

to suspected trafficking cases. The government continued to operate facilities in more than 215 police stations and 22 “Victims of Violence” centers throughout the country offering temporary shelter, food, limited counseling, and monitoring following reintegration for victims of crime; however, it remained unclear whether trafficking victims benefited from these services in 2017. The Attorney General’s Office convened relevant government stakeholders to assess and coordinate their joint efforts to address victims’ needs in several specific cases during the reporting period. The technical working group on victim protection, a sub-group of the NRG consisting of prosecutors at the provincial level, child and social services and department of health personnel, police officers and two international NGOs, held a conference to discuss current trafficking cases, an outcome of which was improved coordination between the NRG and provincial and district-level front-line responders to ensure better oversight and monitoring of trafficking cases. The anti-trafficking law required police protection for victims who participated as witnesses in criminal proceedings against traffickers, and the government provided such assistance to one victim during the reporting period. In at least one case, the NRG proactively sought translation services for a non-Portuguese speaking victim. Although Mozambican law provided for temporary residency status or legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution, the government did not use this provision during the reporting period.

## PREVENTION

The government increased efforts to prevent trafficking. The NRG met at least three times during the reporting period to coordinate anti-trafficking efforts at the national level. The NRG revised and approved updated terms of reference for the group and finalized and approved its 2017 work plan, which outlined training for labor inspectors and consular officers. A sub-group of 15 NRG members finalized the development of supporting documents to the NRM, which were adopted by the NRG. The NRG drafted standard operating procedures for the NRG and implementation of the NRM; however, these were not finalized or adopted during the reporting period. In October 2017, in partnership with an international organization, the government held public consultations on the draft national action plan in two provinces that were attended by the Deputy Prosecutor General, members of the national and provincial reference groups, local government officials, civil society and journalists; however, the national action plan was not passed during the reporting period. Provincial-level reference groups, consisting of local officials, police, border guards, social workers, NGOs, and faith-based organizations, carried out awareness campaigns to educate the public in urban and rural areas and coordinated regional efforts to address trafficking and other crimes. In August 2017, in partnership with an international organization, the Office of the Attorney General of the Republic (PGR) trained 26 members of the Niassa Reference Group on the international and national legal framework on trafficking. The government continued to participate in the Southern African Development Community (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. In partnership with international organizations, for the first time the government trained 25 labor inspectors on trafficking victim identification and referral. Members of the NRG participated in TV and radio debates on World Day Against Human Trafficking. In September 2017, the PGR

and the Ministry of Labor coordinated with an international organization to train 25 labor inspectors for the first time ever on the international legal framework on trafficking, trafficking indicators for labor exploitation, and the referral process to ensure victims receive protective services. In coordination with an international organization, the government liaised with two airlines identified as transporting labor migrants traveling on falsified visas to prevent further travel. Mozambican officials remained without effective policies or laws regulating foreign recruiters and holding them civilly and criminally liable for fraudulent recruiting. The government did not demonstrate tangible efforts to reduce the demand for commercial sex acts or forced labor during the year.

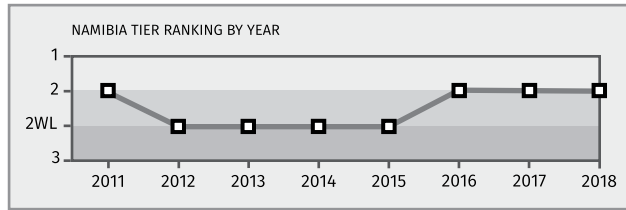
## TRAFFICKING PROFILE

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

## NAMIBIA: TIER 2

The Government of Namibia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period, therefore Namibia remained on Tier 2. The government demonstrated increasing efforts by signing the Combating of Trafficking in Persons Bill; prosecuting more traffickers; identifying more trafficking victims the majority of whom were victims of forced labor; and referring some victims to care in a partially government-funded NGO shelter. However, the

government did not meet the minimum standards in several key areas. The government did not convict any traffickers for the second consecutive year; did not refer all identified victims to care; and continued to lack formal procedures for victim identification and referral.



## RECOMMENDATIONS FOR NAMIBIA

Adopt and implement the draft national mechanism to identify victims and refer them to care; increase funding and efforts to provide care to trafficking victims; increase efforts to investigate, prosecute, and convict traffickers; gazette and implement the Combating of Trafficking in Persons Bill; finalize and implement a new national action plan to guide anti-trafficking efforts; train officials on relevant legislation; strengthen coordination among government ministries at both the ministerial and working level; and increase efforts to raise public awareness, especially in rural areas.

## PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2009 Prevention of Organized Crime Act (POCA) criminalized labor and sex trafficking and prescribed penalties of up to 50 years imprisonment or a fine not exceeding 1 million Namibian dollars (\$81,200). These penalties were not sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. In March 2018, the president signed the Combating of Trafficking in Persons Act which explicitly criminalizes human trafficking and provides protection measures for victims of trafficking; however, it was not included in the official gazette, which is a requirement for the law to be fully operational.

During the reporting period, the government investigated seven trafficking cases involving 10 suspects, compared to eight cases in 2016; of these, two involved alleged sex trafficking and five alleged forced labor. The government initiated prosecution in four cases involving five defendants, an increase from two cases prosecuted during the previous year. All defendants were charged under the POCA of 2004 and two of five defendants were also charged with knowingly soliciting a victim of sex trafficking under the Combating of Immoral Practices Act of 1980. One of the two defendants solicited sex from a trafficking victim in 2015 and absconded to South Africa shortly after being charged; the government proactively requested and then secured his extradition to Namibia in December 2017. The government did not convict any traffickers for the second consecutive year; one defendant was prosecuted and acquitted under the POCA.

The government trained more than 1,000 front-line responders, including immigration, customs, and labor officials, law enforcement officers, prosecutors, social workers, church leaders, and journalists. In partnership with an international organization, the government conducted two train-the-trainer events on victim-centered investigations and prosecutions covering seven of Namibia's 14 regions. The government continued implementing its training curriculum for new

immigration officers and in-service personnel. The government provided advanced training on investigation methods to police in the High Profile Crime Division, those responsible for investigating all potential trafficking crimes, and prosecutors likely to encounter trafficking victims. The government provided anti-trafficking training to an unknown number of law enforcement officers in three police colleges during the reporting period. The High Profile Crime Unit trained student social workers at the University of Namibia on victim identification. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

## PROTECTION

The government maintained efforts to protect trafficking victims. The government identified 21 trafficking victims, including 11 adult male victims, one adult female victim, and nine female child victims, and referred five victims to an NGO shelter, which was partially government-funded. This was compared to 12 victims identified and referred in 2016. Fifteen victims were exploited in forced labor and six were sex trafficking victims. The government did not have formal written procedures for use by all officials on victim identification and referral to care; however, the government created a checklist for law enforcement to aid in victim identification, which was introduced into the Namibian Police's (NamPol) Standard Operating Procedure Manual. The national anti-trafficking coordinating body drafted but did not adopt a national referral mechanism to formalize identification and referral procedures. In practice, labor inspectors and immigration officials contacted NamPol when an instance of potential trafficking occurred; NamPol referred victims of all crimes to temporary shelter and medical assistance. The Gender-based violence Protection Units facilities offered initial psycho-social, legal, and medical support to crime victims, in cooperation with the police, the Ministry of Gender Equality and Child Welfare (MGEWCW), the Ministry of Health, and NGOs. Government shelters for victims of gender-based violence, including trafficking, were inadequately staffed and non-operational during the reporting period. Adult victims had the ability to seek employment and work while receiving assistance, though it is unknown how many victims did so during the reporting period. The NGO shelter that received victims during the reporting period expanded its ability to receive families and teen boys; however, there were no facilities equipped to shelter adult male victims of trafficking. The government provided 26,000 Namibian dollars (\$2,110) per month to the NGO that received victims, which funded approximately 13 percent of operating costs. The government also assigned social worker interns during their final year of training to support the NGO. The government lacked standard operating procedures for shelters, which remained under development by MGEWCW. The Ministry of Home Affairs and Immigration continued to provide immigration officials a printed manual to guide identification of trafficking victims.

The government did not have a policy to encourage victims' participation in investigations; the law provides for witness protection or other accommodations for vulnerable witnesses that in principle would be available for trafficking victims. There were no reports that the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking; however, without uniform victim identification measures, victims may be left unidentified in the law enforcement system. The media reported that 22 Angolan nationals, many of them minors, were deported without being screened for trafficking indicators. The police

and prosecutor general began implementing a formal policy to screen individuals who have been identified for deportation for trafficking before deportation. While the government had no formal policy to provide residence permits to foreign victims of trafficking, during previous reporting periods government officials made ad-hoc arrangements for victims to remain in Namibia.

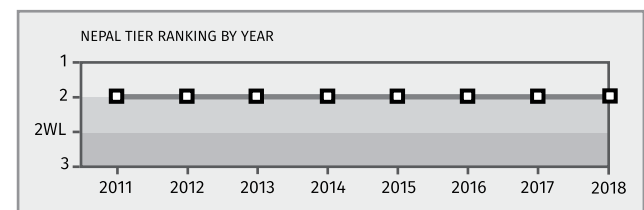
## PREVENTION

The government maintained prevention efforts. The ministerial-level national committee to combat trafficking and its technical committee did not hold any official meetings during the reporting period. A working level committee met three times during the reporting period with support from an international organization. The National Action Plan to Combat Trafficking in Persons expired at the end of 2016; the government began drafting the National Gender Based Plan of Action, which will include trafficking; however, it remained pending at the close of the reporting period. The government hosted the second annual commemoration of World Day Against Trafficking in Persons where the deputy prime minister addressed the media about the importance of combating human trafficking. Government officials trained journalists on best practices for reporting on trafficking cases. The government did not report additional efforts to raise awareness. Other senior government officials held press conferences to raise awareness of the government's efforts to combat trafficking. The government continued to participate in the Southern African Development Community (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 Ministry of Labor and Social Welfare employed 97 labor and occupational health and safety inspectors, who were responsible for enforcing laws against child labor. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training to its diplomatic personnel.

## TRAFFICKING PROFILE

As reported over the past five years, Namibia is a source and destination country for children, and to a lesser extent women, subjected to forced labor and sex trafficking. Some victims are initially offered legitimate work for adequate wages, but are then subjected to forced labor in urban centers and on commercial farms. Namibian children are subjected to forced labor in agriculture, cattle herding, and domestic service, and to sex trafficking in Windhoek and Walvis Bay. A 2015 media report alleged foreign sex tourists from southern Africa and Europe exploit child sex trafficking victims. Namibians commonly house and care for children of distant relatives to provide expanded educational opportunities; however, in some instances, these children are exploited in forced labor. Among Namibia's ethnic groups, San and Zemba children are particularly vulnerable to forced labor on farms or in homes. Children from less affluent neighboring countries may be subjected to sex trafficking and forced labor, including in street vending in Windhoek and other cities as well as in the fishing sector. Angolan children may be brought to Namibia for forced labor in cattle herding.

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 Nepal remained on Tier 2. The government demonstrated increasing efforts through increased trafficking investigations, prosecutions, and convictions. Law enforcement investigated and arrested several allegedly complicit officials. With direct government support, NGOs opened two rehabilitation homes, 19 emergency shelters, and 19 community service centers for female victims of gender-based violence, including trafficking. The government established 312 Local Committees for Controlling Human Trafficking (LCCHTs) and issued a directive to recruitment agencies to furnish information demonstrating their adherence to the low-cost migration policy. However, the government did not meet the minimum standards in several key areas. Its laws do not prohibit all forms of forced labor and sex trafficking and it continued to lack standard operating procedures (SOPs) on victim identification and referral to rehabilitation services. Despite a large number of male migrant workers who experience abuse overseas, government protection efforts disproportionately focused on female victims, and the government did not report providing any services to male victims during the reporting period. Official complicity in trafficking offenses remained a serious problem due to both direct complicity in trafficking crimes as well as negligence. Many government officials continued to lack understanding of trafficking. Officials encouraged migrant workers who experienced exploitation abroad to register cases under the Foreign Employment Act (FEA), which criminalized fraudulent recruitment, rather than notify police of labor exploitation, and prosecutors frequently declined to charge a case under the trafficking law if it had already been charged under the FEA, despite the difference in crimes. The government maintained its policies preventing female migration in several ways, and observers continued to report the revised policies led women to use illegal methods to migrate, which subsequently increased their vulnerability to human trafficking.



## RECOMMENDATIONS FOR NEPAL

Amend the Human Trafficking and Transportation (Control) Act (HTTCA) to bring the definition of human trafficking in line with the 2000 UN TIP Protocol; respecting due process, increase investigations, prosecutions, and convictions against all forms of trafficking, including bonded labor, transnational labor trafficking of Nepali males, sex trafficking of Nepali females within Nepal, and against officials complicit in trafficking-related crimes; institute formal procedures for proactive identification and referral of trafficking victims to protection services and train officials on the procedures; expand access to and availability of victim care, including to exploited workers overseas and male victims in general; penalize licensed labor recruiters who engage in fraudulent recruitment or charge excessive fees; implement victim witness protection provisions in the HTTCA; enforce the low-cost recruitment policy and continue to take steps to eliminate all recruitment fees charged to workers; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking and remove the HTTCA provision reinstated in 2015 that

## NEPAL: TIER 2

The Government of Nepal does not fully meet the minimum



allows victims to be fined if they fail to appear in court or held criminally liable for providing testimony contradicting their previous statements; lift current bans on female migration to discourage migration through undocumented channels; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2007 HTTCA criminalized some forms of labor and sex trafficking. The HTTCA criminalized slavery and bonded labor but did not criminalize the recruitment, transportation, harboring, or receipt of persons by force, fraud, or coercion for the purpose of forced labor. It criminalized forced prostitution 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. Prescribed penalties ranged from 10 to 20 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The 2002 Bonded Labor (Prohibition) Act criminalized bonded labor and the Child Labor Act criminalized forced child labor. The FEA criminalized fraudulent and deceptive labor recruitment. For the third consecutive year, the National Committee for Controlling Human Trafficking (NCCHT) drafted revisions to the HTTCA to bring the definition of human trafficking in line with international law; the HTTCA had not been amended by the end of the reporting period.

The Nepal Police Women's Cells (NPWCs) conducted 227 investigations under the HTTCA during the Nepali fiscal year, compared with 212 cases in the previous fiscal year. The 227 cases involved 389 alleged traffickers of whom 259 were arrested and 130 remained at large. NPWCs investigated crimes in which women and girls were the primary victims; other police investigative units handled crimes involving male victims. The Central Investigative Bureau (CIB) investigated eight transnational cases between April and December 2017, compared with 20 transnational cases and six internal cases during the same time period in 2016. The government initiated prosecutions in 303 cases during the fiscal year, an increase compared with 218 cases in the previous year, and continued to prosecute 184 cases from the previous reporting period. This data was not disaggregated to distinguish between sex and labor trafficking cases. At the district level, courts convicted 274 traffickers during the fiscal year, compared with 262 traffickers in the previous year, and acquitted 233 accused.

Legal experts stated that prosecutors could pursue a case under both the HTTCA and the FEA for transnational labor trafficking and foreign employment fraud, respectively; however, prosecutors regularly refused to do so believing such action would violate the prohibition against double jeopardy. Department of Foreign Employment (DFE) officials continued to advise abused migrant workers returning to Nepal to register complaints under the FEA rather than notify police. Victims of transnational labor trafficking preferred to submit claims for restitution through the FEA rather than pursue lengthy criminal prosecutions under the HTTCA, often to avoid the stigma associated with being labeled a trafficking victim (assumed to insinuate sex trafficking) and because the potential to be awarded restitution was higher. The government had standard training for labor, immigration, judicial, law enforcement, and foreign employment officials that incorporated anti-trafficking training. During the reporting period, the police and judicial academies hosted two separate trainings, with the

support of a foreign government, on combating trafficking for police, prosecutors, NGO representatives, and DFE officials. Despite these trainings, police lacked sophisticated investigative techniques and skills to interact in a victim-centered way with trafficking survivors; these deficiencies subsequently undermined prosecution efforts.

Official complicity in trafficking offenses remained a serious problem. NGOs alleged some police and political party leaders were complicit in domestic sex trafficking because of their financial involvement in the adult entertainment sector. Observers alleged some traffickers enjoyed impunity due to personal connections with politicians or by bribing police. Some government officials were reportedly bribed to include false information in genuine Nepali passports or to provide fraudulent documents to prospective labor migrants or foreign employment agents. In August 2017, a parliamentary committee stated due to the negligence or complicity of immigration officials and police, girls and women were able to depart from the international airport without completing the required migrant work exit procedures; the committee stated up to 60 percent of Nepali domestic workers in the Gulf states were working illegally without the proper visa and safeguards. In November 2017, the commission arrested the Director General of DFE and two DFE officials for allegedly attempting to collect a bribe from a foreign employment agency; the three officials were released on bail or their own recognizance and were awaiting trial at the end of the reporting period. In December 2017, police arrested a recently-elected local official for allegedly exploiting two Nepali girls in sex trafficking in India; while the official was released on bail and awaiting trial for this offense, CIB arrested him for a prior trafficking crime for which he had been convicted in absentia and initiated his six-year term of imprisonment.

