address trafficking remained insufficient, particularly in the area of victim protection and assistance, which remained uneven for male victims. Civil society organizations reported referral mechanisms were not always implemented in an effective or timely manner. Authorities did not convict any officials complicit in human trafficking or trafficking-related offenses.



RECOMMENDATIONS FOR COSTA RICA

Increase distribution of funds for victim services and provide specialized shelter and services for trafficking victims, including men and LGBTI persons, in partnership with civil society organizations; intensify efforts to investigate and prosecute trafficking offenses, particularly labor trafficking cases, and convict and punish traffickers; increase victim identification and referral, particularly in cases occurring outside of the capital; 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 increased law enforcement efforts. The Law against Trafficking and the 2013 Creation of the National Coalition against the Smuggling of Migrants and Trafficking in Persons did not criminalize all forms of sex and labor trafficking because it required movement to constitute a trafficking offense. It specifically criminalized the acts of promoting, facilitating, or assisting in the entrance into or exit from the country, or the displacement within the country of persons for prostitution, sexual or labor exploitation or servitude, slavery or practices similar to slavery, forced labor or services, forced marriage, forced begging, illegal extraction of organs, or illegal adoption as the crime of trafficking. Inconsistent with international law, the law established the use of force, fraud, or coercion as aggravating factors, rather than essential elements, of the crime. The law defined trafficking broadly to include illegal adoption without the purpose of exploitation and labor exploitation. Article 172 criminalized sex trafficking and prescribed penalties of four to 20 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes. In addition to article 172, officials used trafficking-related offenses to prosecute trafficking cases, including aggravated pimping (article 170) and coerced pimping (article 171). These articles prescribed penalties ranging from two to 10 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes, such as rape. Article 189 criminalized forced labor or services and prescribed penalties of four to eight years imprisonment; these penalties were sufficiently stringent. On May 8, 2018, the government adopted amendments to articles 172 and 189, which aligned the law's definition of trafficking more closely with international law by removing the requirement of movement and establishing force, fraud, or coercion as essential elements of the crime except in the case of child sex trafficking where these means are not required.

The Attorney General's Office reported investigating 62 cases of movement-based trafficking (article 172), coerced pimping (article 171), aggravated pimping (article 170), and forced labor or services (article 189), compared to 27 new cases in 2016.

The government initiated 41 new prosecutions and convicted five traffickers under articles 172 and 189 to sentences ranging from five to 23 years imprisonment, compared to 39 new prosecutions and one conviction under article 172 in 2016. Notable cases included aggravated and coerced pimping in bars, forced labor as domestic servants, and transnational sex trafficking operations where traffickers recruited victims with false promises of employment in modeling agencies and restaurants and exploited them in commercial sex. Observers noted improvements in coordination between the Attorney General and judicial investigatory police, but a significant backlog of criminal cases, including trafficking cases, slowed prosecutions. Costa Rica's judiciary began developing a "Strategic Plan for the Prosecution of Trafficking in Persons" to address its deficiencies and advanced key elements of the plan during a workshop in March 2018. The government provided anti-trafficking training to law enforcement, the judicial sector, child welfare officials, educational professionals, and civil society members. The government reported the former mayor indicted for establishing a trafficking network in 2011 still awaited trial. Authorities arrested a police officer for allegedly assisting a criminal trafficking network operating out of a bar during the reporting period; the officer remained in custody pending trial. The government did not convict any officials complicit in human trafficking or trafficking-related offenses.

PROTECTION

The government maintained victim protection efforts. The government identified 34 trafficking victims (24 sex trafficking, nine forced labor, one both sex trafficking and forced labor) under the trafficking law, compared to 17 trafficking victims in 2016 (12 sex trafficking and five forced labor) and three sex trafficking victims in 2015. The government provided shelter and health, legal, and psychological services to 38 potential victims or their dependents during the reporting period, including 20 women, four men, 11 girls, and three boys. Potential victims and their dependents received immediate services, and all 38 were "accredited" 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. In 2017, the government approved the "Institutional Protocol for the Care of Minors and Survivors of Trafficking in Persons," which established the steps officials must take when detecting a crime, especially a possible case of trafficking.

CONATT coordinated assistance to trafficking victims, including emergency, short-term, and long-term assistance, which could include food, lodging, and health, financial, legal, and psychological services. The government assisted minor victims through a dedicated network of shelters for minors and two government-funded NGOs. 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, and recommended the government provide transportation for victims to institutions providing assistance. The government, through the National Anti-Trafficking in Persons and Smuggling of Migrants Fund (FONATT), disbursed 132 million colones ($234,000) to fund trafficking victim services in 2017, compared to 122 million colones ($216,310) in 2016. The child welfare agency provided direct funding and a per-victim subsidy for identified victims to an NGO-run shelter for child victims. The government also directed 97.4 million colones ($172,700) in lottery funds to an NGO providing services to trafficking victims, compared to 91 million colones ($161,350) in 2016. The government did not provide dedicated shelters or specialized services to male victims, although the emergency shelter and safe houses could be used for male or female victims. Observers reported that, despite dedicated government resources to anti-trafficking efforts, including victim services, the failure to fully distribute all of these resources hindered the country's ability to address its trafficking problem. Costa Rican law permitted 17 victims to provide testimony outside of court proceedings in 2017 to avoid re-traumatizing the victims. The government granted temporary residency status, with permission to work or study, to two foreign victims in 2017. The government worked with one foreign government to repatriate one Costa Rican trafficking victim in 2017. 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. CONATT met periodically to review progress in the areas of research, protection, prevention, and prosecution; presented a public report on its accomplishments every four months; and funded an international organization to develop a new national action plan for 2018-2022. In 2017, the government allocated 1.6 billion colones ($2.8 million) and disbursed 1.03 billion colones ($1.8 million) to fund 11 anti-trafficking programs, including prevention campaigns, a community security program, purchase of vehicles, and training and technical support for government agencies. Authorities financed the UN Blue Heart national public awareness campaign through advertisements on billboards, buses, and in tourist facilities; 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 Judiciary Police operated the 9-1-1 hotline available for general crime reporting, but did not report receiving trafficking calls. 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 childcare 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. The government raised awareness of child sex tourism and integrated the international code of conduct related to commercial sexual exploitation in the travel and tourism industry into its national tourism program. The government continued to investigate and prosecute individuals that paid child trafficking victims for commercial sex, resulting in 62 investigations and three convictions compared with 35 investigations and at least one conviction in 2016. Working in collaboration with international partners, the government reported denying entry to all 57 foreign-registered sex offenders who attempted to travel to Costa Rica as tourists in 2017.

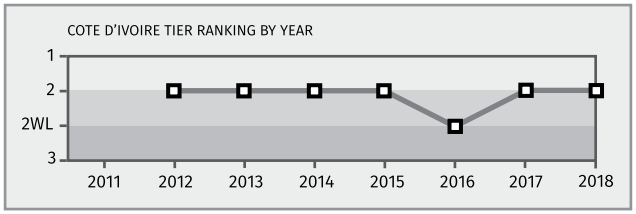
TRAFFICKING PROFILE

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 remained vulnerable to trafficking. LGBTI persons, particularly transgender Costa Ricans, are vulnerable to sex trafficking. Women and girls from Nicaragua, the Dominican Republic, and other Latin American countries have been identified in Costa Rica as victims of sex trafficking and domestic servitude. Child sex tourism is a serious problem, with child sex tourists arriving mostly from the United States and Europe. Men and children from other Central American countries are subjected to forced labor in Costa Rica, particularly in the agriculture and domestic service 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 remained on Tier 2. The government demonstrated increasing efforts by convicting more traffickers, including its first convictions under the 2016 anti-trafficking law; reporting data from significantly more departments; providing emergency shelter and services to 16 trafficking victims; establishing an anti-trafficking committee headed by the prime minister; and assisting potential trafficking victims returned from Libya. However, the government did not meet the minimum standards in several key areas. It did not have formal mechanisms to identify adult trafficking victims or refer trafficking victims to care; convene its anti-trafficking committee; or provide sufficient funding or resources for law enforcement or NGOs, the latter of which it relied on for the majority of victim assistance.