## PROTECTION

The government maintained overall efforts to protect female trafficking victims; however, protection efforts for male victims remained wholly inadequate. The government did not have SOPs for victim identification and referral to rehabilitation services, although police did have internal guidelines on the identification and treatment of victims. Authorities did not systematically track the total number of victims identified, but did identify 368 victims connected to the 235 investigations initiated during the Nepali fiscal year, compared with 419 victims identified the previous year. Of the 311 NPWCs identified victims, 67 were subjected to sex trafficking, 125 to forced labor, and 119 victims' cases were uncategorized. It was unknown how many of these victims were exploited abroad, although 57 victims identified by CIB were victims of transnational trafficking, primarily in Gulf states. Of the total victims identified, 89 were under age 18 and almost all were female—only four were male. Officials' poor understanding of the crime, a lack of formal SOPs for identification, and victims' reluctance to be identified due to stigma hindered proper and proactive identification, especially among returning male labor migrants who reported exploitation abroad. NGOs continued to report government efforts to identify domestic sex trafficking victims improved. Police increased the number of inspections of Kathmandu adult entertainment businesses and more consistently worked to screen for sex trafficking to avoid penalizing victims for prostitution crimes. When properly identified, victims were not detained, fined, or jailed for crimes committed as a result of being subjected to human trafficking.

Although the government had national minimum standards for victim care and referral to services, referral efforts remained

ad hoc and inadequate. It is unclear how many victims were referred to and able to utilize services during the year. Ministry of Women, Children, and Social Welfare (MWCSW) reported its online directory, launched in the previous reporting period to catalog service providers for trafficking victims and migration-related exploitation, had not met its expectations for utilization but there were no efforts to improve it. The government decreased its contribution to provide services for female victims of violence, including trafficking, from 19 million Nepali rupees (NPR) (\$186,000) during the 2016-2017 fiscal year to 10 million NPR (\$97,700) for the 2017-2018 fiscal year, although this fund's financing was cumulative and had approximately 16 million NPR (\$156,000) in the fund at the beginning of the year. During the reporting period and with support from MWCSW, NGOs opened two rehabilitation homes, 19 emergency shelters, and 19 community service centers for female victims of gender-based violence, including trafficking, bringing the total of government-supported homes to 10, emergency shelters to 36, and community service centers to 123. MWCSW also supported an NGO-run long-term shelter for female victims of violence, including trafficking. MWCSW provided the NGOs funding for three staff members per shelter, some facility expenses, and victim assistance, including legal assistance, psychological support, transportation, medical expenses, and skills training, although NGOs reported this funding was only distributed if NGOs requested reimbursement. Unlike in previous years, MWCSW did not allocate funds for the protection and rehabilitation of male trafficking victims; however, according to the MWCSW, male victims were entitled to the same support as female victims and the government could re-allocate funds for their rehabilitation if male victims sought services. An NGO ran one shelter for men in Kathmandu. Victims had the ability to seek restitution from a rehabilitation fund if the government was unable to collect fines from traffickers under the HTTCA. District courts in Kathmandu, Bhaktapur, and Chitwan ordered their respective district committees for controlling human trafficking (DCCHTs) to provide restitution from the fund, and MWCSW reported DCCHTs had initiated the process for some victims.

Overall victim-witness protection mechanisms remained insufficient. Notably the victim's right to police protection was not upheld due to resource limitations and observers stated victims were reluctant to file criminal complaints under HTTCA in part because of personal or family safety concerns. Victim protection mechanisms were also impeded by a 2015 amendment to the HTTCA that reinstated a provision allowing victims to be fined if they failed to appear in court or to be held criminally liable for providing testimony contradicting their previous statements. The government did not have established procedures for alternatives to the deportation of foreign victims.

While Nepali embassies in Kuwait, Oman, Saudi Arabia, Qatar, Bahrain, and United Arab Emirates provided emergency shelters for vulnerable female workers, some of whom were trafficking victims, the Foreign Employment Promotion Board (FEPB) acknowledged the shelters lacked sufficient space and resources to meet the high demand for assistance. FEPB collected fees from departing registered migrant workers for a welfare fund to provide repatriation and one year of financial support to families of injured or deceased workers, which could include trafficking victims. During the fiscal year, the fund provided financial support to the families of 102 injured and 810 deceased migrant workers, and paid to repatriate 50 workers. FEPB may also repatriate unregistered migrant workers by requesting funds through the finance ministry on an ad hoc basis. It is unknown if unregistered workers were repatriated during the reporting

period. In December 2017, DFE launched an online application for migrant workers facing abusive or untenable situations overseas, or someone on the migrant worker's behalf, to file a request with officials for repatriation. In the first two months of the application, DFE received 227 repatriation requests; it is unknown how many of these requests were fulfilled or stemmed from trafficking crimes.

## PREVENTION

The government increased efforts to prevent human trafficking. The government continued to establish LCCHTs and funded them through the DCCHTs. As of January 2018, 732 LCCHTs were in operation, an increase of 312 from the previous reporting period. MWCSW allocated approximately 110,240 NPR (\$1,080) to each of the 75 DCCHTs to support awareness campaigns, meeting expenses, and emergency victim services. This was a slight increase from the 98,900 NPR (\$970) allocated last fiscal year. While the NCCHT continued to meet with and train officials from the DCCHTs, observers continued to note the need for improved coordination between the NCCHT, DCCHTs, and LCCHTs. In January 2018, MWCSW reviewed the government's implementation of the 2012-2022 national action plan and found the government had completed 68 percent of prevention and 52 percent of protection activities, but only 31 percent of prosecution and 21 percent of capacity building, cooperation, and coordination activities. The review also highlighted the need to revise the national action plan to align anti-trafficking programming with the constitutional transition to federalism, as well as to better address forced labor. MWCSW issued its fifth report on the government's anti-trafficking efforts, and the National Human Rights Commission's Office of the Special Rapporteur on Trafficking in Women and Children issued its eighth report on human trafficking. The government conducted public awareness campaigns throughout the country, sometimes in partnership with NGOs or international organizations. In nine districts, special committees continued to monitor the adult entertainment sector for abuses. Observers stated their effectiveness was limited, however, due to a lack of funding and legislation to establish the committees' formal role.

The government's 2015 labor migration guidelines include a policy requiring foreign employers to pay for visa and transportation costs for Nepali migrant workers bound for Malaysia and the Gulf states and restrict agency-charged recruitment fees to 10,000 NPR (\$98). In April 2017, DFE issued a directive to recruitment agencies to furnish financial details demonstrating their adherence to the policy; by September 2017, 750 of 1,097 agencies had fulfilled the requirement and DFE fined 30 agencies between 50,000-100,000 NPR (\$488-\$977) for failing to provide details of or clarification on their adherence. Both NGOs and officials noted enforcement of the low-cost migration policy was difficult and reported employment agencies regularly charged migrant workers for visa and transportation costs and fees above the 10,000 NPR (\$98) limit. In October 2017, the government signed a bilateral labor agreement with Jordan stipulating employment conditions and the employer's responsibility to pay for migrant worker expenses such as airfare, insurance, health screenings, and visas. The government maintained its ban on migration of female domestic workers under age 24 to Gulf states and of mothers with children under age two. At the government's invitation, the UN Special Rapporteur on the Human Rights of Migrants visited Nepal in January 2018. The UN, other international organizations, and local NGOs continued to argue any ban on female migration increased the likelihood such women would migrate illegally and therefore heightened their vulnerability

to human trafficking. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for all Nepali peacekeeping forces before deployment. Nepal is not a party to the 2000 UN TIP Protocol; however, during the reporting period, MWCSW finalized its study on the costs of acceding to the protocol and the home ministry forwarded to the Cabinet a recommendation to accede to the protocol.

### TRAFFICKING PROFILE

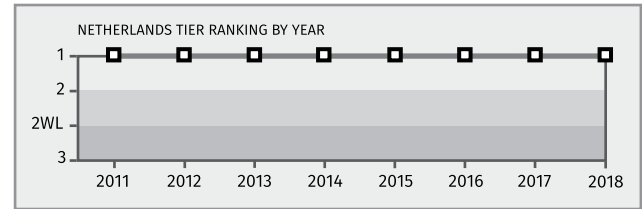
As reported over the past five years, Nepal is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Nepali women and girls are subjected to sex trafficking in Nepal, India, the Middle East, Asia, and Sub-Saharan Africa. Nepali men, women, and children are subjected to forced labor in Nepal, India, the Middle East, and Asia in construction, factories, mines, domestic work, begging, and the adult entertainment industry. Manpower agencies or individual employment brokers who engage in fraudulent recruitment practices and impose high fees may facilitate forced labor. Unregistered migrants—including the large number of Nepalis who travel through India or rely on unregistered recruiting agents—are particularly vulnerable to forced labor and sex trafficking. Some Nepali women who agree to arranged marriages through Nepali companies to men in China and South Korea may experience fraud and be vulnerable to domestic servitude in which their freedom of movement is restricted. Some migrants from Bangladesh, Sri Lanka, and possibly other countries transit Nepal en route to employment in the Middle East, using potentially falsified Nepali travel documents, and may be subjected to human trafficking. Some government officials reportedly accept bribes to include false information in Nepali identity documents or provide fraudulent documents to prospective labor migrants, a tactic used by unscrupulous recruiters to evade recruitment regulations.

Within Nepal, bonded labor exists in agriculture, brick kilns, the stone-breaking industry, and domestic work. Sex trafficking of Nepali women and girls increasingly takes place in private apartments, rented rooms, guest houses, and restaurants. Nepali and Indian children are subjected to forced labor in the country, especially in domestic work, brick kilns, and the embroidered textile, or zari, industry. Under false promises of education and work opportunities, Nepali parents give their children to brokers who instead take them to frequently unregistered children's homes in urban locations, where they are forced to pretend to be orphans to garner donations from tourists and volunteers; some of the children are also forced to beg on the street. Many Nepalis, including children, whose home or livelihood was destroyed by the 2015 earthquakes continue to be vulnerable to trafficking. Traffickers increasingly utilize social media and mobile technologies to lure and deceive their victims.

## NETHERLANDS: TIER 1

The Government of the Netherlands 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 Netherlands remained on Tier 1. The government demonstrated serious and sustained efforts by investigating, prosecuting, and convicting a significant number of traffickers; increasing the number of convictions;

and identifying a significant number of victims. The national rapporteur increased monitoring and evaluation of trafficking and law enforcement increased efforts to fight child sex tourism. Although the government meets the minimum standards, authorities identified fewer victims for the fourth consecutive year, did not uniformly offer the three-month reflection period to foreign victims, and the government did not report complete statistics for the reporting period.



### RECOMMENDATIONS FOR THE NETHERLANDS

Increase efforts to identify victims and provide all potential trafficking victims with care services, regardless of their ability to cooperate with an investigation; improve data collection on sentences and victim identification; increase efforts to investigate, prosecute, convict, and sentence traffickers to penalties proportionate to the seriousness of the crime; finalize the national action plan; continue outreach to potential victims in labor sectors and identify forced labor; fill all regional victim care coordinator posts; pursue more covenants with business sectors to reduce the risk of human trafficking in supply chains; and improve mentoring of officials in Bonaire, St. Eustatius, and Saba to increase identification of victims and prosecution of traffickers.

### PROSECUTION

The government maintained law enforcement efforts. Article 273f of the criminal code criminalized sex and labor trafficking, including forced begging and forced criminality, and prescribed punishments of up to 12 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2017, the police received 186 reports of possible human trafficking and arrested 141 trafficking suspects, compared with 184 and 220 respectively in 2016. In 2017, the government prosecuted 157 trafficking defendants, compared with 150 in 2016. The government convicted 127 on trafficking crimes in 2017, compared with 103 in 2016.

The government did not report complete sentencing data but confirmed several cases in which traffickers received strong sentences during the reporting period. For instance, in December 2017, a district court in Leeuwarden sentenced a man to five years in prison and a fine of €350,000 (\$420,170) in compensation to two victims of forced prostitution. In July 2017, a court of appeals in The Hague convicted a woman to three years in prison for forced labor of a child in domestic servitude. In October 2017, a district court in Utrecht convicted four Bulgarian men for forced prostitution with prison sentences respectively of 23, 43, 53, and 64 months. Prosecutorial statistics did not disaggregate labor and sex trafficking cases, but according to the national rapporteur's 2016 official statistics, 25 percent of victims were subjected to forced labor. The government increased investigations of child sex tourists; most notably, the Dutch police coordinated with Nepalese authorities to arrest two suspects on trafficking charges. The government continued to participate in international investigations with Europol and led joint investigation teams with other EU



nations. Judges with trafficking-specific training heard all trafficking cases in 2017. The government allocated €2 million (\$2,400,960) to train 30,000 first-line police officers on victim identification in 2018 and train 20 anti-trafficking investigators each year. Police officers' basic training included anti-trafficking courses, and anti-trafficking police officers were required to pass examinations in a training course focused on policing commercial sex. Judges, prosecutors, and defense attorneys continued to receive specialized training in applying the anti-trafficking law and dealing with traumatized victims. In 2017, labor inspectors referred 12 cases for prosecution for forced labor, an increase from 10 in 2015. The government arrested a deputy chief prosecutor in the national prosecutor's office for soliciting a child; the investigation was ongoing.

## PROTECTION

The government maintained efforts to protect victims. In 2016, the latest year for which these data were available, the government-funded national victim registration center and assistance coordinator registered 952 possible trafficking victims, a decrease from 1,150 in 2015. Of the 952 identified, 523 were victims of sex trafficking, 244 of labor trafficking and forced crime, 35 of both labor and sex trafficking, and 150 of uncategorized trafficking. Two-hundred and twenty seven of the victims were children. The top countries of victim origin in 2016 (in order of prevalence) were the Netherlands, Poland, Romania, Nigeria, and Bulgaria. The police reported identifying 462 victims; regional health care organizations, 240; labor inspectors, 38; military police, 12; and other organizations, 352. The number of registered victims identified continued to decline over the past four years, but government and civil society did not interpret this trend as a decrease in trafficking prevalence. Government officials and civil society reported that a shift in police resources away from trafficking to counterterrorism and a reorganization of the force, which led to a loss of accumulated trafficking expertise contributed to fewer victims being identified. In 2017, the national rapporteur conducted a multiple systems estimation study, which estimated 6,250 trafficking victims within the country.

The government-funded an extensive network of care facilities for both foreign and domestic victims. The government fully funded three NGO-managed shelters that provided dedicated services for child, adult females, and adult male trafficking victims. In 2017, the government provided €1.6 million (\$1,920,770) to the shelters, a slight increase compared to 2016. However, from 2018 to 2021, the government proposed to allocate €800,000 (\$960,380) to the three shelters each year, a reduction of 50 percent. Local governments also funded shelters for domestic violence victims, which had dedicated space for trafficking victims. The government did not provide data on the number of victims referred to care facilities, but over the past four years, only 960 of the 5,765 identified victims, or 16.7 percent, received services at the shelters. For victims to receive official designation as trafficking victims, their trafficker must be convicted in court; without this status, foreign victims could not obtain permanent residency, with some exceptions. NGOs reported non-EU victims were increasingly unwilling to report to the authorities under this condition as they were concerned with participating in a long court process, fearful of possible retribution from convicted traffickers due to light sentencing, and uncertain of obtaining permanent residency.

Each of the Netherlands' 35 health care regions was required to have one coordinator for trafficking to assist victims; however, in November 2017, media reported 16 of the 35 regions had

not filled the position. The Royal Dutch Medical Association, upon recommendation from the rapporteur, adopted improved guidelines for doctors to identify victims without violating patient confidentiality. The government permitted potential victims to stay for a three-month reflection period to decide whether to assist law enforcement. The national rapporteur reported the three investigative agencies—the police, the military police, and the labor inspectorate—did not uniformly offer the three-month reflection period to foreign victims. In 2016, the most recent year data was available, 116 of the 584 foreign victims made use of the reflection period. During the reflection period, non-EU victims had access to specialized shelters, but were not permitted to work. After the reflection period, victims who agreed to assist police could continue to stay in shelters. All shelters provided medical and psychological care, schooling, language and skills training, and legal assistance; some also provided self-defense classes and most had facilities accessible to disabled individuals. Adult victims could leave shelters at will and unchaperoned, and authorities placed child victims in special shelters for children or in specialized foster homes. Several shelters were specifically designated for “lover-boy” trafficking victims.

Victims willing to testify against their alleged trafficker were eligible to receive a B-8 permit, a temporary residence permit for trafficking victims, if authorities decided to prosecute a suspected trafficker. Victims received permanent residency when the trafficker in their case was convicted or when they maintained B-8 status for three or more years. In 2016, 160 foreign victims applied for the B-8 permit. The national rapporteur reported about 75 percent of all foreign victims apply for the B-8 permit, but indicated this number was declining because more foreign victims applied for residency under asylum status. If a trafficker was not prosecuted or was acquitted in a victim's case, or if a potential victim did not want to assist the police investigation, the victim could apply for asylum. The government did not collect statistics on the number of potential victims who applied for asylum. Some NGOs criticized the B-8 process, reporting that residency contingent on prosecution and conviction can be detrimental to the victim. The government addressed this concern by creating the multi-disciplinary trafficking victimhood designation program, to better assess victims on a case-by-case basis; the program has received its first cases at the time of this report. Authorities worked with civil society to repatriate foreign victims unable to acquire residency permits. In addition to the new multi-disciplinary trafficking victimhood designation program, a procedure also existed to circumvent B-8 eligibility requirements for residency in cases where victims were seriously threatened or had serious medical or psychological conditions.