RECOMMENDATIONS FOR COTE D'IVOIRE

Increase funding and resources for the police anti-trafficking units to investigate trafficking cases nationwide and delineate responsibilities between the units; vigorously investigate, prosecute, and convict traffickers and apply sufficiently stringent penalties; train law enforcement and judicial officials how to identify, investigate, and prosecute trafficking cases under the 2016 anti-trafficking law, including the difference between pimping and sex trafficking; convene the anti-trafficking committee, clearly delineate responsibilities for activities in the 2016-2020 action plan, and fund its implementation; revise the existing procedures used to identify potential trafficking victims to include adults and victims among vulnerable populations, and incorporate the changes into existing trainings; establish and train officials on a standardized victim referral mechanism for use across ministries to ensure all trafficking victims receive services; increase funding for NGOs to expand shelter and services for trafficking victims, and establish victim shelters as indicated in the national action plan; direct labor inspectors to inspect the informal sector for forced labor; actively monitor agencies and middlemen that recruit Ivoirians for work abroad and investigate allegations of fraudulent recruitment; and improve data collection on anti-trafficking efforts.

PROSECUTION

The government increased law enforcement efforts. Law No. 2016-111 on the Fight Against Trafficking in Persons criminalized labor and sex trafficking and prescribed penalties of five to 10 years imprisonment and a fine for adult trafficking and 20 to 30 years imprisonment and a fine for child trafficking. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, judges also used the 2010 child labor and child trafficking law and the criminal code to convict traffickers. The 2010 law remained the primary law used to prosecute child trafficking, and it criminalized child sex trafficking with penalties of five to 20 years imprisonment and a fine and child labor trafficking with 10 to 20 years imprisonment and a fine. Articles 335 and 336 of the Ivoirian Criminal Code criminalized the pimping and exploitation of adults and children for the purpose of forced prostitution with 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 or report comprehensive data on anti-trafficking law enforcement efforts. However, several government entities collected data, including the police's anti-trafficking unit (ATU); Brigade Mondaine—the police unit charged with investigating prostitution and sex trafficking; the police's transnational organized crime unit (UCT); the Ministry of Women, Child Protection and Social Affairs (MWCPSA); and the Ministry of Justice and Human Rights (MOJ). With data from Abidjan and 33 departments—a significant increase from the previous reporting period, when Abidjan and eight departments reported data—the government reported 59 case investigations, prosecuting 27 suspects, and convicting 20 traffickers. This is an increase from 35 case investigations, 19 prosecutions, and eight convictions in the previous reporting period. Entities reported 32 sex trafficking investigations and 12 for labor trafficking, and did not report the types of trafficking for the remaining investigations; alleged traffickers included suspects from Cote d'Ivoire, Benin, Burkina Faso, China, Ghana, Nigeria, and Togo. Judges convicted traffickers under the 2016 and 2010 laws and the criminal code for trafficking, pimping, solicitation, exploitation of minors, and the worst forms of child labor; in several cases, judges convicted traffickers for two of those crimes. Sentences ranged from two months to 11 years imprisonment, and more than half of the convicted traffickers received at least five years imprisonment. Judges acquitted seven alleged traffickers, and at least 14 investigations remained ongoing at the end of the reporting period. The government did not report any cases of adult forced labor.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, official corruption and complicity in trafficking remained concerns. During the reporting period, a government official reportedly asked police to release a central suspect in one alleged trafficking case; in another potential trafficking case, NGOs alleged a government official was involved. Law enforcement did not investigate either

government official for trafficking-related corruption or complicity. Authorities outside Abidjan lacked training to identify and investigate trafficking. Some judges remained unaware of the 2016 law and continued to use the 2010 law and pimping statues to prosecute trafficking cases, which carried lesser penalties. Nonetheless, the government did not provide any training for officials.

Limited funding and resources for law enforcement created serious gaps in the government's ability to address human trafficking. ATU bore primary responsibility for enforcing anti-trafficking laws and investigating cases throughout the country, although it only had staff in Abidjan. The *gendarmes* under the Ministry of Defense were responsible for investigations in rural areas where ATU was not present. ATU had a budget of approximately $4,592 in 2017, the same as in 2016. Funding levels remained severely inadequate. Resource limitations also constrained the Brigade Mondaine to Abidjan and a few regional precincts, rendering the two primary anti-trafficking units unable to cover the majority of the country. UCT became fully functional during the reporting period and had national jurisdiction over transnational organized crime, including a specialized human trafficking department. The government allocated 71.6 million West African CFA francs (FCFA) ($127,330) to UCT in 2017, although it was unclear how much of that funding the human trafficking department received. ATU had the mandate for child trafficking, UCT was responsible for transnational trafficking, and Brigade Mondaine covered sex trafficking; however, the units lacked coordination, and no unit had a clear responsibility for internal adult labor trafficking.

PROTECTION

The government increased efforts to identify and protect victims. The government identified 57 trafficking victims and 167 victims of child labor or child trafficking during the reporting period, compared with 106 trafficking victims and 62 potential trafficking victims in the previous reporting period. Victims included child labor trafficking victims and at least 16 Chinese and Nigerian female sex trafficking victims. The government did not have formal mechanisms to identify adult trafficking victims or refer trafficking victims to care, and government ministries lacked coordination, which in some cases hindered the provision of services. Operational procedures encouraged officials to refer trafficking victims to one of 90 government-run social centers for psychological care and then to NGOs for shelter and further services. When necessary, the government used orphanages or its 36 special education centers to shelter women and child trafficking victims. The government referred all 57 trafficking victims to NGOs or government shelters for care. The government used funds from the National Solidarity Fund to provide short-term shelter and repatriation for at least 16 of the victims—the first time it used this fund to assist trafficking victims—and provided in-kind support including clothing, food, and hygiene kits to NGOs where it referred the 41 other victims. This is compared to the government providing 30 million FCFA ($53,350) to NGOs that assisted trafficking victims in 2016. Foreign and domestic victims reportedly had the same access to care. NGOs reported that despite the provision of in-kind support, government support for victim protection and services remained inadequate, and in many cases NGOs funded and provided the majority of victim care. The lack of services, especially for adults, and lack of reintegration assistance remained inadequate and rendered many victims vulnerable to re-victimization. With donor funding, the government provided 100,000 FCFA ($178) and hygiene and food kits to approximately 1,160 migrants returned from Libya, some of whom were trafficking victims. Government social services continued to provide income-generating assistance to the families of 41 child labor and trafficking victims identified in previous reporting periods.

Ivoirian law required the government to provide protection and assistance to victims who participated in investigations or trials against their traffickers; the government did not report whether any victims received this assistance during the reporting period. There was no mechanism for victims to obtain restitution or file civil suits against their traffickers. While victims could obtain damages from traffickers, many victims were not aware of the provision, and none reported doing so during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking; however, due to the lack of formal identification procedures for adult trafficking victims and victims among vulnerable populations, some may have remained unidentified within the law enforcement system.

PREVENTION

The government maintained inadequate efforts to prevent trafficking. In April 2017, the government created the anti-trafficking committee, as mandated in the 2016 anti-trafficking law. The committee, under the direction of the prime minister, had the lead for anti-trafficking prevention efforts, including implementation of the 2016-2020 anti-trafficking national action plan; however, the prime minister did not convene the committee during the reporting period. As a result, poor communication and coordination among ministries continued to hinder progress, and implementing agencies did not have a clear understanding of their role in combating trafficking. For the second consecutive year, the government did not take concrete steps to implement its action plan and did not report if it had disbursed any of the 1.94 billion FCFA ($3.4 million) that it had committed to the plan in the previous year. The National Monitoring Committee and the Inter-Ministerial Committee continued to coordinate child labor and child trafficking efforts. The government allocated 62 million FCFA ($110,260) for implementation of the 2015-2017 child labor and child trafficking national action plan, the same as in 2016, and allocated 164 million FCFA ($291,640) to the child labor monitoring system to analyze trends in child labor and coordinate services for children in or at risk of child labor. The government adopted regulations outlining the types of light work and hours children aged 13-16 could work, which could reduce their vulnerability to trafficking. Several government ministries organized awareness-raising campaigns on the new child labor regulations and the 2016 anti-trafficking law. The labor code regulated labor recruitment and labor migration in the formal sector but did not extend to the informal sector, including domestic work, and traffickers exploited Ivoirian women in domestic servitude internally and abroad. In addition, labor inspectors did not conduct any inspections of the informal sector—where most children worked—in 2017. The government continued to run several hotlines for vulnerable people, including trafficking victims; it was unclear if they received any trafficking reports during the reporting period. The government did not demonstrate efforts to reduce the demand for commercial sex acts but made some efforts to reduce the demand for child labor and forced labor in the cocoa sector. It was unclear if training provided to Ivoirian troops prior to their deployment abroad as part of international peacekeeping missions included an anti-trafficking component.