## PREVENTION

The government maintained efforts to prevent trafficking. The government's national anti-trafficking action plan was under development at the close of the reporting period. The government's Human Trafficking Task Force, which was composed of local and national government authorities, the private sector, and NGO representatives, was extended with another three-year term until 2020. The government partially funded the implementation of an action plan developed by NGOs. The rapporteur published five reports during the reporting period addressing human trafficking trends and the government's response, and the Ministry of Security and Justice published two reports on the protection of victims of sexual crime and an evaluation of the rapporteur. The government continued several awareness campaigns with videos, websites, handouts, and school prevention curricula; the labor

inspectorate continued to focus on sectors with an elevated risk of exploitation. Teams of police, labor inspectors, and health care personnel continued to conduct brothel inspections, which included close observation for signs of trafficking. Authorities trained immigration, hotel, aviation, customs, and labor inspection staff in methods to identify trafficking victims and child sex tourism. The gold sector became the sixth sector to sign the government's Covenant on Reducing Human Rights Violations in Supply Chains. The number of textile sector signatories to the covenant increased from 55 to 65 in 2017. The government did not demonstrate efforts to reduce the demand for commercial sex. The government had a national plan against child sex tourism, and in cooperation with foreign governments screened potential child sex tourists at airports. The government provided anti-trafficking training assistance to foreign governments. The foreign ministry continued to conduct outreach to foreign diplomats' domestic workers, without their employers present, on how to report cases of abuse. The ministry of foreign affairs reported one possible incident of labor exploitation by foreign diplomats, but made no arrests. The government provided training on trafficking to Dutch troops prior to their deployment abroad as part of international peacekeeping missions.

### TRAFFICKING PROFILE

As reported over the past five years, the Netherlands is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. The largest group of identified victims are Dutch girls enticed by young male traffickers, known as "lover boys," who coerce vulnerable girls into sexual exploitation, often through a sham romantic relationship. Women and child refugees and asylum-seekers are vulnerable to sex trafficking. Men and women from Eastern Europe, Africa, and South and East Asia are subjected to labor trafficking in industries such as inland shipping, agriculture, horticulture, hospitality, domestic servitude, and forced criminal activity. Criminal groups force Romani children into pickpocketing and shoplifting rings, and refugees and asylum-seekers, including unaccompanied children, are vulnerable to labor trafficking. The Netherlands is a source country for child sex tourists.

### BONAIRE, ST. EUSTATIUS, AND SABA (BES)

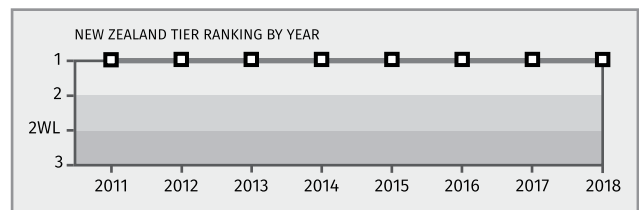
The BES islands are municipalities of the Netherlands and a transit and destination area for men, women, and children subjected to sex trafficking and forced labor. Women in prostitution and unaccompanied children are highly vulnerable to trafficking. Local authorities believe men and women have been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

The BES criminal code criminalized both sex and labor trafficking under article 286f, prescribing penalties ranging from six to 15 years imprisonment. Authorities did not initiate any new trafficking investigations or prosecutions in 2017. The prosecution of Bonaire's first trafficking case, involving Colombian women in forced prostitution, was initiated in October 2012 and remained ongoing at the close of the reporting period. The mandate of the Netherlands' national rapporteur did not extend to the BES islands, so the office could not conduct local research. Local governments on the BES islands ran multi-disciplinary anti-trafficking teams, which cooperated with each other and with Dutch counterparts. Victims of violence,

including human trafficking, were eligible for compensation from the Violent Offenses Compensation Fund.

## NEW ZEALAND: TIER 1

The Government of New Zealand fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore New Zealand remained on Tier 1. The government demonstrated serious and sustained efforts by obtaining two trafficking convictions, increasing training for law enforcement, developing a new written framework for victim services, and increasing efforts to prevent trafficking, including by enforcing new regulations to prevent employers who breach employment laws from recruiting migrant workers. Although the government meets the minimum standards, it did not provide sufficient resources to increase trafficking investigations and prosecutions, convict any offenders under the trafficking statute, or formally identify child sex trafficking victims, despite providing services to child victims in prostitution.



### RECOMMENDATIONS FOR NEW ZEALAND

Amend the trafficking statute to explicitly remove the possibility of a fine alone as a sentence for trafficking crimes and to define the sex trafficking of children as not requiring the use of deception or coercion; increase resources for anti-trafficking law enforcement; increase efforts to identify victims through proactive screening of vulnerable populations, including women and children in prostitution, foreign workers, and illegal migrants; update the national action plan to address current trafficking trends in the country; provide trafficking training to judges and prosecutors; expand anti-trafficking awareness campaigns; and engage in efforts to reduce demand for forced labor, including in supply chains, and commercial sex.

### PROSECUTION

The government maintained law enforcement efforts. The Crimes Act of 1961, as amended, criminalized sex and labor trafficking. Inconsistent with international law, the trafficking provision of the Crimes Act, section 98D, required a demonstration of deception or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. However, section 98AA of the Crimes Act criminalized all forms of child sex trafficking under its "dealing in persons" provision. Section 98D prescribed sentences of up to 20 years imprisonment, which were sufficiently stringent penalties. While section 98D technically allowed for penalties resulting solely in a fine for sex trafficking of adults—which is not commensurate with penalties for other serious crimes, such as rape—the absence of recent trafficking convictions resulting solely in a fine, coupled with the Sentencing Act of 2002, indicated such penalties were not in fact permissible. Section 98AA also prescribed a maximum penalty of 14 years imprisonment for child sex trafficking, which was commensurate with the penalties imposed for rape.



During the reporting period, the government initiated three trafficking investigations, initiated prosecutions of six defendants, and obtained two convictions, compared to seven investigations, four prosecutions, and two convictions in the previous reporting period. The government pursued human trafficking charges against two defendants in one case involving forced labor, exploitation charges against one defendant, and prosecuted three defendants for child sex trafficking. The government convicted two restaurant owners on exploitation charges under the Immigration Act and sentenced them to 26 months imprisonment and eight months home detention, respectively, and ordered each to pay 7,200 New Zealand dollars (\$5,120) in restitution. Authorities reported a lack of sufficient resources, as well as high evidentiary and procedural standards, resulted in prosecutors charging some suspected traffickers under different statutes, such as labor violations. The immigration department established a trafficking intelligence and prosecution unit. The government continued to train law enforcement officials on trafficking, and in 2018 included an anti-trafficking component within mandatory training for criminal investigators; it did not report training prosecutors or judiciary officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government maintained victim protection efforts. It reported having standardized guidance to identify trafficking victims, but it identified only a small number of victims. The government completed a new operational framework to improve and guide the process of identification, referral, and provision of victim services for government officials. During the reporting period, the government identified two victims (compared with two in 2016) and one potential victim—two male victims of labor trafficking were formally identified and one child exploited in sex trafficking was provided services; however, the government did not identify the child as a victim of trafficking. The government provided services to victims identified in 2017 and continued to provide services for 18 victims of labor trafficking, compared to 37 victims assisted in 2016. The Ministry of Health issued written victim identification guidelines to medical providers throughout New Zealand in 2017. In addition to police, the government provided training for labor inspectors, immigration, and customs officials on victim identification and referral. Labor inspectors reported inspecting legal brothels to ensure working conditions complied with the law and conducting investigations and routine audits in work places that employed migrant workers. The government reported routinely providing assistance to child victims in prostitution, but did not formally identify any child victims of sex trafficking. Through arrangements with local community groups, the government provided temporary housing, food, clothing, and other services, as well as emergency grants in cases involving debt bondage. The law authorized the extension of temporary residence visas to foreign trafficking victims for up to 12 months, which also made them eligible for legal employment; the government issued such visas to labor trafficking victims identified during the reporting period. The government provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. There were no reports of victims penalized for unlawful acts committed as a result of being subjected to trafficking; however, some may have been as a result of inadequate screening. For example, reports indicated immigration officials focused on the visa status violations of some exploited migrant workers rather than identifying them as victims and referring them to services, though the government

denied these reports. Victims could seek restitution through civil claims, although no such civil claims were filed in 2017.

## PREVENTION

The government increased efforts to prevent trafficking. Police, labor, and immigration officials led the government's anti-trafficking efforts under an anti-trafficking coordinator. The government initiated a review of its 2009 anti-trafficking action plan in early 2018; the lack of an updated plan reportedly impeded governmental efforts throughout the reporting period. Immigration New Zealand met with consultation groups, including NGOs, businesses, and other stakeholders to further its anti-trafficking efforts; however, these meetings did not result in significant outcomes during the reporting period. The government introduced regulations in April 2017 that banned employers who breach employment standards from recruiting migrant workers for periods of six to 24 months and publicly published a list of all offending employers. Since implementing these regulations, the government placed approximately 100 businesses on the list.

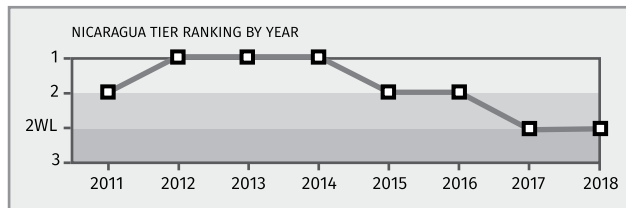
The government continued to distribute guides for employers recruiting Filipino workers and send welcome emails with workers' rights information to all approved residence, work, and student visa holders. In an attempt to reduce the demand for forced labor, the labour inspectorate established a unit to engage employers on increasing compliance with employment standards within their own supply chains, focusing on high-risk industries. The government also hosted forums with businesses, NGOs, and other civil society stakeholders to increase awareness and engage the private sector to combat trafficking in supply chains. The government conducted compliance tests of employment contracts used in work visa applications. The government did not make efforts to reduce the demand for commercial sex acts, which are decriminalized in New Zealand.

## TRAFFICKING PROFILE

As reported over the past five years, New Zealand is a destination country for foreign men and women subjected to forced labor and sex trafficking and a source country for children subjected to sex trafficking within the country. Foreign men and women from the Pacific islands, China, India, the Philippines, Bangladesh, Sri Lanka, and Latin America are vulnerable to forced labor in New Zealand's agricultural, dairy, construction, viticulture, food service, and hospitality sectors, and as domestic workers. Unregulated and unlicensed immigration brokers operating in New Zealand and source countries, particularly in India and the Philippines, assist victims of labor exploitation in New Zealand obtain visas. Some foreign workers are charged excessive recruitment fees and experience unjustified salary deductions, non- or under-payment of wages, excessively long working hours, restrictions on their movement, passport retention, and contract alteration. Some migrant workers are forced to work in job conditions different from those promised during recruitment but do not file complaints due to fear of losing their temporary visas. Foreign workers aboard foreign-flagged fishing vessels in New Zealand waters are vulnerable to forced labor. Foreign women from Asia and South America are at risk of sex trafficking. Some international students and temporary visa holders are vulnerable to forced labor or prostitution. New Zealand girls and boys (often from minority communities) are at risk of sex trafficking. Some children are recruited by other girls or compelled by family members into sex trafficking.

## NICARAGUA: TIER 2 WATCH LIST

The Government of Nicaragua does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by reactivating its national anti-trafficking coalition; investigating, prosecuting, and convicting traffickers; and providing limited victim services. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Continuing a multiyear trend, authorities identified fewer victims and prosecuted and convicted significantly fewer traffickers. The government decreased its already inadequate level of funding for victim services and did not cooperate with NGOs in victim assistance or in the national coalition. Prosecution, protection, and prevention efforts in the two Caribbean autonomous regions of Nicaragua continued to be much weaker than in the rest of the country. Therefore Nicaragua remained on Tier 2 Watch List for the second consecutive year.



### RECOMMENDATIONS FOR NICARAGUA

Significantly increase efforts to investigate, prosecute, and convict traffickers; increase funding for victim protection, including through financing the trafficking fund, and provide specialized services for trafficking victims; develop and vigorously implement formal procedures for identifying victims among vulnerable populations and effectively refer victims to appropriate services; partner with NGOs to ensure victims receive long-term care and reintegration services; amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law; increase training for government officials—including social workers, labor inspectors, and law enforcement officials—to facilitate increased victim identification and assistance, including securing restitution; strengthen law enforcement and victim protection efforts in the Caribbean Autonomous Regions, including through increased staff and funding; improve coordination and cooperation with NGOs, including by inviting NGOs to hold formal membership on both the national and local anti-trafficking coalitions; and publish the anti-trafficking national action plan and annually report on progress toward its objectives.

### PROSECUTION

The government maintained minimal law enforcement efforts. The Law against Trafficking in Persons of 2015 criminalized sex and labor trafficking and prescribed penalties ranging from 10 to 15 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, coercion, or deceit as an aggravating factor rather than an essential element of the crime; the penalties increased to 16 to 18 years imprisonment for trafficking offenses involving these factors. The penalty for child trafficking increased to 19 to 20 years

imprisonment. The law also defined trafficking broadly to include illegal adoption without the purpose of exploitation.

Authorities reported initiating five investigations in 2017—three sex trafficking and two forced labor—compared to eight sex trafficking investigations in 2016. The government prosecuted two suspects, compared to 13 in 2016. In 2017, the government convicted three traffickers, two for sex trafficking and one for forced begging, compared to nine convicted sex traffickers in 2016. In 2017, the two sex traffickers received prison sentences ranging from 19 to 20 years each. Observers reported weak rule of law and judicial corruption adversely affected legal proceedings in the country, including trafficking cases. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government trained investigators, prosecutors, judges, and other law enforcement officials on trafficking indicators. The government reported cooperating with two foreign governments involving Nicaraguan nationals, but did not report the results of this cooperation.

### PROTECTION

The government maintained minimal protection efforts. The government identified 12 trafficking victims, including three adults, five girls, and four boys—six sex trafficking and six forced labor victims. This is compared with 13 in 2016, 30 in 2015, and 51 in 2014. The government provided 10 of these victims with temporary shelter, medical care, and legal assistance; NGOs provided two victims services. NGOs reported identifying and assisting 10 additional victims, including Nicaraguan and foreign men, women, and children exploited in both sex and labor trafficking. Authorities did not have formal procedures for identifying victims among vulnerable populations, such as individuals in prostitution, migrants, or working children. Officials identified fewer victims in the autonomous regions than other regions, where identification and referral mechanisms were lacking.

The government reported providing limited assistance for victims of gender-based violence, which included trafficking victims, but did not provide funding for specialized services or shelters. NGOs reported the government closed the offices of the specialized women's unit and its short-term shelters, which has led to challenges in coordination between the government and NGOs. There were no shelters available for men. The government did not provide long-term care, and the availability of extended services from NGOs was limited. The government did not provide funding to or collaborate with NGOs that provided the majority of victim protection, sometimes leaving victims without vital assistance. The government put some child victims at risk of re-victimization by placing them with family members who may have been complicit in their exploitation. Regions outside Managua most affected by human trafficking largely lacked adequate services.

Law 896 established a dedicated fund—to be financed through budget allocation, donations, and seized assets from traffickers—for victim protection and prevention activities. However, for the third year, the government did not make it operational. The Ministry of Family provided funding for services through its annual budget, but these appropriations decreased by 32 percent in 2017. Victims may obtain damages by filing civil suits against traffickers; however, the government and NGOs reported that in practice victims had never exercised this right. The government did not report assisting Nicaraguan victims through its diplomatic missions overseas despite evidence of

Nicaraguan victims of both sex trafficking and forced labor in Spain, Panama, and Costa Rica. Authorities sometimes detained victims for questioning, but there were no other reports of victims penalized for unlawful acts committed as a direct result of being subjected to trafficking. The government reported screening for indicators of trafficking among migrant populations and those involved in prostitution, but failed to identify any labor trafficking victims or foreign victims. Nicaraguan law provided for humanitarian visas for foreign trafficking victims, but the government did not report granting any such visas in 2017.

## PREVENTION

The government maintained some efforts to prevent trafficking. The government reactivated its national anti-trafficking coalition, but it lacked a legally required executive secretariat, and its various working groups did not cover all regional, departmental, and municipal jurisdictions. For a third consecutive year, the national coalition and its regional working groups did not meet with NGOs, despite requirements under Law 896 that the coalition include an NGO representative. The government reported it developed a national action plan, but did not publish the plan or otherwise provide its contents. The government reported it conducted research, monitored its efforts, met to track trends and cases, and provided a report of its activities to the National Assembly; however, it had not made its research or report public. The government reported it conducted and funded 511 prevention campaigns during the reporting period targeting students, faculty, parents, indigenous communities, and community leaders along border towns and tourism destinations. Some Nicaraguans could not easily obtain national identification cards, which increased their vulnerability to trafficking. The Ministry of Labor reported that it monitored private employment agencies, which must be registered under Nicaraguan law, but no cases of forced labor were identified. The government did not provide anti-trafficking training for its diplomatic personnel. Authorities did not investigate, prosecute, or convict any tourists for the purchase of commercial sex acts from children in 2017, although NGOs reported child sex tourism continued to be an issue in the country. The government made limited efforts to reduce the demand for commercial sex acts and forced labor.