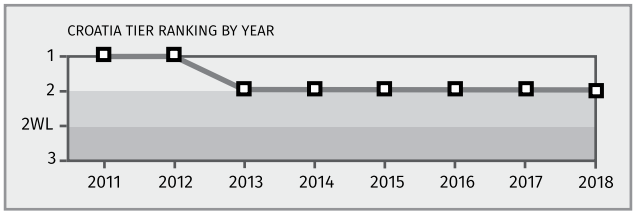
TRAFFICKING PROFILE

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, and a source for men in forced labor. 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 and exploited in sex trafficking. Ivoirian boys are victims of forced labor in the agricultural and service industries, especially cocoa production. West African boys, including Burkinabes, may be forced into labor in agriculture (on cocoa, coffee, pineapple, cashew, 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 consisting of both Ivoirians and foreigners and, in cases of transnational trafficking, use social media, making networks difficult for law enforcement to detect. Authorities estimate there are more than 2,000 Ivoirian, Burkinabe, Malian, Nigerien, and Senegalese *talibes* (students in Quranic schools) in northern and central Cote d'Ivoire and that corrupt teachers force many of them to beg. NGOs and officials report drug traffickers use children—some of whom may be forced—to sell and traffic drugs in restaurants and nightclubs. Some Beninese and Togolese workers migrate to Cote d'Ivoire for construction and carpentry work and bring children, whom they exploit in domestic servitude. Traffickers—commonly distant relatives—bring girls from eastern Cote d'Ivoire and other West African countries to Abidjan ostensibly to go to school or receive professional training but subject them to domestic servitude. Ghanaian and Nigerian traffickers recruit women and girls from Ghana and Nigeria for waitressing jobs but subject them to sex trafficking in restaurants or massage parlors; some victims believe they are transiting Cote d'Ivoire en route to Europe. 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. Nigerian traffickers bring Nigerian children to northern Cote d'Ivoire for domestic servitude. Nigerians transit Cote d'Ivoire en route to sex trafficking in Asia, the United Arab Emirates, and North Africa. Chinese traffickers forced Chinese women into prostitution in Cote d'Ivoire during the reporting period.

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. Traffickers exploit men and boys in forced labor on farms in Tunisia, often promising the men well-paying jobs and the boys the opportunity to play soccer. During the reporting period, officials identified an uptick in Ivoirian migrants in Libya and Tunisia who were vulnerable to trafficking. Migrants commonly depart from Daloa and proceed via airplane to Tunisia; over land via Mali and Algeria to Libya; or, to a lesser extent, via Niger to Libya. In Tunisia—specifically Sfax and Grand Tunis—intermediaries confiscate migrants' identity documents until they can pay for the next leg of their journey, creating vulnerabilities to trafficking. Due to their irregular status, illegal Ivoirian migrants in Algeria are vulnerable to trafficking. Authorities identified Ivoirian female trafficking victims in Iraq and Israel during the reporting period and have previously identified Ivoirian trafficking victims in Cyprus, France, and Morocco.

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 conducted proactive investigations, including of the largest trafficking case reported with 59 potential victims and adopted two protocols strengthening victim protection. The government implemented an electronic case management system and provided robust support services for trafficking victims. However, the government did not meet the minimum standards in several key areas. Judges continued to issue light sentences and often dismissed victim testimony as unreliable due to a lack of understanding of trafficking. Observers reported the need to increase proactive identification efforts, including towards asylum-seekers and seasonal workers, and a national action plan remained in development.



RECOMMENDATIONS FOR CROATIA

Vigorously investigate, prosecute, and convict traffickers, and impose strong sentences; allocate sufficient resources for first responders, particularly social workers, labor inspectors, and civil society to conduct proactive identification efforts; train judges at all levels of the judiciary to understand the severity of trafficking when issuing sentences, and sensitize judges to the issue of secondary trauma in sex trafficking testimony; implement efforts to address the vulnerability of children placed in child care institutions; allocate adequate resources and staff for the Office for Human Rights and Rights of National Minorities to enable it to more effectively combat trafficking; consistently allocate sufficient resources for regional mobile teams and NGOs participating in the regional mobile teams; increase efforts to identify victims among vulnerable populations, including street children, seasonal workers, migrants, refugees, asylum-seekers, and Roma; and finalize and adopt a national action plan.

PROSECUTION

The government maintained law enforcement efforts. Article 106 of the criminal code criminalized sex and labor trafficking and prescribed penalties of one to 15 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government investigated nine cases involving 17 suspects (seven cases involving 11 suspects in 2016). The government prosecuted 12 defendants in 2017 (11 in 2016). Courts convicted four traffickers (five in 2016) with sentences ranging between two years and eight months and four years and six months. The Supreme Court separately convicted three perpetrators with final verdicts (two in 2016). Lower courts originally convicted the traffickers under article 106 but the Supreme Court later held that the charges were more properly child pandering (article 162) and sexual exploitation of a child under 15 (article 168); two

of the three defendants received sentences lower than the prescribed three-year minimum for trafficking of children. The three perpetrators were sentenced to community service without incarceration, two years imprisonment, and three years and ten months imprisonment, respectively. The government reported improved procedures, including a new electronic case management system, for internally sharing information about trafficking cases.

Law enforcement personnel under the jurisdiction of the Ministry of Interior (MOI) conducted proactive investigations on commercial sex establishments, particularly during the tourist seasons, and joint investigations with the labor inspectorate in the construction and agriculture sectors. Law enforcement conducted spot checks of suspicious vehicles for signs of trafficking. The government trained 244 border and traffic police on trafficking issues, including developmental considerations in working with victims of child trafficking. The government maintained law enforcement cooperation with foreign governments, EUROPOL, INTERPOL, and the Southeast Law Enforcement Center, but did not specify the nature of that international cooperation. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government increased victim protection efforts. The government identified 29 victims (30 in 2016). Of these, three were victims of forced labor, eight of sex trafficking, seven of forced criminality, and 11 of multiple types of exploitation (13 forced labor victims, 16 sex trafficking victims, and one victim of both in 2016); seven were girls and seven were boys (eight girls and three boys in 2016); six women and nine men (13 women and six men in 2016); and 10 were foreign victims (eight in 2016). In January 2018, police identified 59 victims from Taiwan, six from Croatia, and one from Bosnia and Herzegovina subjected to forced labor and forced criminality in an illegal call center; the government reported the case remained ongoing. A multi-disciplinary national referral mechanism provided standard operating procedures for identifying and referring victims to services. According to the national referral mechanism, first responders carried out the preliminary identification of potential victims and contacted one of four regional mobile teams consisting of social workers and NGO representatives that traveled to assess the potential victims in person and coordinated victim care and placement. MOI officially recognized victims based on collaboration with first responders and the regional mobile team and specialized police officers responsible for child protection were called in to work with potential child victims. NGOs involved in mobile teams reported two years of training were required to join the mobile team and stated they needed more funding to train staff in a shorter amount of time. The government adopted a protocol that further defined roles and responsibilities for victim identification. Observers reported the need to increase proactive identification efforts, including towards asylum-seekers and seasonal workers.

The government and NGOs provided victims protection and assistance, including shelter, medical assistance, legal assistance, psycho-social support, rehabilitation, and reintegration services. The government-funded two NGO-run shelters, one for adults and one providing specialized support for children; these shelters accommodated one child and seven adults (one child and three adults in 2016). The Ministry of Demography, Family, Youth and Social Policy (MDFYSP) accommodated an additional 14 child victims, nine in foster homes and five in group homes. The government reported plans to move toward implementation of foster care and away from using state child care institutions to mitigate traffickers targeting children from state orphanages. MDFYSP allocated approximately 360,000 kunas ($57,785) to support the NGO-run shelters and an additional 63,000 kunas ($10,110) for monthly living allowances for victims, compared to approximately 400,000 kunas ($64,210) in 2016. Additionally, the Office for Human Rights and Rights of National Minorities (OHRRNM) allocated 20,000 kunas ($3,210) for direct assistance to victims.

Foreign victims had access to the same services as domestic victims and were entitled to receive a renewable residence permit for a year; however, no foreign victims requested temporary residence status in 2017 (one in 2016). The government adopted a protocol that outlined procedures for the voluntary repatriation of victims. The Office of the Chief State Prosecutor maintained written instructions on non-penalization of victims and seven Victim and Witness Support Offices at county courts provided assistance during criminal proceedings, including the ability to testify via video link, the ability to enter into the witness protection program, referrals to specialized institutions, logistical assistance, and measures to prevent re-traumatization. No victims entered witness protection in 2017. OHRRNM created a roster of pro bono legal counsel available for victims, but observers reported a shortage of lawyers trained to represent trafficking victims. The government trained police officers on victim-centered investigations; however, experts reported that some judges lacked sensitivity and 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 the number of victims that cooperated with investigations in 2016 or 2017. The government reported no trafficking victims filed for compensation but all victims were informed of their right to compensation.