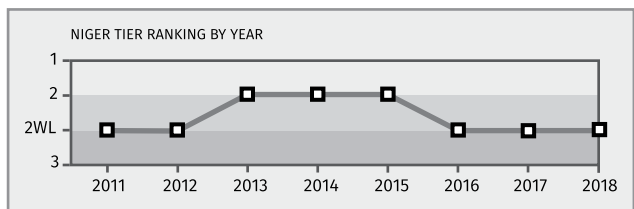
## TRAFFICKING PROFILE

As reported over the past five years, Nicaragua is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Nicaraguan women and children are subjected to sex trafficking within the country and in other Central American countries, Mexico, Spain, and the United States. Victims' family members are often complicit in their exploitation. Nicaraguan women and children are subjected to sex and labor trafficking in the two Caribbean Autonomous Regions, where the lack of strong law enforcement institutions and a higher crime rate increase the vulnerability of the local population. Nicaraguans from Northern-Central departments who migrate to other Central American countries and Europe are reportedly vulnerable to sex and labor trafficking. During the reporting period, Nicaraguans were reported as sex and labor trafficking victims in Panama and Spain. In addition, children left by these migrants in Nicaragua reportedly become vulnerable to sex and labor trafficking. Nicaraguan adults and children are subjected to forced labor in agriculture, construction, mining, the informal sector, and domestic service within the country and in Costa Rica, Panama, the United States, and other countries. Children in artisanal mining and

quarrying are vulnerable to forced labor. Children and persons with disabilities are subjected to forced begging, particularly in Managua and near tourist centers. Male migrants from Central American countries transit Nicaragua en route to Panama in search of employment; some are subjected to labor trafficking in Panama. Nicaragua is a destination for child sex tourists from the United States, Canada, and Western Europe.

## NIGER: TIER 2 WATCH LIST

The Government of Niger does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by reporting law enforcement and victim identification data for the first time in three years, increasing anti-trafficking training for law enforcement officials and judges, and expanding outreach and awareness programs that included civil society, religious leaders, journalists, and security forces. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not report investigating, prosecuting, or convicting any individuals for traditional slavery practices. Victim protection services remained inadequate and the government has not formalized its standard operating procedures to identify or refer trafficking victims to care. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Niger was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Niger remained on Tier 2 Watch List for the third consecutive year.



## RECOMMENDATIONS FOR NIGER

Vigorously investigate, prosecute, and convict traffickers, including those engaged in traditional slavery practices, using the 2010 anti-trafficking law; increase training for law enforcement and judicial officials throughout the country on the anti-trafficking law; increase coordination with regional, sub-regional, and international organizations to investigate and prosecute international trafficking cases, separate from smuggling cases; fully adopt and implement systematic procedures for the proactive identification of trafficking victims—especially among vulnerable populations, such as children exploited in sex trafficking, women and girls born into slave castes, and children at worksites—and their subsequent referral to care; direct the Ministry for the Promotion of Women and the Protection of Children to increase efforts to provide support to victims of trafficking, and more closely collaborate with NGOs; provide victims with information about their rights and support victims of trafficking, including forced labor and traditional slavery practices, in seeking redress from, and participating in the prosecution of, their traffickers; amend the law to increase penalties in the 2010 anti-trafficking law for trafficking of adults and in the penal code for forced child begging and child sex



trafficking, and remove the option of imposing a fine in lieu of jail time for forced labor crimes in the labor code; increase the quantity and quality of services available to victims; proactively identify and refer victims of traditional slavery practices to services; raise public awareness about the anti-trafficking law, specifically targeting vulnerable populations, religious leaders, and traditional chiefs; work with international organizations to draft and implement a revised national action plan to combat trafficking in persons; and develop a system among law enforcement, judicial officials, NGOs, and civil society actors to track suspected human trafficking cases and prosecution and protection data.

## PROSECUTION

The government maintained prosecution efforts; it reported law enforcement statistics for the first time in three years. Order No.2012-86 on Combating Trafficking in Persons, enacted in 2010, criminalized sex and labor trafficking, including slavery, practices similar to slavery, and exploitative begging. This law prescribed sufficiently stringent punishments of five to 10 years imprisonment for committing trafficking offenses against adults and 10 to 30 years when the victim was a child. Penalties for child sex trafficking were commensurate with those prescribed for other serious crimes, such as rape, but those prescribed for sex trafficking of adults were not. Article 270 of the penal code also criminalized slavery and prescribed penalties of 10 to 30 years imprisonment. The labor code, enacted in September 2012, criminalized forced labor, prescribing penalties of two to five years imprisonment or a fine.

The government reported investigating 29 suspected traffickers, one prosecution, and no convictions during the reporting period, compared with zero reported investigations, prosecutions, or convictions during the previous two reporting periods. The government did not make progress in addressing impunity for *marabouts*, teachers at Quranic schools, who forced children to beg, or customary chiefs who facilitated traditional slavery practices, including the enslavement of children. There was a lack of access to justice for victims, as they were often uninformed about their legal rights and lacked the necessary capacities and resources to seek punitive action against their exploiters. There were no reported developments in pending slavery cases, some of which have reportedly been ongoing for years. A lack of judicial capacity and limited government budgets resulted in prosecutorial delays and unfulfilled victim protection requirements of the 2010 anti-trafficking law.

In 2017, the government trained police, prosecutors, and judges on the national trafficking law and victim protection. The government coordinated with INTERPOL in a regional anti-trafficking operation. During this operation, the National Agency for the Fight against Trafficking in Persons and the Illicit Transport of Migrants (ANLTP/TIM) reported that Nigerien law enforcement officials identified a fraudulent employment agency placing Nigerien women in Middle Eastern countries; the investigation of this agency remained ongoing at the end of the reporting period. ANLTP/TIM provided training and written materials to law enforcement personnel on proactive identification of trafficking victims. Additionally, two trainings in February 2017 involved 40 judges and focused on differentiating between human trafficking and migrant smuggling cases. A workshop in November 2017 in Niamey brought together 20 judges for an information exchange focused on prosecuting traffickers under current legal frameworks.

There were no investigations, prosecutions, or convictions

of government officials for complicity in trafficking or trafficking-related criminal activities; however, corruption and official complicity in trafficking crimes remained concerns and may have impeded law enforcement action during the year. Extreme poverty across the country further exacerbated law enforcement challenges, as many border officials were reportedly not adequately resourced. The UN investigated Nigerien peacekeepers for sexual exploitation in two countries; investigators determined that Nigerien peacekeepers serving in an African nation sexually exploited two adults in 2015. The government did not provide an update on the outcomes of the two cases.

## PROTECTION

The government increased efforts to identify victims, but protection efforts remained inadequate. The government did not compile comprehensive victim identification and assistance statistics, although it did leverage partnerships with international organizations to overcome resource constraints and provide services to victims. The Ministry of Justice (MOJ) reported identifying 108 victims in the course of law enforcement operations, a change from the lack of victim identification data reported by the government during the previous two reporting periods. The government did not report whether it referred these victims to care.

Authorities did not employ systematic measures to identify trafficking victims among vulnerable populations, such as women and girls born into traditional slave castes or children at worksites. ANLTP/TIM developed a national referral mechanism, which remained pending ratification by the National Assembly at the close of the reporting period. The government did not provide any specialized services for adult victims or victims of hereditary slavery. The government partnered with NGOs and international organizations to provide services to victims and provided in-kind support, including building space, land, and professional staff, to support an international organization in Agadez, and funded research related to traditional slavery with one NGO. International organizations and NGOs provided services to 193 trafficking victims, but had limited capacity to provide shelter or long-term services to all victims. Due to budget constraints, law enforcement officials commonly lacked resources to provide shelter and services, which decreased their ability to identify victims and reduced the government's ability to encourage victims of trafficking to assist in investigations and prosecutions.

Victims of forced labor and caste-based servitude could file civil and criminal complaints simultaneously; however, there were no reports they did so during the reporting period. The MOJ and the Office of the Administration of Prisons, with limited support from international organizations, operated treatment and transition centers for child soldiers formerly affiliated with Boko Haram and ISIS-West Africa. In 2017, 52 minors attended the center, and 51 had been reunited with their families. The MOJ provided limited vocational training and psychological support to children. There were no reports that the government penalized victims for unlawful acts committed as a result of being trafficked; however, some victims may have remained unidentified in the law enforcement system due to the failure to employ systematic measures to identify trafficking victims among vulnerable populations.

The law provided for the possibility of granting victims legal residency in Niger, including the ability to obtain employment, if it is unsafe for them to return to their countries of origin. The

ANLTP/TIM reported that Algeria deported more than 8,200 migrants to Niger, including 1,998 children, during the year. The government coordinated with an international organization to provide temporary shelter, food, and primary health care before assisting in the return of both Nigerien citizens and non-Nigeriens to their home regions and countries. The ANLTP/TIM identified 58 trafficking victims among the more than 8,200 migrants, but did not report providing services to those victims.

## PREVENTION

The government marginally increased efforts to prevent trafficking. The National Coordinating Commission for the Fight against Trafficking in Persons continued to serve as the coordinating body for the government's anti-trafficking efforts, and the ANLTP/TIM was the government's permanent implementing body to address trafficking in persons, although budget constraints impeded anti-trafficking efforts. The ANLTP/TIM increased its public awareness campaigns and used multiple media platforms to familiarize the public with trafficking, and partnered with an Islamic cleric to address the common issue of *marabouts* using children for forced labor and begging, in addition to traditional slavery practices. The government increased public engagement around its annual September 28 anti-trafficking day events, which featured government officials on radio and television to raise awareness of the crime. The government may have shut down or charged labor recruiters or brokers who recruited workers with knowingly fraudulent offers of employment or job placement. The government took no discernible measures to address the demand for forced labor or commercial sex acts. The government was in the final year of its five-year national action plan to combat trafficking in persons, but implementation was an issue due to funding constraints.

The ANLTP/TIM expanded its national engagement with prosecutors' offices, improving its collection of trafficking statistics and law enforcement coordination across the country, and partnered with an international organization to study forced begging. The government did not take measures to establish the identity of local populations, although the majority of Nigeriens lacked valid identity documents, the lack of which increased individuals' vulnerability to trafficking. The government increased monitoring of its borders. Bylaws governing the armed forces required troops to receive anti-trafficking training prior to their deployment abroad on international peacekeeping missions and the government addressed such requirements through a program conducted by a foreign donor. The government did not report providing anti-trafficking training for its diplomatic personnel.

## TRAFFICKING PROFILE

Niger is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Traditional slavery practices perpetuated by politically powerful tribal leaders continue primarily in the northern part of the country. No reliable estimate exists of the number of traditional slaves in the country, though a study in 2003 estimated traditional slavery may affect some 40,000 people.

Victims from West and Central Africa are exploited in sex and labor trafficking in Niger. Nigerien boys are subjected to forced labor, including forced begging, within the country and in neighboring countries, especially by corrupt *marabouts*. Loosely organized clandestine networks may also place Nigerien girls into domestic servitude. Nigerien children are subjected to forced

labor in gold, salt, trona, and gypsum mines; agriculture; stone quarries; and manufacturing within the country. In the Tahoua region of Niger, girls born into slavery are sold or given as gifts to men as "fifth wives," a status in which they are subject to forced labor and sexual servitude, a practice known as *wahaya*; their children are then born into slave castes which perpetuates the cycle. Traditional chiefs play a primary role in this form of exploitation by arranging "marriages" for other powerful individuals. Some girls in forced marriages may be exploited in commercial sex after fleeing these nominal unions. In Algeria, Nigerien children are forced to beg and Nigerien women and girls are vulnerable to sex trafficking.

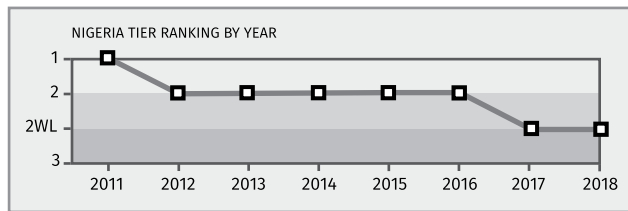
Nigerien women and children are recruited from Niger and transported to Nigeria, North Africa, the Middle East, and Europe where they are subjected to domestic servitude, sex trafficking, or forced labor in agriculture or animal herding. Some migrants were suspected to be traffickers, particularly Nigerien migrants to Algeria traveling with children unrelated to them. Traffickers operated primarily small, freelance operations in loosely organized networks of individuals. There have been reports of freelance businesspeople (both men and women) and informal travel agencies recruiting women for exploitation in sex trafficking or domestic servitude in the Middle East or northern Nigeria.

Niger is a transit country for men, women, and children from West and Central Africa migrating to North Africa and Western Europe, where some are subjected to forced labor or sex trafficking. Increasingly, West African migrants fall victim to traffickers while transiting Niger en route to Libya and Europe. Niger's implementation of its 2015 anti-smuggling law has forced the previously open (albeit illicit) transportation industry underground, which has increased migrants' vulnerability to forced labor or sex trafficking. Nigerian women are transported into neighboring West African countries, and are exploited in sex trafficking inside Niger, especially in northern mining cities or in transportation centers. In some instances, law enforcement and border officials reportedly accepted bribes from traffickers to facilitate the transportation of victims through the country. Boko Haram and ISIS-West Africa forcibly recruit Nigerien boys and girls to serve as child soldiers. According to several reports, the Government of Niger provided some limited material and logistical support within Niger to the Imghad Tuareg and Allies Self-Defense Group (GATIA). GATIA has been reported to recruit and use child soldiers.

## NIGERIA: TIER 2 WATCH LIST

The Government of Nigeria does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by disbursing significantly more funding to the National Agency for the Prohibition of Trafficking in Persons (NAPTIP); supporting the signing and implementation of a UN action plan to end and prevent the recruitment and use of children by the Civilian Joint Task Force (CJTF); with an international organization, beginning a screening and sensitization campaign to identify and prevent sexual exploitation and abuse of IDPs; and prosecuting three suspected traffickers for child forced begging, although judges ultimately acquitted them. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Despite persistent

and egregious reports of government employees complicit in human trafficking offenses, the government made negligible efforts to address the allegations, and the military generally denied such allegations without investigation. The Nigerian military continued to conduct on-the-ground coordination with the CJTF, a non-governmental self-defense militia that recruited and used children, and which received limited financial and material support from the Borno State government. In addition, the government failed to provide evidence that use of children in support roles in detention in the Giwa Barracks had ceased. The government has never reported an investigation, prosecution, or conviction—including of any government official—for child soldiering offenses. Sexual exploitation of women and girls displaced by Boko Haram and the Islamic State-West Africa (ISIS-WA) remained widespread, including by state security, military personnel, and CJTF, some of whom forced women and girls to provide commercial sex acts in exchange for food and freedom of movement inside IDP camps and others who fraudulently recruited female IDPs for jobs outside of IDP camps but transported them to military barracks for sexual exploitation by Nigerian military personnel. The Nigerian military continued to inappropriately detain, arrest, and interrogate female and child trafficking victims for alleged association with the insurgencies and did not provide trafficking victim protections. Therefore Nigeria remained on Tier 2 Watch List for the second consecutive year.



## RECOMMENDATIONS FOR NIGERIA

Ensure the Nigerian military has ceased unlawful use of children, including in collaboration with CJTF, and investigate any reports of military personnel's use of children; work with CJTF and the UN to implement fully the child soldier action plan to remove all children from CJTF's ranks and, if it is not, cut provision of financial and in-kind support to CJTF; vigorously investigate, prosecute, and convict traffickers—including complicit officials, those who recruit and use child soldiers and sexually exploit IDPs, and labor traffickers, including those who force children to beg—and impose sufficiently stringent sentences involving imprisonment; expand existing efforts to identify trafficking victims among IDPs, investigate cases, and implement preventative measures; release those suspected child ex-combatants and women who are inappropriately detained, screen for trafficking among those detained, and provide appropriate care; further increase funding for NAPTIP, particularly to provide adequate victim care; increase investigations into forced begging in Quranic schools; finalize the draft protocol to hand children identified in armed conflict over to civilian authorities; implement programs for the disarmament, demobilization, and reintegration (DDR) of child ex-combatants that take into account their specific needs, and work with the Nigerian military and CJTF to implement these plans; increase training for judges on the 2015 law, specifically the provision prohibiting the issuance of fines in lieu of imprisonment; allow trafficking victims to obtain employment and move freely in and out of NAPTIP shelters; expand ongoing police and immigration training to include identifying trafficking victims among vulnerable populations, such as women in prostitution and young females traveling

with non-family members; increase the capacity of Nigerian embassies to identify and provide assistance to victims abroad, including by providing replacement travel or identity documents free of charge; and provide pre-departure information for migrants on how to find assistance if exploited abroad.