PREVENTION

The government maintained prevention efforts. The government continued to delay the adoption of a national action plan. OHRRNM served as the secretariat for the senior-level national coordinating committee; the national committee held a session in December 2017, compared to no sessions in 2016. The committee's working-level operational team held monthly meetings; the labor inspectorate was included in the national committee and the operational team. OHRRNM reported insufficient resources and staff. OHRRNM allocated 197,000 kunas ($31,620) for prevention efforts in both 2016 and 2017, including 4,000 kunas ($640) for the NGO-run hotline. Observers reported the NGO-run hotline operated only from 10am to 6pm due to inadequate financial support. The government monitored its anti-trafficking efforts, produced annual reports, and posted information on ministries' websites. OHRRNM allocated 6,250 kunas ($1,000) for EU Anti-trafficking Day and organized roundtables on child trafficking. The government held awareness campaigns targeting students and teachers, distributed informative materials, and aired trafficking programs on television and radio. The government continued to organize awareness-raising events for social workers, NGOs, government officials, and workers from the tourism industry. The MOI operated a specific unit consisting of 80 prevention officers for prevention activities and continued outreach programs for students and the service industry. The government continued to implement an awareness building campaign targeted towards Roma, and OHRRNM continued a

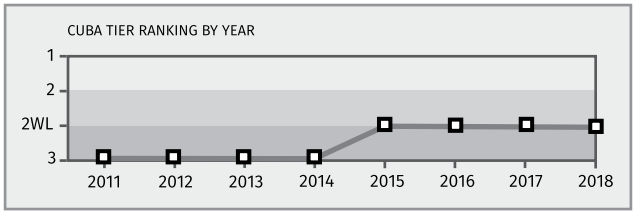
campaign sensitizing the public, including potential customers, to the reality that persons engaged in prostitution may be trafficking victims. The law regulated the operation of labor recruitment agencies.

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 for men, women, and children subjected to forced labor. Croatian women and girls remain at risk for sex trafficking within the country and elsewhere in Europe. Marginalized Romani children remain at risk for forced begging in Croatia and throughout Europe. 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. In previous years, migrants in transit, particularly from Afghanistan and Pakistan, are forced into debt bondage by their smugglers to pay off smuggling fees. In 2017, Taiwan women and men, as well as Croatian and Bosnian women, were subjected to forced labor and forced criminality in an illegal call center.

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 by prosecuting and convicting more traffickers, including a trafficker that subjected a boy to forced begging; creating a directorate to provide specialized attention to child victims of crime and violence, including trafficking; and publishing its national anti-trafficking plan for 2017-2020. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not criminalize most forms of forced labor, or sex trafficking of children ages 16 and 17, and did not report providing specialized services to identified victims. The government lacked procedures to proactively identify forced labor victims and detained potential sex trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. 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 remained on Tier 2 Watch List for the fourth 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; 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; adopt policies and programs 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; establish a permanent inter-ministerial anti-trafficking committee and implement the 2017-2020 national anti-trafficking action plan in partnership with international organizations; implement policies to prohibit force, fraud, or coercion by foreign labor recruiters and state-owned or controlled enterprises in recruiting and retaining employees; educate workers about trafficking indicators and where to report trafficking-related violations; and provide specialized training on trafficking indicators for hotline staff and interpretation for non-Spanish speakers.

PROSECUTION

The government increased law enforcement efforts. The penal code criminalized some forms of trafficking, but did not criminalize all forms of forced labor or sex trafficking of children ages 16 and 17, defining a child as an individual younger than 16 years of age, below the age set in international trafficking law, which is 18. Article 302 criminalized procuring and trafficking in persons and prescribed penalties of four to 10 years imprisonment, which were sufficiently stringent, and with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime. The law defined trafficking broadly to include exploitative labor conditions and illegal adoption without the purpose of exploitation. Article 310 criminalized corruption of minors younger than 16 for sexual purposes and prescribed penalties of seven to 15 years imprisonment, which were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 312.1 criminalized corruption of minors younger than 16 for begging and prescribed penalties of two to five years or a fine. Articles 310 and 312 consider violence or intimidation, among other factors, as aggravating factors for which the penalty is increased to 20 to 30 years imprisonment or the death penalty. Provisions for adult and child sex trafficking did not explicitly criminalize the acts of recruitment, transport, and receipt of persons for these purposes. The penal code and labor code prohibited some conduct associated with forced labor including the deprivation of freedom (article 279.1), coercion (article 286.1), extortion (article 331), arbitrary exercise of rights (article 159.1), and directly establishing labor relations with adolescents younger than age 17 (labor code article 116). However, Cuban law did not prohibit forced labor as defined in international law. Since 2015, the government has mentioned its efforts to amend the criminal code to address trafficking as defined in international law, but as of February 2018 the criminal code did not prohibit all forms of trafficking.

In January 2018, the government published official data for calendar year 2016 on prosecutions and convictions of traffickers, the most recent data available. Authorities reported 21 prosecutions for 2016, compared with 10 prosecutions in 2015, and 39 convictions—37 sex traffickers, one trafficker for

forced child labor, and one defendant for patronizing a child sex trafficking victim—compared with 17 convictions in 2015. The average sentence was 10.5 years imprisonment, compared to 12 years in 2015. One notable case included domestic forced labor involving a trafficker convicted in 2016 for forcing a boy to beg tourists for money in the streets and confiscating the profits; and 14 cases of international sex trafficking in Africa, North and South America, and Europe in 2016, which involved Cuban nationals abroad recruiting victims in Cuba through telephone and internet with false offers of employment, promises of financial gain, and romantic relationships.

Students at the Ministry of Interior academy and police assigned to tourist centers received specific training in trafficking and victim assistance. The government-funded training for provincial and national prosecutors on transnational organized crime and trafficking. The government maintained at least 18 bilateral cooperation agreements or memorandums of understanding with other countries that included trafficking. Cuban authorities cooperated with their counterparts in at least 12 countries in 2016. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking. Observers noted the government continued the practice of threatening or coercing some participants to remain in the foreign medical mission program.

PROTECTION

The government maintained efforts to identify and protect sex trafficking victims, but did not provide specialized or comprehensive services to all victims. Authorities identified at least 27 victims in 2016 (17 child sex trafficking victims, nine adult sex trafficking victims, and one child forced labor victim), compared to 11 victims in 2015 (seven child sex trafficking victims, four adult sex trafficking victims, and zero forced labor victims). Of the at least 27 victims, 26 were female and one was male. The government did not report whether it provided specialized assistance to the 27 victims. The government reported having procedures to proactively identify and refer sex trafficking victims. Police and medical professionals identified and evaluated potential trafficking victims and referred them to other professionals for medical, psychological, psychiatric, educational, family, or social services. The government did not report having procedures to identify victims of forced labor. 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 protection 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 UN special rapporteur on trafficking in persons visited Cuba in April 2017 and reported a need for a comprehensive package of services for victims, particularly protection and housing.

The government-funded child protection centers and guidance centers for women and families, which served all crime victims, including some 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 attorney general created a special Family Protection and Jurisdictional Issues Directorate in 2016 to provide specialized attention to child victims of crime and violence, including trafficking. 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. Neither the government nor the government-organized NGOs operated shelters or provided services specifically for men who were 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 interviews, usually removing the need for children to appear in court. The UN special rapporteur observed the government detained women engaged in prostitution, among them potential sex trafficking victims, for unlawful acts committed as a direct result of being subjected to trafficking. The government reported some foreign trafficking victims in Cuba, but did not report whether it offered these victims repatriation or services.

PREVENTION

The government maintained prevention efforts. The government published its national anti-trafficking plan for 2017-2020 in February 2017, identifying six objectives: (1) Strengthening prevention and identification; (2) protecting victims; (3) promoting research, consolidating and analyzing data, and disseminating such information; (4) investigating and prosecuting traffickers and their accomplices; (5) fostering coordination and cooperation between the government and society; and (6) promoting international cooperation. The government worked across numerous ministries to combat trafficking, including interior, public health, education, external relations, tourism, the Supreme Court, and the attorney general's office, and for the fifth consecutive year published an annual report of its efforts. The UN special rapporteur observed the government did not maintain a permanent inter-ministerial anti-trafficking committee, which led to challenges in coordination across the government and civil society. The government held training sessions for government employees, teachers and school administrators, police officers, tourist industry employees, prosecutors, judges, and parents on prevention and detection of trafficking. 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 in 2016 led to trafficking investigations or identifying victims. The UN special rapporteur recommended specialized training on trafficking indicators for hotline staff and noted a need for staff to speak multiple languages.

State media continued to produce newspaper articles and television and radio programs to raise public awareness about sex trafficking. The FMC raised public awareness through the magazine "Mujeres," educational talks in five tourism areas and with workers in nightclubs nationwide, and the distribution of flyers, posters, and bumper stickers. Authorities maintained an office within the Ministry of Tourism charged with monitoring Cuba's image as a tourism destination, combating sex tourism, and addressing the demand for commercial sex acts. The Ministry of Tourism also trained law enforcement officials assigned to the tourism sector to identify cases during inspections of state-owned hotels and tourist facilities, leading to the identification of procuring for prostitution cases in 2016. The ministry monitored foreign tour companies and travel agencies, whose employees may be held accountable for marketing the country as a sex tourism destination or for trafficking offenses. Authorities imprisoned

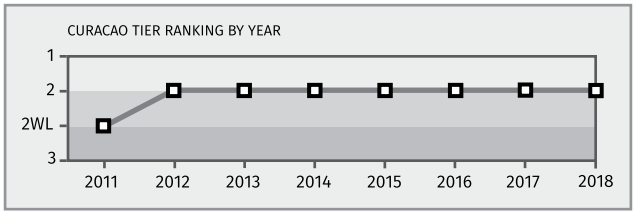
eight foreign nationals for patronizing minors for commercial sex. The government reported training Cuban professionals participating in foreign medical missions on how to identify trafficking, but did not report providing anti-trafficking training for its diplomatic personnel. The Ministry of Labor and Social Security offered training to labor inspectors to detect trafficking and ensure compliance with laws related to working conditions, health, and safety, but did not identify forced labor among the more than 9,000 labor violations in 2016.

TRAFFICKING PROFILE

As reported over the past five years, Cuba is a source, transit, and destination country for adults and children subjected to sex trafficking and forced labor. Sex trafficking and sex tourism, including child victims, occur within Cuba. Traffickers subject Cuban citizens to sex trafficking and forced labor in South America, the Caribbean, and the United States. Traffickers subject foreign nationals from Africa and Asia to sex trafficking and forced labor in Cuba to pay off travel debts. The government is the primary employer in the Cuban economy, including in foreign medical and other overseas 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; 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. Observers noted Cuban authorities coerced some participants to remain in the program, including by allegedly withholding their passports, restricting their movement, using "minders" to monitor participants outside of work, threatening to revoke their medical licenses, retaliate against their family members in Cuba if participants leave the program, or impose exile if participants didn't return to Cuba as directed by government supervisors. 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 convicting two traffickers, the first conviction since 2014; approving the 2017-2021 national action plan; identifying more victims; and finalizing the victim referral mechanism. However, the government did not meet the minimum standards in several key areas. Punishment for trafficking offenses were insufficient for the seriousness of the crime and absence of dedicated funding for anti-trafficking efforts hindered the government's ability to effectively assist victims of trafficking.



RECOMMENDATIONS FOR CURAÇAO

Vigorously prosecute trafficking offenses and convict and punish traffickers, including any government officials complicit in trafficking, with effective prison sentences; implement guidelines for proactive victim identification and referral of possible trafficking victims among Venezuelan migrants; increase proactive victim identification efforts among vulnerable populations, such as migrants, foreign women and girls working in prostitution; assist potential victims of sex trafficking and forced labor, including those in prostitution; provide specialized care and assistance for trafficking victims, including male victims; finalize formal victim identification and protection measures to guide officials, including health workers, on assisting victims of forced labor and sex trafficking; fund the new national anti-trafficking action plan; provide targeted training and resources to local officials to conduct outreach to vulnerable migrant communities; raise awareness among migrant workers about their rights, trafficking indicators, and available resources; and enhance efforts to reduce the demand of commercial sex and forced labor.

PROSECUTION

The government slightly increased law enforcement efforts; however, sentences for trafficking offenses were not proportionate to the seriousness of the crime. The criminal penal code criminalized sex and labor trafficking and prescribed penalties ranging from nine to 24 years imprisonment or a fine. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government did not initiate any new investigations in 2017, compared to the investigation of two sex trafficking cases in 2016 and none in 2015. In 2017, the government prosecuted and convicted two traffickers involved in a 2016 investigation, compared with zero prosecutions or convictions since 2014. Both convicted traffickers received suspended jail sentences and three years of probation, penalties that were inadequate given the severity of the crime. Following the same 2016 investigation, the government prosecuted four allegedly complicit officials; three were convicted for crimes of perjury and forgery receiving a conditional sentence of one year, probation, and suspension from office. The fourth individual was acquitted of all charges of human trafficking although the judge found that he had engaged in objectionable behavior. The government did not report any new investigations of government employees complicit in human trafficking offenses. The investigation of a Venezuelan woman allegedly running an illegal brothel and facilitating the sex trafficking of women, predominantly from Venezuela remained ongoing. In coordination with the government of Aruba, the government trained approximately 120 law enforcement officials and NGOs on the criminal and judicial elements of human trafficking and migrant smuggling and the prosecution of these crimes according to the penal code.

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

PROTECTION

The government maintained efforts to identify and assist trafficking victims. It reported identifying five potential victims of trafficking, compared to four in 2016 and zero in 2015. Front-line responders utilized standard operating procedures on victim identification and referral. While the government did not operate any specialized shelters for trafficking victims, it had capacity to host female trafficking victims in shelters for women victims of domestic violence, which restricted victims' movements if their safety was at risk. Through an NGO, the Organization for Victim Assistance funded shelter for male victims in hotels or safe houses for troubled male youth. The government-funded NGOs on a case-by-case basis to provide victims with wide-ranging and comprehensive care and assistance, which included legal assistance, shelter, food, clothing, medical care, and counseling among other services. Government officials reported that absence of dedicated funding for anti-trafficking efforts hindered their ability to provide adequate support to trafficking victims. In 2017, four victims chose not to cooperate with the prosecution and asked to be returned to their country. The government facilitated their return; however, it was unclear if any other assistance was provided. The fifth victim assisted with the investigation and provided written testimony against her traffickers; she received temporary shelter and financial assistance to return to her country of origin. In the victim's absence, the victim's assistance bureau sought restitution from her traffickers on her behalf. Citing insufficient proof of damages, a judge denied the state's request.

PREVENTION

The government increased efforts to prevent trafficking. The government approved the 2017-2021 national action plan but did not establish a dedicated budget for its implementation. During the reporting period, the public prosecutor's office conducted research focused on the phenomenon of Venezuelan *trago meisjes* or drink girls. As a result of this research, the government-funded a robust internet awareness campaign seeking to dissuade Venezuelan women from traveling to Curaçao to work in bars and dance venues where they could become vulnerable to sex trafficking. The government operated a victim assistance hotline, although no trafficking tips were received during the reporting period.

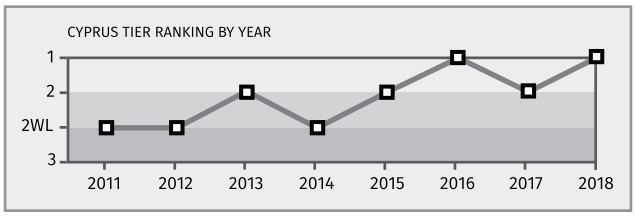
The government continued to keep an official register of individuals in prostitution working legally in Campo Alegre. The Ministries of Justice and Social Development, Labor, and Welfare continued review of all work and residence permits. The Ministry of Labor allowed foreign migrant laborers to request residence permits independent of their employers to give employees better knowledge regarding the terms of work within contracts. The government did not report efforts to reduce demand for forced labor or commercial sex.

TRAFFICKING PROFILE

As reported over the past five years, Curaçao is a transit and destination country for women, children, and men subjected to sex trafficking and forced labor. Vulnerable populations include foreign and Curaçaoan women and girls in unregulated prostitution, as well as migrant workers from other Caribbean countries, South America, India, and China in the construction, landscaping, minimarket, retail, and restaurant industries. Due to the deteriorating situation in Venezuela, legal and illegal migration to Curaçao increased, leaving many vulnerable to trafficking, including women working illegally at bars and brothels.