## PROSECUTION

The government maintained anti-trafficking law enforcement efforts, but there were continued reports of, and negligible efforts to address, government officials complicit in human trafficking offenses. The Trafficking in Persons Law Enforcement and Administration Act, as amended in 2015, criminalized labor and sex trafficking and prescribed a minimum penalty of five years imprisonment and 1 million naira (\$2,790) for both sex and labor trafficking; the minimum penalty for sex trafficking increased to seven years imprisonment if the case involved a child. These penalties were sufficiently stringent and, with regards to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

NAPTIP received 662 cases for investigation, completed 116 investigations, prosecuted at least 43 suspects in 43 cases, and convicted 26 traffickers, compared with 654 cases for investigation, 24 prosecutions, and 23 convictions the previous reporting period. NAPTIP did not report how many investigations remained pending, led to prosecutions for other offenses, or had been dismissed at the end of the reporting period. NAPTIP reported newly initiating all 662 investigations during the reporting period but did not report the status of the 630 investigations it had initiated in the previous reporting period. Judges convicted most traffickers under the 2015 anti-trafficking law, although some judges also convicted traffickers under the 2003 anti-trafficking law. Prison sentences upon conviction ranged from six months to 15 years imprisonment. Despite a 2015 amendment that removed judges' ability to sentence traffickers with fines in lieu of imprisonment, Nigerian courts penalized seven traffickers with the option of a fine or imprisonment; this is an increase from the previous reporting period, when judges only penalized one trafficker with the option of a fine. Judges issued fines reportedly due to a lack of familiarity with the 2015 anti-trafficking law and at times due to corruption. The government convicted five labor traffickers, an increase from two labor trafficking convictions the previous reporting period but still not commensurate to the scale of the labor trafficking problem. NAPTIP prosecuted three alleged traffickers for child forced begging, having identified at least 175 child forced begging victims during the reporting period, but judges acquitted all three suspects. The government had convicted one trafficker for child forced begging the previous reporting period. Enforcement of the anti-trafficking law remained ineffective in many parts of the country, and while officials made efforts to address trafficking cases, insufficient resources hampered efforts. The government acknowledged many judges remained insufficiently familiar with the anti-trafficking law—including the provision requiring judges to prescribe sentences that include imprisonment—which hindered law enforcement efforts. In addition, the judiciary remained slow and corrupt generally, which impeded prosecutions and convictions of most crimes, including trafficking.

Widespread and pervasive corruption affected all levels of government and the security forces and undermined accountability for trafficking offenses; for example, one NGO reported a suspected trafficking case to police, but the police refused to investigate the case because the NGO did not pay a bribe. There were continued reports of egregious



trafficking offenses committed by government officials. Several international organizations and media reported that the sexual exploitation of IDPs in camps, settlements, and host communities around Maiduguri remained a pervasive problem. In more than 14 IDP camps, reports documented government officials, service providers, and security forces, including the Nigerian military and CJTF, who forced IDPs to have sex in exchange for food and freedom of movement in and outside of the camps. As previously reported by media, there were continued reports that camp officials and members of security forces, including some individual Nigerian military personnel, used fraudulent or forced marriages to exploit girls in sex trafficking and new reports that the Nigerian military, CJTF, and other camp officials fraudulently recruited female IDPs for jobs outside of IDP camps but transported them to military barracks for sexual exploitation by Nigerian military personnel. Although NAPTIP reportedly investigated two cases of sexual exploitation of IDPs, which were identified through NAPTIP's sensitization and screening campaign, NAPTIP was unable to investigate or prosecute accusations of trafficking perpetrated by military or law enforcement personnel. The government did not report any prosecutions or convictions for sexual exploitation of IDPs, including children, and did not investigate, prosecute, or convict any government security officials, including military officials alleged to have exploited IDPs. In the previous reporting period, the government had arrested seven government officials and two CJTF members for alleged sexual misconduct towards IDPs, including sex trafficking. During the reporting period, however, no entity could provide information on the status of the investigations, including if they were ongoing, and several law enforcement entities denied knowledge of and responsibility for these cases. Furthermore, despite NAPTIP receiving reports of individual military personnel involved in trafficking crimes, the Nigerian Army categorically denied that any of its personnel used child soldiers or sexually exploited IDPs, which impeded investigation of such reports.

As reported by the Secretary-General of the UN, as of May 2016, Nigerian military personnel were using four boys between ages 14 and 16-years-old in support roles. At the close of the reporting period, there was no evidence the government had released these children. The CJTF also reportedly used some child trafficking victims recovered from Boko Haram to lead CJTF and army personnel to Boko Haram camps, putting the children at serious risk for retaliation and denying them trafficking victim care. The government did not report any investigations, prosecutions, or convictions for child soldiering offenses, including of government officials who committed such offenses. Both NAPTIP and the police reported addressing the crime of child soldiering was not within their mandates. NAPTIP arrested two immigration officials at Lagos International Airport for allegedly facilitating travel of six girls to Oman and Kuwait, purportedly for exploitation; the investigation was ongoing at the close of the reporting period. A foreign government reported to NAPTIP a Nigerian diplomat who attempted to secure a visa for their domestic employee by posing as a family member—an indicator of trafficking; neither NAPTIP nor the Ministry of Foreign Affairs reported conducting an investigation or taking disciplinary action against the suspect. The government continued an investigation from the previous reporting period of a Department of Petroleum Resources official allegedly complicit in a trafficking offense. There were reports 46 Nigerian soldiers deployed as UN peacekeepers to Liberia sexually exploited 58 women and children from 2003-2017, including in sex trafficking. Some trafficking victims in Libya reported Nigerian embassy officials in Tripoli asked

for payment before removing victims from Libyan detention camps. For the fourth consecutive year, the government did not report any prosecutions or convictions of government employees complicit in human trafficking offenses, despite consistent reports of officials committing trafficking offenses each year. Despite 15 years of reports of significant government complicity in human trafficking offenses and trafficking-related corruption, the government has only reported convicting one official for complicity in human trafficking.

The government demonstrated significantly more sophisticated collaboration with foreign governments on anti-trafficking cases. It participated in joint investigations with nine countries and assisted 11 other countries through training courses, joint intelligence sharing, and mutual legal assistance on trafficking cases. Through the UK-Nigerian Joint Border Task Force, NAPTIP supported law enforcement to make significant arrests and prosecutions in multiple European countries and improved investigative capacity domestically. The government and a foreign donor trained officials and law enforcement academy instructors on identifying and investigating human trafficking. The government increased NAPTIP's budget by 86 percent over the previous year. Despite this increase, however, NAPTIP did not have sufficient resources given the scale of the problem. For example, the agency did not have resources to carry out sufficient proactive anti-trafficking operations, and NAPTIP officers were often concentrated in state capitals, which hindered identification and investigation of trafficking in rural areas.

## PROTECTION

The government maintained efforts to identify and protect internal trafficking victims and increased efforts to assist Nigerians exploited abroad. The government identified 1,121 potential trafficking victims, including 538 people in prostitution, 203 child labor victims—some of whom were forced—and 188 forced labor victims. This was similar to 1,128 potential trafficking victims (529 people in prostitution, 165 child labor victims, and 434 forced labor victims) identified in the previous reporting period. NAPTIP provided initial care for all trafficking victims, which could have included referrals to government facilities for medical care, shelter, vocational training, or education assistance. NAPTIP did not report how many victims it referred to NGOs for additional care, compared to referring 302 victims to NGOs the previous reporting period. The government had formal written procedures to guide law enforcement, immigration, and social services personnel in proactive identification of trafficking victims among high-risk populations, and NAPTIP trained police, immigration, and social services personnel to identify trafficking victims and direct them to NAPTIP. Additionally, the government's national referral mechanism provided formal guidelines for law enforcement, immigration officials, and service providers to improve protection and assistance to trafficking victims, both within Nigeria and abroad. NAPTIP, in conjunction with an international organization, also developed a referral mechanism specifically for sex trafficking and sexual abuse victims in the Northeast.

The government allocated approximately 3.14 billion naira (\$8.7 million) to NAPTIP in 2017, a significant increase from 1.69 billion naira (\$4.7 million) allocated in 2016. The government disbursed at least 2.64 billion naira (\$7.4 million) to NAPTIP during the reporting period, an increase from 1.48 billion naira (\$4.1 million) disbursed in the previous reporting period. Although the law mandated NAPTIP to care solely for victims of crimes under the 2015 anti-trafficking law, the government

often referred victims of other crimes to NAPTIP, which reduced its capacity to care for trafficking victims. NAPTIP opened a new zonal command and victim shelter during the reporting period, increasing its total to 10 shelters for trafficking victims with a total capacity of 315, compared to nine shelters with a combined capacity of 313 the previous reporting period. NAPTIP required victims to go to its shelters for short-term care and determined how long victims were required to stay, while also requiring their support in law enforcement investigations. NAPTIP staff did not permit victims to leave shelters without a chaperone, which limited victims' freedom of movement and educational and work opportunities. Because NAPTIP operated closed shelters, it referred school-aged victims to foster care so they could attend school. NAPTIP generally limited victims' stays to six weeks, although victims could extend their stays under special circumstances; both men and women received specialized care. Through these shelters, NAPTIP provided access to legal, medical, and psychological services, as well as vocational training, financial empowerment, and business management skills. These shelters were also available to Nigerian trafficking victims exploited abroad upon repatriation. NAPTIP had agreements with certain hospitals and clinics to provide additional medical and psychological treatment for victims, as needed. Additional government and NGO shelters provided services, including long-term shelter, to vulnerable children and victims of crime, including trafficking; authorities sometimes assigned child trafficking victims to foster homes or orphanages for care. Foreign victims had access to the same services as domestic victims. In contrast with previous years, for the second consecutive year NAPTIP did not report providing funding, in-kind donations, or services to NGOs and other organizations that provided protection and services to trafficking victims. NAPTIP authorities sometimes deemed adults in prostitution, who claimed to be working voluntarily, trafficking victims and detained them in shelter facilities against their will.

In response to continued reports of sexual exploitation of IDPs in the Northeast, NAPTIP partnered with an international organization to create and implement a screening and sensitization campaign to identify sex trafficking victims. NAPTIP reached at least 14 camps in the Maiduguri area—including all 13 state-run IDP camps—with screening, sensitization, or both. In response to a large number of Nigerian migrants stranded in Libya, including some trafficking victims, the government created an inter-ministerial committee to facilitate repatriation and resettlement in Nigeria for those migrants; in January 2018, the government repatriated more than 1,501 Nigerians from Libya and, with funding from a foreign donor, provided some reintegration assistance. The influx of migrants returned from Libya, some of whom were trafficking victims, overwhelmed the shelter and service system, including NAPTIP facilities, and not all trafficking victims received care. During the reporting period, the governor of Edo State created the Edo State Task Force (ESTF), chaired by the state attorney general, to combat transnational trafficking of Nigerians to Europe in one of the regions of Nigeria most affected. Its mandate included investigation and prosecution of trafficking cases, alongside NAPTIP, and coordinating national and international actors' protection and reintegration efforts for returning trafficking victims. ESTF increased coordination among victim protection actors and screened some returnees from Libya for trafficking and referred the identified trafficking victims to NAPTIP facilities. The Edo State government allocated additional funding for victim protection, including 36,000 naira (\$100) to 200 trafficking or smuggling victims repatriated from Libya. Several Nigerian embassies, particularly within West Africa, provided funding or in-kind support to repatriate Nigerian trafficking victims

exploited abroad. Victims and activists, however, reported some Nigerian embassies did not always assist trafficking victims with removal from situations of exploitation or law enforcement efforts against their traffickers, which impeded access to care and justice. One Nigerian embassy reportedly stopped issuing identity documents to Nigerian trafficking victims seeking repatriation, which required NGOs and the host government to provide such documents and facilitate repatriation.

Although the anti-trafficking law prohibited the penalization of trafficking victims for unlawful acts committed as a result of being subjected to trafficking, multiple credible international organizations reported the government continued to arrest and in some cases inappropriately detain for prolonged periods, reportedly for screening and perceived intelligence value, women and children removed from or allegedly associated with Boko Haram and ISIS-WA, including women and girls who had been forcibly married to or sexually enslaved by the insurgents; authorities did not screen for trafficking. The military, in cooperation with an international organization, released some adults and children from detention but also newly detained other children during the reporting period. The government began working with an international organization to develop standard procedures to refer children identified in armed conflict to civilian care providers. After release from detention, the military generally referred women and children classified through a security screening process as "low risk" or "inactive" in the conflict to a government-run rehabilitation center. While the process improved identification of potential trafficking victims among those detained, some trafficking victims—including women and children forced to be combatants—remained in the detention system and subject to criminal prosecution for crimes committed as a result of being subjected to trafficking. International organizations provided medical care, psycho-social support, education, and nutritional services through a 12-week rehabilitation program at the center. The government also had a separate 16-week deradicalization and rehabilitation program for individuals classified as both "low risk" and "surrendered." Some women and child ex-combatants participated in this program, in addition to men, and the project remained in development at the end of the reporting period. The government adopted a communique and national action plan on DDR for persons formerly associated with Boko Haram or ISIS-WA, including children.

Officials encouraged victims to assist in the investigation and prosecution of trafficking cases but did not report how many did so during the reporting period, compared with 43 victims who served as witnesses or gave evidence during trial in the previous reporting period. The government did not have a formal policy to prevent the removal of victims to countries where they would face hardship or retribution; there were no reports of trafficking victims removed to such countries during the reporting period. It could grant temporary residence visas to a trafficking victim that had a pending criminal, civil, or other legal action; the government did not report that any foreign victims requested this relief during the reporting period. The victims' trust fund, financed primarily through confiscated assets of convicted traffickers, was available to all victims. The government did not allocate any funding to or disburse funding from the fund during the reporting period, although overall spending on victim support through the normal budget process increased. In the previous reporting period, it had allocated 2.5 million naira (\$6,960) to and disbursed 5.6 million naira (\$15,600) from the fund to provide vocational training and school tuition to trafficking victims. The anti-trafficking law provided for victim restitution and allowed victims to file

civil suits against their traffickers. While NAPTIP prosecutors regularly sought restitution in trafficking cases, NAPTIP did not report successfully receiving restitution for victims in any cases, largely because judges were unfamiliar with that provision of the anti-trafficking law.

## PREVENTION

The government increased efforts to prevent human trafficking. The government appointed a new director general of NAPTIP in April 2017, and NAPTIP continued to lead government efforts to combat trafficking. The inter-ministerial committee on trafficking met several times throughout the year and helped to develop national policies on trafficking, including the first draft of a Protocol for Identification, Safe Return, and Rehabilitation of Trafficked Persons. NAPTIP continued drafting a 2018-2023 national action plan, which was considered by the inter-ministerial committee. NAPTIP continued awareness campaigns at schools, churches, and transit centers, among other places, and significantly expanded media outreach via television and radio to educate the public on the identification and dangers of human trafficking. In response to reports that some individual government employees, service providers, and security officials sexually exploited female IDPs, NAPTIP and an international organization conducted a screening and sensitization campaign in IDP camps around Maiduguri, including all state-run camps, which reportedly led to the arrests of two alleged sex traffickers. NAPTIP also conducted outreach activities in IDP camps in Benue State for persons displaced by mass flooding and rural violence, worked with local celebrities and social media influencers to support the fight against human trafficking, and increased outreach to traditional community and religious leaders to address traffickers' use of the *juju* oath to coerce victims. After consistent engagement by Edo State government and NAPTIP officials, in March 2018 the Oba of Benin—the most powerful religious ruler in Benin City—issued a curse on sex traffickers and revoked all *juju* spells that had been administered by priests to bind victims to their traffickers, which could increase victim identification and victims' willingness to participate in trials against their traffickers. The government did not provide sufficient protections for workers employed in the informal economy—including children working in agriculture, domestic work, and artisanal mining—rendering such workers vulnerable to trafficking. In addition, despite identifying 606 child labor violations in 2017, which likely included child forced labor violations, NAPTIP only penalized and referred three exploiters for prosecution. Furthermore, at the close of the reporting period, none of the penalties imposed on the three penalized violators had actually been implemented. NAPTIP began, but did not complete, discussions on how to provide pre-departure information to migrants on available assistance if exploited abroad. The government did not make discernible efforts to reduce the demand for forced labor. To reduce the demand for commercial sex acts, several states maintained prohibitions on soliciting commercial sex. There were reports Nigerians traveled to Togo for child sex tourism.

The Borno State government continued to provide financial and in-kind resources to the CJTF, a non-governmental self-defense militia, which according to credible observers continued to use and recruit children. The Borno State government witnessed the signature of, and provided administrative support to help implement, an action plan between CJTF and an international organization to end CJTF's recruitment and use of children. The Nigerian government has publicly criticized and imposed restrictions on those who have portrayed the government in a negative light on human rights, including human trafficking. The

government provided anti-trafficking training for its diplomatic personnel and, with foreign donor support, to Nigerian troops prior to their deployment abroad on international peacekeeping missions. A foreign government reported to NAPTIP a Nigerian diplomat suspected of attempted smuggling, trafficking, or both. There were reports that 46 Nigerian soldiers deployed on a UN peacekeeping mission to Liberia exploited 58 women and children, including in sex trafficking.