CYPRUS: TIER 1

The Government of the Republic of Cyprus fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Cyprus was upgraded to Tier 1. These achievements included convicting more traffickers and increasing victim protection efforts by improving the quality of service, increasing resources to NGOs, and holding monthly trainings for government-run shelter staff. Although the government meets the minimum standards, it did not reduce the length of trials and victims faced bureaucratic delays in accessing health care. Labor inspectors lacked resources and observers reported a need for an independent evaluation of anti-trafficking policies and programs. The Multidisciplinary Coordinating Group (MCG) continued to operate with limited participation from civil society.



RECOMMENDATIONS FOR CYPRUS

Vigorously investigate, prosecute, and convict traffickers under Law 60(I) and impose strong sentences; proactively identify victims among vulnerable populations, including migrants, asylum-seekers and agricultural workers; improve cooperation of all relevant actors, including NGOs, in the MCG; reduce delays in court proceedings; strengthen the capacity of the labor inspectorate to identify and refer victims of forced labor; reduce delays in accessing health care; increase access to support for victims identified outside of business hours of support service providers; improve victim-centered investigations and prosecutions and implement witness protection measures when necessary; and develop a robust monitoring and evaluation framework for anti-trafficking policies and efforts.

PROSECUTION

The government increased law enforcement efforts. Law 60(I) of 2014 criminalized sex and labor trafficking and prescribed penalties of up to 10 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes. The police investigated 38 suspected traffickers (26 in 2016); 29 suspects for sex trafficking, five for labor trafficking, and four for both sex and labor trafficking (13 suspects for sex trafficking and 13 for labor trafficking in 2016). The government also investigated four suspects for forced marriage (113 in 2016), which authorities considered to be trafficking under their law. The government prosecuted three defendants (10 in 2016); two defendants for both sex and labor trafficking and one for sex trafficking. Courts convicted eight traffickers (one in 2016); one for sex and labor trafficking and seven for forced labor (one for sex trafficking in 2016). Six labor traffickers received sentences between 12 months and 18 months imprisonment, one trafficker received five years imprisonment for sex and labor trafficking, and one labor trafficker received a fine of €5,000 ($6,000).

The Ministry of Justice and Public Order maintained an anti-trafficking unit (ATU) that conducted proactive investigations. Observers reported key witnesses left the country before trial due to long delays, hindering prosecution efforts. The Police Academy continued to train police officers on trafficking issues, including new recruits, immigration police, and community police. The government separately organized 18 training programs for police officers. The government extradited one trafficker to Moldova and another to Israel, received two traffickers extradited from Greece, and assisted five mutual legal assistance requests. Additionally, law enforcement conducted joint investigations with Bulgaria, the United Kingdom, and Poland. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

PROTECTION

The government increased victim protection efforts. The government identified 27 victims (21 in 2016); 18 victims of sex trafficking, eight victims of forced labor, and one victim of both sex trafficking and forced labor (10 of sex trafficking, three of forced labor, and eight of forced criminality in 2016); 21 were females and six males (17 females and four males in 2016); and one victim was a boy (no children in 2016). A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures for identifying and referring victims to services, including an operational manual and written guidance for first responders. The NRM required first responders to conduct preliminary identification of potential victims and refer potential victims to the Social Welfare Services (SWS). SWS officers provided potential victims with information and notified the ATU, who officially identified victims. The ATU interviewed 80 potential victims (169 in 2016); the government identified 64 potential victims, NGOs identified ten, two self-identified, and five were identified by the public (NGOs identified 52 potential victims and the government identified 117 potential victims in 2016). Observers reported the ATU lacked transparency in the identification process, but authorities reported using internal identification manuals based on international standards and guidelines. 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 potential forced labor victims remained undetected partly due to a lack of resources for labor inspectors. Observers also reported a lack of proactive identification efforts at the Kofinou Reception Center and reported anecdotal accounts of exploitation. Authorities reported fully screening all individuals awaiting deportation for trafficking indicators. The government organized three training sessions attended by approximately 220 government officials on victim identification and referral. The government also trained first responders in a region with a high concentration of migrant laborers in agriculture and separately trained marriage officers and social welfare officers on proactive identification.

The government spent €265,770 ($319,060) to operate the SWS-run shelter, compared to €294,940 ($354,070) in 2016. This amount did not include salaries for the SWS-run shelter staff. The government also allocated €263,550 ($316,380), compared to €254,560 ($305,600) in 2016, in financial assistance to trafficking victims through a public benefit scheme known as Guaranteed Minimum Income. 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 with the capacity to accommodate 15 victims; the SWS-run shelter accommodated 30 official and potential victims in 2017 (53 in 2016). Victims may stay for one month or longer, as appropriate, in the shelter for a reflection period. The SWS-run shelter allowed adult victims to leave the shelter voluntarily after an assessment conducted by ATU. Observers reported a lack of immediate support and accommodation for potential victims identified outside of SWS business hours and did not want to cooperate with law enforcement. Observers also reported that slow processing of SWS evaluations sometimes created obstacles for victims to access services. The government signed a memorandum of cooperation with an NGO and allocated €60,000 ($72,030) to the NGO to open the first open house for female sex trafficking victims, designed primarily as a halfway accommodation for recognized sex trafficking victims while searching for permanent residence after leaving the state-run shelter. Additionally, the government allocated €30,000 ($36,000), compared to €15,000 ($18,000) in 2016, to an NGO-run shelter to accommodate female victims of labor trafficking and female victims not eligible for accommodation at the SWS-run shelter, as well as for longer-term accommodation of female victims of sex trafficking after they leave the shelter. The government also provided a rent subsidy and a monthly allowance for all victims and partnered with NGOs to provide apartments for male victims. The law entitled victims to psycho-social services, health care, translation and interpretation services, education, vocational training, and financial assistance. Observers continued to report improved service quality for victims but reported victims faced obstacles in accessing health care due to bureaucratic delays. In the previous reporting period, observers reported staff at the SWS-run shelter were not adequately trained to provide the necessary psychological support to victims; however, the government organized monthly trainings between SWS-run shelter staff and clinical psychologists from the Ministry of Health in 2017. Employment counselors trained to handle sensitive cases sought suitable employment for each victim but finding employment for victims remained a challenge. The law entitled child victims to education, placement into foster homes, and specialized medical and psycho-social care; the government provided support to one victim (two in 2017). In the previous reporting period, 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 reported no delays in receiving allowances. 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 three victims (four in 2016) and granted asylum to four victims (three in 2016). The government permitted victims to leave Cyprus and return for trial, and police remained in contact with victims while they were abroad; two victims left Cyprus but returned to testify in trial (one in 2016). The law entitled victims to witness protection through a request made by the police to the Attorney General; no requests were made in 2016 or 2017. Police officers escorted victims to court proceedings, but experts reported police sometimes did not share information and updates on court procedures or did not keep appointments at promised times creating anxiety among victims. The law entitled victims to closed-door trials, a partition to separate victims from their traffickers, remote testimony, and the use of video recorded testimonies for child victims; however, none of the methods were used in 2016 or 2017.

Twenty-six victims assisted law enforcement in investigations (14 in 2016). 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 but civil courts acquitted the trafficker.

PREVENTION

The government maintained prevention efforts. The MCG to combat trafficking, comprising relevant government agencies and an NGO, met once (twice in 2016) and coordinated and monitored the implementation of the 2016-2018 national action plan; however, observers reported a need for an independent evaluation of anti-trafficking policies and programs. In the previous reporting period, three of the four NGOs in the MCG withdrew because NGOs were not given a substantive role, meetings were infrequent, and two NGOs did not meet financial requirements. The MCG drafted amendments to strengthen civil society participation in the MCG. The MCG formed a working group on improving victim protection. The government continued to print and distribute brochures in 11 languages aimed at potential victims on their rights and assistance available to them. Police and immigration officials interviewed arriving domestic and agricultural workers and ensured they possessed a contract and informed workers of their rights. The Ministry of Labor (MOL) inspected 122 employment agencies (117 in 2016) and revoked the licenses of 10 employment agencies' for labor violations (nine in 2016). MOL also imposed fines on three employment agencies for fraudulent recruitment and police separately investigated three cases involving employment agencies. Courts convicted four perpetrators in one case for illegally operating an employment agency and document forgery; one perpetrator received two years imprisonment, one received 12 months imprisonment, one received 15 months imprisonment, and one received five months imprisonment. The government approved funding for an NGO to conduct awareness campaigns targeting demand for commercial sex acts.