## TRAFFICKING PROFILE

As reported over the past five years, Nigeria is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking, and a source country for men subjected to forced labor. Nigerian trafficking victims are recruited from rural areas—especially the country's southern regions—and, to a lesser extent, urban areas. Women and girls are victims of domestic servitude and sex trafficking, and boys are victims of forced and bonded labor in street vending, domestic service, mining, stone quarrying, agriculture, textile manufacturing, and begging. The government estimates as many as 9.5 million young boys studying in Quranic schools, commonly known as *Almajiri*, are subjected to forced begging. Traffickers operate “baby factories”—often disguised as orphanages, maternity homes, or religious centers—where traffickers hold women against their will, rape them, and force them to carry and deliver a child. The traffickers sell the children, sometimes with the intent to exploit them in forced labor and sex trafficking. In southern Nigeria, especially Lagos, some women drug and “rent” their infants out to street beggars to increase the beggars' profits; in at least one case, an infant died from a drug overdose. Nigerian traffickers take women and children to other West and Central African countries—including Mali, Senegal, Cote d'Ivoire, and Cabo Verde—as well as to South Africa, where they are exploited in forced labor and sex trafficking. Nigerian women and children are recruited and transported to destinations in North Africa, the Middle East—including Saudi Arabia, Oman, and United Arab Emirates—and Central Asia, and held captive in commercial sexual exploitation or forced labor. West African children are subjected to forced labor in Nigeria, including in granite and gold mines. Women from West African countries transit Nigeria en route to Europe and the Middle East, where they are forced into prostitution. Nigeria's ports and waterways around Calabar are transit points for West African children subjected to forced labor in Cameroon, Equatorial Guinea, and Gabon. Nigerians travel to Togo for child sex tourism.

Authorities identified Nigerian trafficking victims—often exploited by Nigerian traffickers—in at least 40 countries during the reporting period. Nigerian women and girls are subjected to sex trafficking within Nigeria and throughout Europe, including in Italy, Spain, Austria, and Russia; an international organization estimated 80 percent of all female Nigerian migrants in Italy are or will become sex trafficking victims. In 2015, a foreign government reported that with the exception of internal trafficking within the EU, Nigerian nationals are the most common trafficking victims in the EU. The majority of Nigerian trafficking victims in Europe come from Edo State, via Libya. One local press report noted that traffickers recruit women and girls from IDP camps in Northeast Nigeria for ostensibly legitimate jobs in Italy but exploit them in prostitution in Italy. Nigerian sex traffickers operate in highly organized criminal webs throughout Europe, and many sex trafficking victims begin to work for their traffickers in exchange for leaving sex trafficking themselves. Before departure for work abroad, many Nigerian women participate in a traditional ceremony with a *juju* priest;



some traffickers exploit this tradition and tell the women they must obey their traffickers or a curse will harm them, which prevents victims from seeking assistance or cooperating with law enforcement. While some sex trafficking victims arrive in Europe believing they will be working in prostitution, traffickers coerce them to stay in prostitution by changing the working conditions and increasing victims' travel debts. Some victims' parents encourage them to obey their traffickers and endure exploitation to earn money. Nigerians are increasingly exploited in Libya—by both Libyans and Nigerians—in forced labor in construction, agriculture, and prostitution in Tripoli, Sabha, Benghazi, and Misrata. Lured by the promise of reaching Europe, traffickers keep victims in “control houses” or “prostitution camps” located on the outskirts of Tripoli and Misrata until they can repay travel debts; sometimes before victims repay the debt, traffickers sell them again. Some trafficking victims in Libya reported Nigerian embassy officials in Tripoli asked for payment before removing victims from Libyan detention camps. In 2017, an international organization repatriated more than 4,316 Nigerians from Libya, some of whom were trafficking victims or vulnerable to trafficking; 4,000 had departed from Edo State. There were reports of re-trafficking among the trafficking victims repatriated from Libya. A foreign government estimated as many as 20,000 Nigerians await repatriation from Libya, some of whom are trafficking victims. ISIS has captured Nigerian women and girls in Libya and exploited them in sexual slavery. Criminal gangs—some of whom might have had ties to so-called student cults—partner with organized crime networks to transport Nigerians to Europe for exploitation.

As in past years, reports continue to indicate government officials and security forces commit widespread sexual exploitation—including sex trafficking—and such exploitation is a major concern across the Northeast, including in informal IDP camps and all of the 13 formal, state-run IDP camps in and around Maiduguri, the Borno State capital, which hosts IDPs affected by the ongoing conflict with Boko Haram and ISIS-WA. “Gatekeepers” in control of some IDP camps, at times in collusion with Nigerian policemen and soldiers, reportedly force women and girls to provide sex acts in exchange for food and services in the camps. In July 2016, a Nigerian research organization surveyed 400 IDPs in Adamawa, Borno, and Yobe states, and 66 percent said camp officials sexually abused women and girls, some of which constitutes sex trafficking. As previously reported by media, there were continued reports that camp officials and members of security forces, including some individual Nigerian military personnel, used fraudulent or forced marriages to exploit girls in sex trafficking. Some Nigerian military personnel and CJTF members promised female IDPs jobs but instead took them to military barracks for sexual exploitation by Nigerian military personnel. Various NGOs and news outlets report that children in IDP camps are victims of labor and sex trafficking, and some alleged that government officials managing the camps are complicit in these activities. Media and an international organization reported Cameroonian soldiers coerced Nigerian female refugees in a Cameroon refugee camp to have sex in exchange for food or protection from deportation.

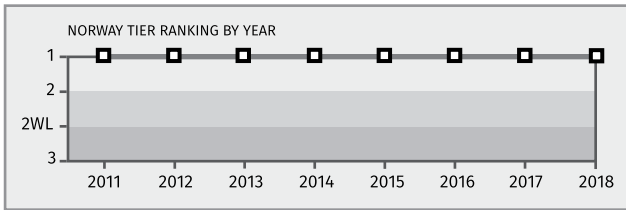
Boko Haram and ISIS-WA continued to forcibly recruit, abduct, and use child soldiers as young as 12-years-old as cooks, spies, messengers, bodyguards, armed combatants, and increasingly as suicide bombers in attacks in Nigeria, Cameroon, and Chad. In 2017, Boko Haram used at least 158 children as human bombers, significantly more than 19 used in all of 2016. The groups continue to abduct women and girls in the northern region of Nigeria, some of whom they subject to domestic

servitude and forced labor. Boko Haram routinely forces girls to choose between forced marriages to its fighters—for the purpose of sexual slavery—or becoming suicide bombers. In some cases, Boko Haram forced child soldiers to marry one another. International organizations continue to express concerns about the arrest and detention of children by the Nigerian military for alleged association with Boko Haram. The government continued to arrest and, in some cases, inappropriately detain for prolonged periods, reportedly for screening and perceived intelligence value, women and children removed from or allegedly associated with Boko Haram and ISIS-WA, including women and girls who had been forcibly married to or sexually enslaved by the insurgents. For example, as previously reported, in 2016, the government detained and considered to be combatants at least 78 child trafficking victims aged 13-17-years-old.

As previously reported, the Nigerian military unlawfully used children as young as 12 years old in support roles such as messengers, porters, and guards and failed to provide evidence these activities had ceased. The Nigerian military interrogated children in detention for later use as collaborators to identify Boko Haram members among newly arrested persons. As reported by the Secretary-General of the UN, as of May 2016, Nigerian military personnel were using four boys between ages 14 and 16-years-old in support roles. At the close of the reporting period, there was no evidence the government had released these children. The Nigerian military also conducted on-the-ground coordination with the CJTF, a non-governmental self-defense militia that received state government funding and continued to recruit and use children in support roles. Media reported that the CJTF also used some child trafficking victims recovered from Boko Haram to lead CJTF and army personnel to Boko Haram camps, putting the children at serious risk for retaliation and denying them trafficking victim care. CJTF continued to recruit and use children. As previously reported, CJTF has recruited children as young as 12-years-old to man checkpoints, conduct patrols, search and arrest suspected insurgents, guard IDP camps, and gather intelligence, at times in collaboration with the Nigerian military. As of March 2018, CJTF and an international organization compiled a list of children potentially associated with CJTF and were in the process of interviewing the children and separating those associated with the group.

## NORWAY: TIER 1

The Government of Norway fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Norway remained on Tier 1. The government demonstrated serious and sustained efforts by increasing prosecutions and convictions, referring more victims to care, and allocating more funding for victim assistance. Although the government meets the minimum standards, it continued to lack formal written victim identification procedures and a national victim referral mechanism. Legal procedures for appealing rejected asylum applications risked limiting identification of trafficking victims among asylum-seekers. Also, a lack of training and will among investigators, prosecutors, and judges to pursue complex trafficking cases has reportedly led many trafficking cases to be tried as lesser crimes—which leads to diminished rights for victims of trafficking—or not be prosecuted at all.



## RECOMMENDATIONS FOR NORWAY

Increase training for investigators and prosecutors on compiling evidence, especially in labor trafficking cases, that goes beyond victim testimony; train prosecutors and judges on the application of penal codes 257 and 258; vigorously investigate, prosecute, and convict sex and labor traffickers; allocate earmarked resources for all police departments to investigate trafficking crimes; reassess national legislation limiting the period for appealing rejected asylum decisions to allow sufficient time for identifying victims of trafficking; complete a comprehensive national referral mechanism (NRM) that receives adequate input from NGOs and defines procedures and roles of all relevant government agencies and front-line actors; create national written victim identification procedures; complete a comprehensive statistical system on trafficking data, including victim identification and assistance as well as investigation, prosecution, conviction and victim compensation data; proactively screen foreigners and asylum-seekers in detention for indicators of trafficking prior to their deportation; and produce public awareness campaigns on trafficking.

## PROSECUTION

The government maintained law enforcement efforts. Sections 257 and 258 of the penal code criminalized labor and sex trafficking and prescribed penalties of up to six years imprisonment for offenses involving adult victims and up to 10 years imprisonment for those involving child victims. These penalties were sufficiently stringent, and with respect to sex trafficking, commensurate with penalties for other serious crimes, such as rape. Authorities initiated 46 investigations (30 sex trafficking cases and 16 labor trafficking cases), compared with 46 (42 sex trafficking cases and four labor trafficking cases) in 2016. The government reported 13 concluded prosecutions, compared with seven in 2016. Authorities convicted 11 traffickers in six cases (four sex trafficking and two labor trafficking)—with five traffickers convicted in appeals and six traffickers convicted through district courts. In 2016, four individuals were convicted in four cases (three sex trafficking and one labor trafficking)—two in appeals and two through district courts. All of the convicted traffickers in the 2017 reporting period were sentenced to one year imprisonment or more. In one high-profile case involving 13 Norwegian nationals accused of trafficking 12 Pakistani citizens, the court postponed making its decision and the case remained pending at the close of the reporting period.

In 2017, the National Criminal Investigation Service conducted a national seminar on trafficking, utilizing a new standardized training curriculum developed at the end of the prior reporting period, for police officers that did not have experience working on trafficking crimes. In 2015, the government earmarked 15 million kroner (\$1.8 million) annually for the establishment of anti-trafficking units in all 12 districts in Norway. Funds were allocated for five of these police districts as of 2016; the government did not report providing any of this funding in 2017. The Bergen police maintained a specialized unit

dedicated to combating trafficking, yet reports alleged its efforts to investigate trafficking and collaboration with NGOs decreased. GRETA's most recent report indicated that while the Coordination Unit for Victims of Human Trafficking (KOM)—responsible for overseeing coordination among all organizations and authorities who address trafficking—held numerous presentations and lectures annually, more specific trainings on different aspects of trafficking, such as rights of victims and investigations, should increase. Many police districts did not have prosecutors with specialized training in trafficking cases; as a result, prosecutors sometimes brought pimping charges in trafficking cases when the accused trafficker used forms of force, fraud, or coercion other than physical violence. In these cases, victims were not automatically provided the benefits given under the trafficking laws, and convicted offenders could receive penalties that were not dissuasive or proportionate to the crime. Even when trafficking perpetrators were prosecuted for pimping, if authorities believed there might have been elements of trafficking associated with the crime, the victims have sometimes been eligible for a residence permit. With a residence permit, victims were entitled to social benefits such as financial support and welfare services. A government report found a large number of trafficking cases that were investigated were not prosecuted, due in part to limitation on prosecutorial capacity and training to deal with trafficking cases, as well as investigators relying solely on victims' testimonies without additional evidence that would help support successful prosecutions; this could discourage potential victims from reporting their trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government decreased protection efforts. The government began creating a comprehensive statistical system, per a recommendation from GRETA, on trafficking statistics including victim identification and assistance data. As a result, the government did not report how many victims it identified or assisted in 2017; the government identified and provided services for 262 trafficking victims in 2016. In 2017, the government's ROSA project (re-establishment, organizing safe places to stay, security, assistance) received 38 victim referrals from government agencies, compared with 13 victim referrals in 2016. The government did not have any formal written identification procedures, but government agencies that came into contact with potential victims often referred to KOM's national guidelines on how to identify and refer potential victims. The government provided protection to trafficking victims through municipal crisis centers and government-funded NGOs. These NGOs provided foreign and domestic victims with shelter, legal aid, stipends for food, psychological care, medical assistance, fitness facilities, and Norwegian language classes. ROSA provided training to both airport and border police on victim identification during the reporting period.

Additionally, ROSA managed a 24-hour hotline for potential victims and continued seeing an increase in calls, particularly from potential labor trafficking victims. ROSA received 118 initial contacts from possible victims through their hotline, compared with 97 contacts in 2016. The contrast in numbers is a result of the type of assistance needed once contact is made with ROSA. Of the 118 making initial contact, 45 ultimately accepted shelter, compared to 40 in 2016. In 2017, Parliament earmarked 20 million kroner (\$2.4 million) in grant schemes to NGOs, exclusively for measures to prevent trafficking and support victims. ROSA remained the largest project exclusively intended

to assist victims of trafficking and received 6.2 million kroner (\$756,470) in government funding. Various NGOs received grants of the remaining 13.9 million kroner (\$1.7 million) to operate shelters, including one for male victims. Another publicly supported NGO assisted sex trafficking victims who had been granted a reflection period with vocational programs and sponsored internships. Child Welfare Services provided specialized care to child victims, including accommodation in a child protection institution or a foster home. Foreign victims had the same access to care as domestic victims, but their knowledge of available care and services may have been more limited. KOM did not collect detailed statistics on child trafficking victims, as child victims are under care of the Child Welfare Service. GRETA previously reported Norwegian border officials did not adequately identify potential victims. Experts observed the police were under pressure to deport individuals without legal status and often pursued deportation without screening for indicators of trafficking, particularly among individuals in prostitution.

The government did not have a national referral mechanism (NRM), but KOM and the MOJ were developing one during the reporting period. Observers expressed concern the proposed NRM and identification procedures would be under the labor and welfare administration agency, an agency with minimal experience and knowledge on how to deal with victims, or of trafficking trends in general. Additionally, the proposed NRM would reduce the reflection period for victims from six months to 45 days, raising the fear that victims would not seek assistance or file a report with police, and authorities would deport victims without proper screening. NGOs had limited engagement with MOJ in the planning process for the NRM; GRETA's recent report recommended that the government give NGOs a larger role in decisions concerning victims of trafficking. Authorities granted a six-month reflection period to eight victims and limited residence permits, up to 12 months, to 15 victims in 2017, compared with 24 and 23, respectively, in 2016. Victims were required to file a formal complaint to police and assist authorities on their trafficking investigation in order to be eligible for the limited residence permits. Ten possible victims were granted residence permits due to compelling humanitarian considerations or a particular connection to Norway during the reporting period. Reports claimed that fewer residence permits were issued to victims on the basis of human trafficking, which diminished the victims' status as a trafficking victim and hindered the ability to fully understand the scale of trafficking in-country. Observers expressed concern over the lack of communication between police and immigration authorities, resulting in the deportation of victims who may have merited temporary residency or whose country of origin were conflict-ridden or left victims susceptible to threats of violence. GRETA raised concerns that new amendments to asylum legislation, shortening deadlines for asylum-seekers to appeal a rejected application from three weeks to one week, risked limiting the possibilities for identifying victims of trafficking among asylum-seekers. Forced labor victims who were material witnesses against a former employer could obtain other employment while awaiting trial and are eligible to leave the country before trial proceedings. Victims facing retribution or hardship in their countries of origin could apply for asylum after law enforcement no longer required their assistance; seven victims received asylum status in 2017 (17 in 2016).

## PREVENTION

The government maintained modest prevention efforts. Norway continued to implement measures from the anti-trafficking

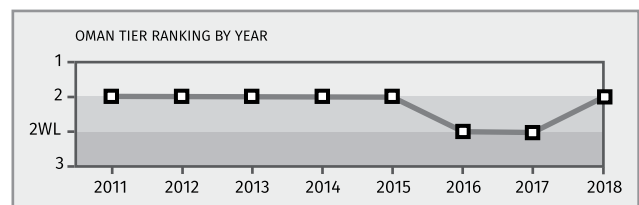
action plan. The government did not fund any information campaigns targeted towards potential trafficking victims in 2017. The government raised awareness among employers about regulations for employing migrants, as well as notifying the public to refrain from using abnormally cheap services, in an attempt to combat forced labor. The government did not report any specific measures to reduce the demand for commercial sex. The government prosecuted and convicted some citizens who committed online sexual exploitation of children in Norway and foreign countries; the government reported criminally charging 84 Norwegians as a result of these investigations since 2016. The government provided anti-trafficking training to troops prior to their deployment abroad as part of international peacekeeping missions.

## TRAFFICKING PROFILE

As reported over the past five years, Norway is a destination and, to a lesser extent, transit and source country for women and girls subjected to sex trafficking, and for men and women subjected to forced labor in domestic service, cleaning, and construction. Children are subjected to domestic servitude, forced begging, and forced criminal activity, such as shoplifting and drug sales. Trafficking victims identified in Norway primarily originate from Eastern Europe and Africa—particularly Bulgaria, Lithuania, Nigeria, and Romania, as well as victims from Pakistan and the Philippines. Foreign au pairs are vulnerable to trafficking in Norway. Some unaccompanied children, who applied for asylum or disappeared from asylum centers were subjected to trafficking by organized trafficking groups.

## OMAN: TIER 2

The Government of Oman does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Oman was upgraded to Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more suspected traffickers and standing up a specialized anti-trafficking prosecutorial unit, in addition to identifying more victims and providing them with robust care. The government also developed, funded, and began implementing a new five-year national action plan, which included funding a full-time liaison between relevant agencies to facilitate a whole-of-government effort. It also promulgated its first-ever national public awareness campaign. However, the government did not meet the minimum standards in several key areas. The government continued to process some potential labor trafficking cases through mediation in labor courts rather than criminally investigating and prosecuting them. Officials remained without standardized mechanisms for the proactive identification of trafficking victims among vulnerable groups, relying on victims to self-identify, and only referred victims to protective services if they filed cases with the public prosecutor.





## RECOMMENDATIONS FOR OMAN

Continue to increase efforts to investigate, prosecute, and convict traffickers, especially for forced labor offenses; expand labor law protections to, and enforce legal protections for, domestic workers; amend the sponsorship-based employment scheme that renders expatriate workers vulnerable to exploitative labor; institute formal procedures to identify trafficking victims among vulnerable populations, such as migrant workers and people in prostitution; refer suspected trafficking victims to the government shelter, regardless of whether they file charges against, or there is a corresponding prosecution of, an alleged offender; repeal the restrictions on victim referrals to allow broader victim access to shelter care; impose dissuasive penalties on employers who withhold their employees' passports; fully utilize the newly launched, specialized unit to prosecute trafficking crimes, and continue to expand trainings for officials involved in criminal investigations and judicial proceedings; fully implement the national action plan; continue to broaden public awareness campaigns.

## PROSECUTION

The government increased its anti-trafficking law enforcement efforts. While the government increased investigations, prosecutions, and convictions, its efforts to criminally prosecute forced labor crimes remained weak. Oman's 2008 anti-trafficking law criminalized labor and sex trafficking and prescribed punishments of three to seven years imprisonment and a fine between 5,000 and 100,000 Omani rial (\$12,990-\$259,740) for offenses involving adult victims and seven to 15 years imprisonment and a minimum fine of 10,000 Omani rial (\$25,970) for offenses involving child victims. These punishments were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Ministry of Manpower (MoM) circular No.2/2006 prohibited employers from withholding migrant workers' passports but did not specify penalties for noncompliance.

The government reported investigating nine alleged human trafficking cases—six sex trafficking and three for forced labor—as compared to only one sex trafficking case and one forced labor case investigated during the previous reporting period. It prosecuted three cases involving 12 defendants, all of whom reportedly faced trial; in 2016, the government prosecuted nine defendants whose verdicts were inconclusive at the close of the year. The government achieved 12 trafficking convictions—a marked increase from zero the previous two years. Officials sentenced three defendants to ten years imprisonment and a fine of 10,000 Omani rial (\$25,970) for sex trafficking; the government convicted the remaining nine of labor trafficking, but all nine awaited sentencing at the end of the reporting period. In late 2017, the public prosecutor's office created a specialized unit to handle all trafficking cases in order to expedite their processing and ensure the defendants were criminally prosecuted and sufficiently punished as traffickers; the government did not report whether this division led the prosecution of any cases. Although it made a notable improvement during the year, the government continued to treat some forced labor cases as labor law violations rather than criminal offenses. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. The MoM received roughly 4,500 cases of passport retention during the reporting year, in comparison to 332 cases in 2016; it did not investigate these cases as potential labor trafficking crimes but rather settled via dispute mediation.

During the reporting period, the government provided venues, catering, and in-kind support totaling approximately 25,000 Omani rial (\$64,940) for numerous anti-trafficking training initiatives facilitated by an international organization and led by recognized trafficking experts, effectively reaching more than 420 government officials. The public prosecutor's office provided analogous support totaling 5,000 Omani rial (\$12,990) to offset the training costs supported by a foreign donor pertaining to trafficking prosecutions; this targeted training reached 51 prosecutors across three separate sessions during the reporting period. Justice officials added three courses to its curriculum related to trafficking and conducted one training during the year involving 25 judges and prosecutorial personnel, which cost roughly 1,000 Omani rial (\$2,600). The Royal Oman Police continued to train all incoming cadets on the legal framework for trafficking and related crimes, victim identification, and mechanisms for transferring potential cases to court.

## PROTECTION

The government improved its efforts to identify and protect victims, although institutional constraints continued to impede robust victim protection services. The government reported identifying and referring to its shelter 24 trafficking victims—including 19 for forced labor—compared to 15 total in the previous reporting period. However, it continued to largely rely on victims to self-identify and report abuses to authorities, and victims could only obtain government-provided services if the public prosecutor filed a case and issued a referral for them. Some source-country embassies in Oman offered victim services for their nationals. As the labor law does not adequately cover domestic workers, authorities continued to treat some potential domestic servitude cases as labor violations, and did not readily identify potential victims of domestic servitude. Although the government lacked formalized identification and referral procedures, it became more proficient at proactively screening—on an ad hoc basis—for potential sex trafficking victims, particularly among persons in prostitution, during the reporting period. Expatriate workers, whose legal status continued to be tied to employment, could be compelled to work for lower or no wages under the credible threat of deportation by their respective employers. Additionally, labor regulations continued to require an employer to provide a “no objection” certificate to an expatriate employee to seek a job with a new employer in Oman; employers who charged a month's salary or more to administer this certificate continued to be a common, although illegal, practice across the Sultanate.

During the reporting period, the government operated, and allocated 191,860 Omani rial (\$498,340) to its permanent shelter, and overarching victim care, which could accommodate up to 50 women and child victims of forced labor, sex trafficking, or other types of abuse. The shelter provided lodging, psychological counseling, legal support, monetary stipends, recreational opportunities, rehabilitation activities, resiliency training, and medical care to victims. Victims in the shelter were only permitted to leave the premises with a chaperone, allegedly to deter reprisal from traffickers. The government did not provide shelter services for male or child victims during the reporting period. Victims were permitted and encouraged to stay in Oman for the duration of court proceedings against traffickers; however, they were not permitted to work or integrate into society in the interim, and given protracted court cases coupled with prolonged unemployment they were thereby disincentivized from participating in trials. The government provided foreign victims with legal alternatives to removal to countries in which they may face retribution or hardship;

however, it did not report if any victims benefited from this policy.

## PREVENTION

The government significantly expanded its efforts to prevent human trafficking. During the reporting period, the government drafted, approved as official policy, funded the enumerated activities, and commenced implementation of various elements of a new 2018-2022 national action plan. For the first time in Oman's history, officials launched a national awareness campaign that focused on trafficking issues relevant in the country; the campaign lasted six months with an operating budget of 20,000 Omani rial (\$51,950). It involved large advertisements in six languages (English, Arabic, Urdu, Hindi, Bahasa, and Bangla) posted in 22 areas throughout the Muscat governorate, including the Muscat international airport, and also targeted embassies of prominent labor-sending countries such as India, the Philippines, Nepal, and Indonesia, in addition to hotels and high schools. Magazines and newspapers also featured the campaign. The government reported the significant increase in passport retention cases was linked to the success of the national awareness campaign, which sought to educate vulnerable workers about their rights. Throughout the year, the Ministry of Foreign Affairs continued to fund an international expert on combating trafficking to assist the government in standing up a task force focused on victim-centered investigations and to guide Omani interagency entities on training, legislative improvements, and enhanced information-gathering techniques. In 2017, the MoM held more than 650 trafficking-related outreach events targeting companies to educate them about worker rights; these events highlighted the anti-trafficking law's harsh sentences in an effort to dissuade employers from engaging or being complicit in labor trafficking crimes. The police maintained the government's main trafficking hotline, and its phone number was displayed on all promotional materials related to the new aforementioned awareness campaign. The MoM had a labor violation hotline, and the government shelter operated one that served as an all-purpose victim's helpline. All hotlines were active year-round and staffed with Arabic and English interpreters, and Urdu, Hindi, and Bangla-speaking contractors were on-call; the government did not report the number of calls any line received during the reporting period. The government reported having memoranda of understanding with Iran, India, Bangladesh, Sri Lanka, Vietnam, Syria, Palestine, Egypt, and Morocco; some included articles prohibiting unlawful labor recruitment and trafficking. During the reporting period, authorities inspected more than 4,800 establishments to ensure compliance with labor law provisions. The government did not report efforts to reduce the demand for commercial sex acts. It provided anti-trafficking training to its diplomatic personnel.

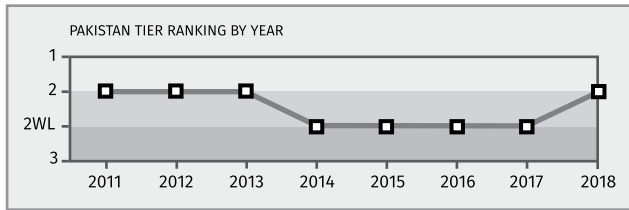
## TRAFFICKING PROFILE

As reported over the past five years, Oman is a destination, and to a lesser extent, transit country for trafficking victims. Oman's migrant worker community hails primarily from Bangladesh, India, Pakistan, Sri Lanka, and the Philippines. However, under Omanization during the reporting period, a series of labor-related policies designed to prioritize Omanis for employment over expatriates, the number of migrant workers in Oman in every sector declined for the first time in eight years. Male victims are generally from South Asia and more susceptible to forced labor. Female victims are predominantly from South, Southeast, and East Asia and East Africa and vulnerable to forced labor and sex trafficking. Expatriate workers seeking low-wage jobs

continue to be at risk for trafficking under the visa-sponsorship employment system in Oman, which permits individuals' recruitment agency and/or Omani visa sponsor significant unilateral control over their freedom of movement. Trafficking victims typically migrate to Oman willingly and legally, with men seeking employment in construction, agricultural, and service sectors, while women often seek domestic worker jobs. Some unscrupulous recruitment agencies in Oman and their sub-agents in labor-sending countries mislead migrant workers in their respective countries of origin to accept work that upon arrival actually constitutes forced labor; conditions of forced labor include excessive work hours, passport confiscation, non-payment of wages, food deprivation, and psychological and sexual abuse. Such dishonest agencies provide fraudulent employment contracts with fictitious wages and charge workers exorbitant recruitment fees with high interest rates. Employers sometimes compel the foreign worker to repay the hiring costs, such as recruitment fees, and are reluctant to release them until such costs are recouped. These practices can render workers vulnerable to trafficking. Oman is a destination and transit country for some women from Southeast and East Asia who are exploited in sex trafficking. Domestic workers who flee their employers are also vulnerable to forced prostitution.

## PAKISTAN: TIER 2

The Government of Pakistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Pakistan was upgraded to Tier 2. The government demonstrated increasing efforts by increasing the number of victims it identified and investigations and prosecutions of sex trafficking. The provincial government of Punjab increased investigations, prosecutions, and convictions for bonded labor, the country's largest human trafficking problem. The government of Azad Jammu and Kashmir adopted a law prohibiting bonded labor. The governments of Khyber Pakhtunkhwa and Sindh reported operating two additional women's shelters and three additional child protection units, respectively. The government continued to implement its 2015-2020 national strategic framework against trafficking in persons and migrant smuggling. However, the government did not meet the minimum standards in several key areas. Overall government law enforcement efforts on labor trafficking remained inadequate compared with the scale of the problem; Punjab continued to be the only province to report prosecutions and convictions for bonded labor. Convictions for sex trafficking decreased and the government's overall convictions remained small compared with the extent of trafficking in Pakistan. Official complicity in trafficking crimes remained a pervasive problem, yet the government did not report new law enforcement efforts to hold such officials accountable, including failing to investigate serious allegations of trafficking regarding a high-ranking diplomatic official. Government protection efforts remained inconsistent; only a small number of the total victims identified were referred to assistance services.



## RECOMMENDATIONS FOR PAKISTAN

Increase prosecutions and convictions, particularly of forced and bonded labor, while strictly respecting due process; pass an anti-trafficking law that criminalizes all forms of human trafficking, including sex trafficking of those under 18 without requiring coercive means, and prescribes penalties commensurate with other serious crimes, such as rape; thoroughly investigate credible allegations of government complicity in trafficking and stringently prosecute and punish officials who are complicit; provide additional resources to increase trafficking-specific services for victims, including for men and boys, and ensure victims are not penalized for acts committed as a result of being subjected to trafficking; ensure the creation, dissemination, and use of standard operating procedures (SOPs) for victim identification and referral to rehabilitation services at the provincial level; expand ability for freed bonded laborers to obtain identification documents and gain access to government services; take steps to eliminate all recruitment fees charged to workers; issue policies and provide trainings to government officials that clearly distinguish between human trafficking and migrant smuggling; strengthen the capacity of provincial governments to address human trafficking, including bonded labor, through training, awareness raising, funding, and encouraging the creation of coordination task forces and the adoption of provincial-level anti-trafficking action plans; lift current bans on female migration to discourage migration through undocumented channels; improve efforts to collect, analyze, and accurately report anti-trafficking data, distinct from data on smuggling; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government maintained law enforcement efforts against trafficking. Pakistani law did not criminalize all forms of sex and labor trafficking. Section 369A of the Pakistan Penal Code (PPC) amended in March 2016, criminalized transnational and internal forced labor and transnational and internal sex trafficking of women and children. Inconsistent with international law, Section 369A 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 369A prescribed penalties ranging from five to seven years imprisonment, or a fine between 500,000 and 700,000 Pakistani rupees (PKR) (\$4,530 and \$6,340), or both. These penalties were sufficiently stringent but, with respect to sex trafficking, were not commensurate with those prescribed for other serious crimes, such as rape. Several other sections of the PPC criminalized some forms of human trafficking, such as slavery and selling or buying a minor for the purpose of prostitution; maximum penalties for these offenses range from a maximum of five years to life imprisonment. These prescribed penalties were sufficiently stringent and, with regard to sex trafficking, were commensurate with those prescribed for other serious crimes, such as rape. Transnational sex and labor trafficking offenses, as well as some non-trafficking crimes such as migrant smuggling and fraudulent adoption, were criminalized in the Prevention and Control of Human Trafficking Ordinance (PACHTO),

which prescribed penalties of seven to 14 years imprisonment. Prescribed penalties for PACHTO offenses were sufficiently stringent and with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Bonded Labor System (Abolition) Act (BLSA) criminalized bonded labor, with prescribed penalties ranging from two to five years imprisonment, a fine, or both; these penalties were sufficiently stringent. Most of the provincial governments have adopted their own labor laws under a devolution process that began in 2010, although federal laws apply until corresponding provincial laws are enacted. During the reporting period, the government of Azad Jammu and Kashmir adopted the BLSA, joining the provinces of Khyber Pakhtunkhwa, Punjab, and Sindh. The National Assembly held multiple hearings during the reporting period to solicit input on a draft comprehensive trafficking bill that would take effect for all regions upon enactment; at the end of the reporting period the bill was in committee for review.

The government reported investigating 90 alleged traffickers, prosecuting 53, and convicting 29 under PACHTO in 2017, compared with investigating 98 alleged traffickers, prosecuting 60, and convicting 25 in 2016. Despite efforts to differentiate human trafficking and migrant smuggling in law and policies, some law enforcement officials continued to confuse the two crimes and may have reported statistics conflating them, as PACHTO criminalized both trafficking and smuggling. The government also reported data on trafficking investigations, prosecutions, and convictions under the penal code by province and special administrative area. Overall, the government reported investigating 6,376 alleged sex traffickers and prosecuting 6,232 during the reporting period, an increase from 2,979 alleged sex traffickers investigated and 2,021 prosecuted during the previous reporting period. The government's overall conviction of sex traffickers decreased from 111 to 72 during the reporting period, although the government of Khyber Pakhtunkhwa reported five sex trafficking convictions compared with zero during the last two reporting periods. Punjab continued to report the vast majority of law enforcement action against sex trafficking; of the national statistics on sex trafficking, 95 percent of investigations and prosecutions and 93 percent of convictions took place in Punjab.