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 from India, Latvia, Bangladesh, Dominican Republic, China, Bulgaria, Romania, Philippines, Cameroon, Cote d'Ivoire, Slovakia, Togo, Moldova, Paraguay, and Czech Republic. Women, primarily from Eastern Europe, Vietnam, India, and Sub-Saharan Africa, are subjected to sex trafficking. Sex trafficking occurs in private apartments and hotels, on the street, and within commercial sex outlets in Cyprus including bars, pubs, coffee shops, and cabarets. Some female sex trafficking victims are recruited with false promises of marriage or work as barmaids or hostesses. Foreign migrant workers—primarily from South and Southeast Asia—are subjected to forced labor in agriculture. Migrant workers subjected to labor trafficking are recruited by employment agencies and enter the country on short-term work permits; after the permits expire, they are often subjected to debt bondage, threats, and withholding of pay and documents. Asylum-seekers from Southeast Asia, Africa, and Eastern Europe are subjected to forced labor in agriculture and domestic work. Unaccompanied children, children of migrants, Roma, and asylum-seekers are especially vulnerable to sex trafficking and forced labor. Romani children are vulnerable to forced begging.

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. Turkish Cypriot authorities do not fully meet the minimum standards for the elimination of trafficking and are not making significant efforts to do so. If the "TRNC" were assigned a formal ranking in this report, it would be Tier 3. Turkish Cypriots did not keep statistics on law enforcement efforts against trafficking offenders. The area administered by Turkish Cypriots lacked shelters for victims and social, economic, and psychological services for victims. Local observers reported authorities were complicit in facilitating trafficking, and police continued to retain passports upon arrival of women working in nightclubs. The "Nightclubs and Similar Places of Entertainment Law of 2000" provided the most relevant legal framework vis-à-vis trafficking and stipulated nightclubs may only provide entertainment such as dance performances. Additionally, trafficking-related cases would be tried under the "TRNC criminal code," which prohibited living off the earnings of prostitution or encouraging prostitution and forced labor. However, Turkish Cypriots rarely enforced this law and rarely prosecuted nightclub owners, bodyguards, or clients. In October 2017, the owner of a "nightclub" was arrested and on trial for "encouraging prostitution" and "living off the earnings of prostitution." Additionally, in February 2018, the Mayor of Nicosia Turkish Municipality closed four "nightclubs" citing absence of established "legal" frameworks and reports of sexual exploitation. 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 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. Observers reported women preferred to keep their passports but police convinced them to render passports 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, but 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; however, the only shelter for trafficking victims closed in July 2016.

During the reporting period, "TRNC" authorities issued 1,084 six-month "hostess" and "barmaid" work permits for individuals working in nightclubs and two pubs operating in the north (1,314 in 2016). As of January 2018, there were 400 women working under such permits (342 as of January 2017). 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. Observers reported

authorities did not consistently document the arrival of women intending to work in nightclubs. Most permit holders came from Moldova, Morocco, Belarus, Russia and Ukraine, while others came from Armenia, Kazakhstan, Kenya, Kyrgyzstan, Paraguay, 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 331 women (445 in 2016) 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 infections, suggesting recognition and tacit approval of the prostitution industry. Victims reported bodyguards at the nightclubs accompanied them to health and police checks, ensuring they did not share details of their exploitation with law enforcement or doctors. The "law" that governed nightclubs prohibited foreign women from living at their place of employment; however, most women lived in dormitories adjacent to the nightclubs or in other accommodations arranged by the owner. The "Nightclub Commission," composed of "police" and "government officials" who regulate nightclubs, prepared brochures on employee rights and distributed them to foreign women upon entry. The "Nightclub Commission" met monthly and made recommendations to the "Ministry of Interior" regarding operating licenses, changes to employee quotas, and the need for intervention at a particular establishment. The "Social Services Department" in the "Ministry of Labor" continued to run a hotline for trafficking victims; however, it was inadequately staffed by one operator who had not received any training on trafficking. An expert reported trafficking victims were afraid to call the hotline because they believed it was linked to authorities. Forty-seven female "nightclub" workers were repatriated after having sought help from the authorities due to complaints regarding their working conditions (30 in 2016). During the reporting period, the "TRNC" issued 945 work permits to domestic workers (2,383 in 2016). Turkish Cypriots made no efforts to reduce demand for commercial sex acts or forced labor.

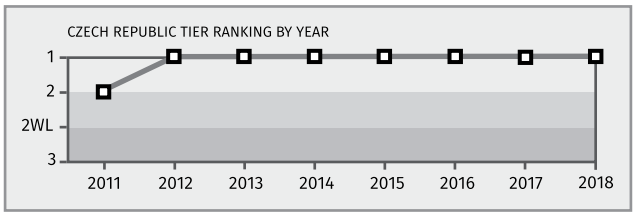
The "TRNC" is a destination for women from Central Asia, Eastern Europe, and Africa who are subjected to forced prostitution in nightclubs licensed and regulated by the Turkish Cypriot administration. Nightclubs provide a significant source of tax revenue for the Turkish Cypriot administration; media reports estimated nightclub owners pay between 20 and 30 million Turkish lira ($5.3 million and $7.9 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 Nigeria, Zimbabwe, China, Pakistan, Philippines, Turkey, Turkmenistan, and Vietnam. Migrants, especially those who cross into the Turkish Cypriot community after their work permits in the Republic of Cyprus have expired, are vulnerable to labor trafficking. Roma children and Turkish seasonal workers and their families are also vulnerable to labor exploitation. Women issued permits for domestic work are vulnerable to forced labor. Men and women enrolled as university students, particularly from Sub-Saharan African countries, are vulnerable to sex trafficking and forced labor. As in previous years, observers 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.

RECOMMENDATIONS FOR TURKISH CYPRIOT AUTHORITIES:

Enact "legislation" prohibiting all forms of human trafficking; screen for human trafficking victims, including in nightclubs and pubs; increase transparency in the regulation of nightclubs and promote awareness among clients and the public about force, fraud, and coercion used to compel prostitution; provide funding to NGO shelters and care services for the protection of victims; investigate, prosecute, and convict "officials" complicit in trafficking; provide alternatives to deportation for victims of trafficking; and acknowledge and take steps to address conditions of forced labor, including among domestic workers.

CZECH REPUBLIC: TIER 1

The Government of the 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 Czech Republic remained on Tier 1. The government demonstrated serious and sustained efforts by increasing convictions, providing comprehensive care for victims, and successfully encouraging victim cooperation with law enforcement. Although the government meets the minimum standards, judges and prosecutors continued to enforce trafficking legislation unevenly and sometimes prosecuted trafficking crimes under the pimping statute when they involved initial victim consent. In some cases, the courts suspended the sentences of convicted traffickers, weakening the deterrent effect of the penalties. The government identified fewer trafficking victims, and labor inspectors remained underutilized in victim identification efforts.



RECOMMENDATIONS FOR CZECH REPUBLIC

Vigorously investigate both sex and labor trafficking, particularly at the regional level; prosecute suspected offenders of both sex and labor trafficking, using the anti-trafficking statute, and imprison convicted traffickers; increase training for prosecutors and judges on the severity of the crime and on applying the anti-trafficking statute to protect victims and ensure convictions result in proportionate and dissuasive sentences; train prosecutors and judges on the irrelevance of a victim's initial consent when proving a trafficking crime; improve law enforcement data collection efforts, including by disaggregating sex and labor trafficking case data and report victim data more accurately; expand authority of labor inspectors to go beyond inspection of labor documents when investigating trafficking; increase specialized case management services for children and streamline procedures for identification of child victims; enhance collaboration between the labor inspectorate and police on investigating potential labor trafficking cases; improve victims' ability to access court-ordered restitution; and train first responders, including labor inspectors, police, and

state contracting officers, on sex and labor trafficking victim identification criteria and on evolving trends in labor trafficking.

PROSECUTION

The government maintained law enforcement efforts. Section 168 of the criminal code criminalized sex and labor trafficking and prescribed punishments from two to 10 years imprisonment. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government prosecuted some sex trafficking offenses as pimping crimes under sections 189 and 204 of the criminal code when the case involved the initial consent of a victim; this application of the law was inconsistent with its commitments under Directive 2011/36/EU, the Council of Europe Convention on Action against Trafficking in Human Beings, and the Palermo Protocol. Section 189 prescribed penalties ranging from six months to four years imprisonment, a ban on business activities, or a sentence of forfeiture of property, which were significantly lower than the penalties prescribed under section 168.

In 2017, police initiated 16 trafficking investigations (22 in 2016), including investigating three minors for trafficking crimes. Authorities prosecuted 16 defendants under section 168 in 2017, compared with 19 in 2016. In 2017, the courts convicted eight for sex trafficking and one for labor trafficking (eight total convictions in 2016 and 19 in 2015); all perpetrators were Czech. Courts sentenced six traffickers to prison ranging from five- to eight-year terms. Judges fully suspended the sentences of three convicted traffickers (one for one year imprisonment and two for two years imprisonment). The government investigated 42 individuals for pimping; it was not clear whether any of these involved sex trafficking crimes. Courts sentenced 23 perpetrators of pimping to suspended sentences (21 under section 189 and two under section 204), and from these 23 cases, reported identifying 13 victims. The government seized 630,000 koruna ($30,170) in assets from suspected traffickers, comparable to 730,000 koruna ($34,950) seized in 2016. Authorities collaborated with foreign governments on one transnational investigation. The Labor and Social Affairs Ministry (MLSA) began an investigation into labor practices at massage parlors that employ Thai workers, after the Thai embassy reported two Thai employees were not paid the promised amount, a trafficking indicator. The government trained more than 250 law enforcement officials, labor inspectors, prosecutors, and judges involved in investigating and prosecuting human trafficking crimes, on par with training efforts in 2016.

The organized crime branch of the police was the lead investigative agency for trafficking; regional police were responsible for smaller-scale cases. Regional police directorates generally chose to devote their limited resources to fighting other types of crime, especially crimes deemed easier to solve and providing a greater opportunity for successful prosecution. The Ministry of Interior (MOI) released an updated manual in March 2018 to assist with victim identification. In 2017, the national labor inspectorate identified approximately 2,900 illegally employed persons, but did not identify any trafficking victims. Officials cited limited authority of labor inspectors to go beyond inspection of labor documents. Authorities reported the need for better collaboration between regional 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 elements of the crime, unfamiliarity with obligations under international law regarding the irrelevance of victim consent, and a preference to prosecute traffickers for non-trafficking crimes to increase the likelihood of conviction, since Czech law did not allow prosecutors to prosecute under multiple statutes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained victim protection efforts. Police identified 14 victims during the reporting period (38 victims in 2016, 92 victims in 2015, and 67 in 2014), including 10 minor victims, but the police may not have reported the accurate number of victims they identified since Czech law did not require reporting on victims. The government did not officially recognize victims who did not participate in the MOI's victim assistance program and did not include them in official statistics. The MOI reported 24 new victims (17 labor trafficking and seven sex trafficking) in the program for victim services (14 victims in 2016, four in 2015, and 43 in 2014). Of the victims in the program, nine were Czech, five Ukrainian, five Moldovan, two Filipino, one Slovak, one Nigerien, and one Vietnamese. In 2017, government-funded NGOs provided services to 137 potential victims, compared to 139 in 2016.

The MOI program, which was administered by an NGO, was available to both foreign and Czech adult victims of sex and labor trafficking regardless of their legal status and required victims cooperate with law enforcement if they want to stay in the program after 60 days of support, unless subject to a serious health issue. Victims willing to cooperate with law enforcement, even in situations where law enforcement did not pursue a case, could enter the program and be eligible for long-term residency. The government provided medical care, psychological and crisis counseling, housing, legal representation, vocational training, and other specialized services to victims in the program. Victims could voluntarily withdraw from the program at any time. Victims unwilling to cooperate with law enforcement were eligible to access MLSA-funded welfare benefits, including housing, in-person and telephone crisis help, social counseling and rehabilitation, a drop-in center for children and youth, and social services for families with children. The MOI-funded NGO managed these benefits for trafficking victims. Only legal residents could access the welfare program, but NGOs could provide most of the services anonymously; therefore, legal status was not usually a limitation for support. Although there was a unique national referral mechanism for child and youth victims, observers reported identification procedures were insufficient. Municipal-level offices of the department of social and legal protection of children made decisions to place children with an institution or NGO based on their specific needs. Child victims received MLSA-funded welfare benefits, such as shelter, food, clothing, and medical and psychological counseling. During legal proceedings, victims were eligible to receive a free legal advocate and, in egregious sex trafficking cases, the option to choose the gender of the judge. A witness protection law allowed the government to conceal the identity of the witness, provide a new identity to the victim, and assign bodyguards. Police offered short-term protection, including physical protection, use of safe houses, and security monitoring, to potential witnesses; the government did not report whether any victim received protection during the reporting period.

The MOI funded the cost for the victim assistance program, which included funding for voluntary returns. In 2017, the MOI allocated approximately 1.65 million koruna ($79,000), compared to 1.2 million koruna ($57,460) allocated in 2016.

An international organization used some of this funding to repatriate six victims. Observers commended the government for funding the repatriation of Czech victims and foreigners, but reported government funding for voluntary returns was insufficient given the demand. The MLSA provided an additional 27.5 million koruna ($1.3 million) to support the integration of foreigners and victims of trafficking, which included funding for welfare benefits provided by NGOs to trafficking victims not in the MOI program. Some experts noted a lack of funding for victim housing, especially female victims with more than one child.

Authorities provided victims with a 60-day reflection period, during 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, victims could not be deported, arrested, or fined for offenses that were committed as a result of being trafficked, such as previous illegal stays in the country, current overstays, or false documents, during this period. Foreign victims accepted into the victim care program by MOI's crime prevention department could receive temporary residence and work visas for the duration of relevant legal proceedings. Upon conclusion of court proceedings, victims could apply for long-term residency; no new victims received long-term residency in 2017, compared with one victim in 2016 and none in 2015.

Some experts criticized the Refugee Facility Administration (RFA) for charging a daily fee to some migrants for stays in transit zones; such fees increase the vulnerability of potential victims. The RFA implemented a system where potential victims identified in an entrance interview for asylum-seekers were removed from the transit zone and referred to NGOs for services; the RFA did not report identifying any victims in the transit zones.

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 required a finding of criminal misconduct against the defendant. The government did not report any victims who received compensation in 2016 or 2017. NGOs reported concern about potential trafficking victims in custody, but there were no reports the government penalized identified victims for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government maintained prevention efforts. The MOI chaired an inter-ministerial body that coordinated national efforts and implemented the 2016-2019 national strategy. 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 operated six hours per day on weekdays. The law did not criminalize confiscation of workers' passports. MOI funds from the 1.65 million koruna ($79,000) for the victim assistance program were available for prevention campaigns and field work; the government-funded NGOs to conduct a public awareness campaign targeted at individuals vulnerable to trafficking and exploitation, which involved leaflets distributed on public transit and advertisements posted in subway stations. Regulations imposed on employment agencies recruiting short-term labor from abroad helped reduce vulnerabilities to trafficking; however, they did not prevent unregistered agencies from luring victims from overseas, or registered agencies from engaging in trafficking of victims within Czech Republic. To increase foreign workers' awareness of their rights, the MLSA and the labor inspection office websites published information in multiple languages about laws governing the employment of foreigners. In cooperation with the Thai embassy, the MLSA conducted a training on labor rights for Thai nationals working in massage parlors.

TRAFFICKING PROFILE

As reported over the past five years, Czech Republic is a source, transit, and destination country for women and children subjected to sex trafficking and a source, transit, and destination country for men and women subjected to forced labor. Women, girls, and boys from Czech Republic, Slovakia, Ukraine, Romania, Bulgaria, Nigeria, the Philippines, and Vietnam are subjected to sex trafficking in Czech Republic and also transit through Czech Republic to other European countries where they are subjected to sex trafficking. Men and women from Czech Republic, Ukraine, Romania, Bulgaria, Moldova, Mongolia, Nigeria, the Philippines, Russia, and Vietnam are subjected to forced labor in Czech Republic, typically through debt bondage, in the construction, agricultural, forestry, manufacturing, and service sectors, including in domestic work. They may also transit through Czech Republic to other countries in Europe where they are exploited. Most identified victims in the country are Czech, although law enforcement reported an increase in EU victims. Romani women from Czech Republic 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 local Czech citizens. Law enforcement report an increase in "marriages of convenience" between Czech women and non-EU men 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 and allocating significant funding for anti-trafficking measures. For the second year in a row, the government provided trafficking victims temporary residence under section 9(c)5 of the Danish Aliens Act, which gives authorities the ability to stay deportation for victims to assist in an investigation. Although the government meets the minimum standards, it continued to focus on foreign trafficking victims' illegal immigrant status, often incarcerating them during 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, left victims vulnerable to re-trafficking, and made victims hesitant to come forward and work with police. Victim identification methods were difficult to implement and involved NGO partners too late in the process. In the last six years, only five victims had been granted asylum, despite the government officially identifying