The government's law enforcement action on labor trafficking remained inadequate compared with the scale of forced and bonded labor in Pakistan although overall investigations, prosecutions, and convictions for bonded labor increased in Punjab. While the Islamabad Capital Territory reported one investigation on bonded labor, Punjab remained the only province to report legal action under the BLSA during the reporting period. Punjab provincial authorities reported investigating 264 alleged traffickers, prosecuting 257, and convicting 37 traffickers for bonded labor, a significant increase compared with 27 alleged traffickers investigated, 12 prosecuted and 10 traffickers convicted during the previous reporting period. An international organization stated the BLSA was not adequately enforced countrywide because of police inaction on complaints and lower court judges' lack of understanding of the BLSA. Media reported three police raids on farms in Sindh, resulting in the release of 80 men, women, and children from bonded labor and one raid in Islamabad releasing 15 family members from bonded labor in a brick kiln; while the media stated charges were filed in the Islamabad case, the government and media did not report if charges were filed in the Sindh cases. Punjab was also the only province that reported taking law enforcement action under PPC section 374, unlawful compulsory labor, and section



369A, trafficking in human beings. Under section 374, Punjab reported the investigation and prosecution of four alleged traffickers during the reporting period. Punjab reported the investigation of 114 and prosecution of 112 alleged traffickers and the conviction of 17 traffickers under section 369A; it did not disaggregate these cases between sex and labor trafficking. The government of Sindh's law enforcement efforts on labor trafficking decreased during the reporting period with a total of three alleged traffickers investigated and three prosecuted under PPC sections 370, buying or disposing of any person as a slave, and 371, habitual dealing in slaves, compared with 19 alleged traffickers investigated and 16 prosecuted in the previous reporting period. The government also reported data on several penal code sections that criminalized other non-trafficking crimes in addition to labor trafficking but did not disaggregate the data to document its specific efforts to combat forced labor under these penal codes. The government did not report individual sentences for any of the convictions.

The government's lead reporting and coordinating entity on human trafficking remained the Federal Investigative Agency (FIA), despite its statutorily limited jurisdiction on human trafficking encompassing only crimes punishable under PACHTO, which was focused on transnational offenses. FIA investigated human trafficking and migrant smuggling cases through its 27 anti-trafficking law enforcement joint task forces at the federal, provincial, and local level. FIA's basic training for new recruits included information on human trafficking and migrant smuggling. FIA also reported 17 law enforcement officers participated in six anti-trafficking trainings in 2017 held by foreign governments or international organizations; FIA contributed in-kind support to some trainings.

Official complicity in trafficking remained a significant concern as the government did not report vigorous efforts to address credible allegations and has not reported the conviction of an official found to be complicit in trafficking crimes for ten years. Some feudal landlords and brick kiln owners were affiliated with political parties or held official positions and reportedly used their influence to protect their involvement in bonded labor. In some cases, when bonded laborers attempted to escape or seek legal redress, police refused to file a case and some police even returned bonded laborers to their traffickers. NGOs continued to report perpetrators of bonded labor successfully filed false charges against victims leading to their arrest and imprisonment. Some police reportedly acted against trafficking only when pressured by media and activists, and other reports indicated police accepted bribes to ignore prostitution crimes, some of which may have included sex trafficking. In November 2016, members of the Gilgit-Baltistan Legislative Assembly and senior officials from Gilgit-Baltistan were accused in media reports of involvement in a child sex trafficking ring; the government appointed a committee of members of the Gilgit-Baltistan assembly to investigate the allegations but did not report the outcome of the investigation. In January 2017, an Islamabad High Court judge was suspended and indicted for allegedly subjecting a 10-year-old girl to torture and domestic servitude; at the end of the reporting period the case was under trial. In February 2018, Australian media reported the High Commissioner for Pakistan in Australia had been accused of subjecting her domestic worker to forced labor for 18 months; the government of Australia investigated the allegations and granted the victim protected status. The Government of Pakistan did not report criminally or administratively investigating these claims.

## PROTECTION

The government increased victim identification but demonstrated mixed efforts to protect and assist victims. The government reported law enforcement, immigration, and social service personnel had SOPs for the identification of trafficking victims within their respective departments; however, it is unknown how widely such SOPs were disseminated and if officials regularly used SOPs for victim identification. The government did not report training provincial officials, other than immigration officers, on victim identification. The government reported identifying victims at both the federal and provincial level; overall, it identified a total of 14,588 victims, an increase compared with 4,649 victims identified in 2016. FIA's anti-trafficking units reported identifying 17 Pakistani victims and no foreign victims in 2017, compared with 131 Pakistani victims in 2016. Provincial police reported identifying 14,571 victims in 2017, of which 12,133 were women, 2,133 were men, and 107 were children. This was a significant increase in the identification of women victims compared with the identification of 2,134 women, 2,184 men, and 200 children victims in 2016. The government did not report which form of trafficking the victims were subjected to or disaggregate the number of victims identified by province. In part due to lack of dissemination and training on SOPs, authorities may have charged sex trafficking victims with moral crimes. NGOs accused some law enforcement officials of allowing false charges against bonded laborers to be brought by brick kiln or landowners.

The government reported referring victims to care through various agencies and at both the federal and provincial level. It reported referring to care a total of 303 victims, compared with 351 in 2016. FIA reported it referred the 17 victims it identified to NGO-run shelter and rehabilitation services; however, provincial police referred only 286 of the 14,571 victims they identified to rehabilitative care and did not report what happened to the other 14,285 victims. Civil society continued to provide victim services without government support. Government-run shelters were available to women experiencing a range of difficult circumstances, including trafficking victims. Punjab reported all 36 district women's shelters in the province were operational. Sindh province operated three women's shelters in its 29 districts and also operated four centers that offered women in distress medical and legal aid and shelter for up to 72 hours. Khyber Pakhtunkhwa reported six of its 26 districts had women's shelters, an increase of two during the reporting period, and Balochistan reported it operated one women's shelter in its 32 districts. NGOs and local politicians noted concerns about the quality of government victim care services and lack of resources. NGOs also noted government women's shelters limited victims' freedom of movement and, in the recent past, traffickers forced some of the women in government shelters into prostitution. Punjab continued to operate its wholly integrated center providing shelter; medical and psychological support for female victims of violence; and facilities for law enforcement, judicial officials, and a courtroom. While the center was open to all female victims of violence, including trafficking victims, it did not report receiving referrals for trafficking victims.

Provincial child protection units (CPUs) in Punjab, Sindh, and Khyber Pakhtunkhwa identified and referred children in exploitative or vulnerable labor situations to NGO and government care. Sindh reported it operated 15 CPUs, an increase of three during the reporting period. Balochistan did not report if it had established any CPUs despite passing legislation in November 2016 to establish such units in all districts. Boys could access government shelters; however, the government did not fund shelters for males over the age of 18. The Punjab

Child Protection and Welfare Bureau (CPWB) housed children in child protection shelters. CPWB operated open reception centers to identify and register children living on the street; during 2017, the centers identified and referred 6,474 child beggars to services, compared with 1,457 children in 2016. Authorities did not report how many of these children were identified as victims of forced begging. CPWB also identified and removed 17 children from domestic servitude. Khyber Pakhtunkhwa continued to fund and operate a 1,000 bed shelter for homeless children.

The BLSA required districts to establish bonded labor vigilance committees (DVCs) to ensure the implementation of the BLSA and provide assistance to bonded labor victims. The government of Punjab reported its DVCs held 83 meetings during the reporting period. NGOs noted the Sindh government, in particular, had not implemented the BLSA or established the required DVCs. It is unknown if DVCs set up under the Khyber Pakhtunkhwa BLSA were operational during the reporting period. Punjab and Khyber Pakhtunkhwa provided free legal aid to bonded laborers who requested help. Bonded laborers who were released but lacked identity documents were unable to access government services, including health care and food stipends, and sometimes returned to brick kilns or farms and assumed more debt. Punjab's labor department issued 21,567 identity documents to brick kiln workers during the reporting period, which allowed them to access government benefits and reduced the vulnerability to trafficking. NGO-run shelters were available to bonded laborers, including entire families. The government reported it provided protection to victims to encourage their cooperation in investigations; however, it did not report how many it provided such protection to in 2017 and it is unclear how often protection was available or adequate. Victims expressed reluctance to testify against their traffickers due to threats of violence against them and their families. The Ministry of Interior had the authority to grant extensions for foreign victims to stay in the country until a decision was reached on the victims' repatriation by the Federal Review Board of the Supreme Court; however, it is unclear if this policy allowed permanent legal alternatives to removal to countries in which victims would face retribution or hardship.

## PREVENTION

The government maintained efforts to prevent trafficking. The government reported its continued implementation of the 2015-2020 national strategic framework against trafficking in persons and migrant smuggling. Provincial governments continued to allocate resources for development-related labor programs, some of which were specific to the prevention of bonded labor. Khyber Pakhtunkhwa's labor department dedicated 7 million PKR (\$63,410) for specialized inspection teams within its office on child and bonded labor. Punjab continued to implement its multi-year project to eliminate child and bonded labor. Punjab prosecuted 1,516 brick kiln owners for lack of compliance with labor laws, including non-payment and illegal deductions from wages, and imposed fines totaling 519,000 PKR (\$4,700), compared with the prosecution of 3,989 brick kiln owners during the previous reporting period. Punjab's labor department continued to operate a hotline to report labor violations, including child labor in brick kilns and to remove children working in brick kilns and admit them to school; the Punjab government reported at the end of the reporting period it supported 87,013 children in school. The provincial governments of Balochistan, Khyber Pakhtunkhwa, Punjab, and Sindh continued to fund and implement multi-year programs focused on combating the worst forms of child labor

and other labor abuses. Punjab continued to implement a birth registration program for brick kiln workers. FIA's research and analysis center published quarterly newsletters with statistics and information on the government's efforts to combat trafficking and smuggling.

The Bureau of Emigration and Overseas Employment (BEOE) monitored overseas migration by issuing licenses to private employment promoters and monitoring workers who migrate through their own arrangements. The Emigration Ordinance of 1979 prohibited the role of unregulated and unregistered sub-agents; however, sub-agents continued to operate widely with impunity. The government allowed licensed employment promoters to charge migrant workers a service fee of 6,000 PKR (\$54) and workers to pay all the costs associated with overseas employment. While the government stipulated a receipt should be issued to the migrant workers for these costs, the government did not specify any cost limit and the BEOE did not consistently review migrant workers' receipts—in 2016, an international organization's research revealed more than 80 percent of Pakistani workers' cost for employment in Saudi Arabia and United Arab Emirates was the result of exorbitant visa fees. BEOE reported it canceled 29 licenses of registered employment promoters and suspended 41 during the reporting period but it did not provide details of the promoter's violations. The government continued to ban female migrant workers under the age of 35 from migrating for domestic work. The UN and members of civil society argued any ban on female migration increased the likelihood such women would migrate illegally and therefore heightened their vulnerability to human trafficking. BEOE required migrant workers to attend a pre-departure briefing at one of its seven offices that included information on what to do if the migrant worker encountered problems; however, observers asserted the government did not take sufficient steps to inform emigrants about trafficking even though a number of migrant workers become trafficking victims. FIA partnered with an international organization to run an awareness campaign in Punjab and Balochistan against migrant smuggling and human trafficking. The Azad Jammu and Kashmir, Khyber Pakhtunkhwa, and Punjab governments reported providing information to the public on migrant smuggling and human trafficking, but did not provide details on how many potential migrant workers were reached. BEOE employed 21 community welfare attachés in 15 destination countries to provide support and information to Pakistani migrant workers; the government did not report how many Pakistani victims abroad the attachés identified or assisted.

In July 2017, the governments of Pakistan and Afghanistan partnered to provide Afghan Citizen Cards (ACCs) to the estimated one million undocumented Afghans living in Pakistan. The government received approximately 880,000 applications for ACCs, which provided legal protection from deportation under Pakistan's Foreigner's Act, and as of March 2018 had distributed 308,000 ACCs, valid through June 30, 2018. The government also granted previously registered Afghan refugees an extension of proof of registration cards until June 30, 2018; however, during the reporting period, there were reports of harassment and extortion of Afghan refugees by Pakistani provincial authorities, police, and host communities. In 2016, media reported some undocumented Afghan nationals who returned to Afghanistan due to alleged threats from Pakistani law enforcement were subjected to bonded labor in brick kilns in Afghanistan after being unable to pay their transportation cost from Pakistan. The government made efforts to reduce the demand for commercial sex acts. The government did not make overall efforts to reduce the

demand for forced labor, although the provincial government of Khyber Pakhtunkhwa reported targeting more than 1,000 employers through trafficking awareness raising events. The government provided anti-trafficking training for its diplomatic and peacekeeping personnel. Pakistan is not a party to the 2000 UN TIP Protocol.

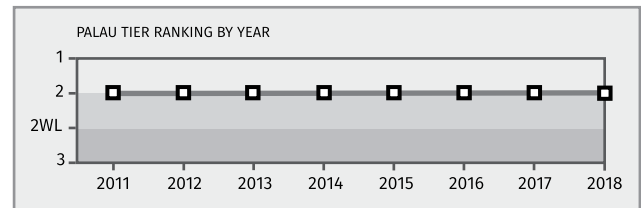
### TRAFFICKING PROFILE

As reported over the last five years, Pakistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The country's largest human trafficking problem is bonded labor, in which an initial debt assumed by a worker as part of the terms of employment is exploited, ultimately entrapping other family members, sometimes for generations. Bonded labor is concentrated in Sindh and Punjab provinces, but also occurs in Balochistan and Khyber Pakhtunkhwa provinces, in agriculture and brick-making and, to a lesser extent, in fisheries, mining, and handicraft- and carpet-making. Some feudal landlords and brick kiln owners affiliated with political parties use their influence to protect their involvement in bonded labor. Children are bought, sold, rented, or kidnapped and placed in organized begging rings, domestic servitude, small shops, brick kilns, and sex trafficking. According to a prominent child rights NGO, the majority of children living on the street in Pakistan are subjected to forced begging. Begging ringmasters sometimes maim children to earn more money. NGOs report boys are subjected to sex trafficking around hotels, truck stops, bus stations, and shrines. Illegal labor agents charge high recruitment fees to parents in return for employing their children, some of whom are subjected to forced labor and sex trafficking. Trafficking experts describe a structured system for exploiting women, girls, and LGBTI individuals in sex trafficking, including offering victims for sale in physical markets. Observers report police accept bribes to ignore prostitution in general, some of which may include sex trafficking. Women and girls are sold into forced marriages; in some cases, their new "husbands" force them into prostitution in Iran or Afghanistan. In other cases, including some organized by extra-judicial courts, girls are used as chattel to settle debts or disputes. Non-state militant groups kidnap children, buy them from destitute parents, or coerce parents with threats or fraudulent promises into giving their children away; these armed groups force children to spy and fight in Pakistan and Afghanistan. Pakistan's large number of IDPs, due to natural disasters and domestic military operations, are vulnerable to trafficking.

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

## PALAU: TIER 2

The Government of Palau does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Palau remained on Tier 2. The government demonstrated increasing efforts by establishing and funding a trafficking task force; increasing and reporting on investigations, prosecutions, and convictions of trafficking crimes, including complicit officials; identifying more victims; and funding a regional NGO providing legal services to several trafficking victims. However, the government did not meet minimum standards in several key areas. Courts issued light penalties such as suspended sentences for trafficking crimes and the government did not provide or fund emergency protective services such as shelter, medical, or psychological care. There was also a lack of proactive victim identification and referral protocols.



### RECOMMENDATIONS FOR PALAU

Using the 2005 anti-trafficking law and 2014 amendments to the criminal code, increase efforts to investigate and criminally prosecute trafficking offenses, convict sex and labor traffickers, and impose strong penalties on convicted traffickers—including complicit officials that are likely to deter future offenses; institute and implement victim identification and referral protocols, standard operating procedures, and training for law enforcement officers to identify and protect trafficking victims in vulnerable groups; fund and develop emergency and ongoing protective services for trafficking victims, including emergency housing options; establish witness confidentiality procedures; implement the anti-trafficking hotline; increase anti-trafficking awareness among vulnerable populations, including labor migrant communities; use funds obtained from asset seizure or fines imposed on convicted traffickers to support victims; do not penalize trafficking victims for illegal acts committed as a result of being subjected to human trafficking; enforce the anti-trafficking laws punishing recruiters, employment agents, and labor officials for illegal practices that facilitate trafficking; establish a mechanism for the systematic monitoring of government anti-trafficking efforts; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government increased law enforcement efforts. The Anti-Smuggling and Trafficking Act of 2005 and 2014 amendments to the criminal code criminalized sex and labor trafficking and prescribed penalties of 10 to 50 years imprisonment and fines of up to \$50,000; these penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government investigated 14 potential cases of trafficking with 24 defendants, a large increase compared with none reported in 2016. The government prosecuted three trafficking cases, compared with



two cases last year. The government reported three convictions, one by the special prosecutor's office, compared with two convictions last year. The court-imposed penalties, however, reflected a failure to treat trafficking as a serious crime. A court convicted two labor traffickers and sentenced them to five years imprisonment; however, the court suspended the sentences and required the traffickers to self-deport within 30 days. A court convicted a labor recruiter on trafficking and smuggling charges with a sentence of 10 years probation; she served one year before she was deported. The government also convicted four defendants for promoting prostitution with minors with sentences ranging from six months to 13 years imprisonment; one was registered as a sex offender.

Observers noted official complicity played a significant role in facilitating trafficking. The Attorney General's Office investigated allegations of official complicity during the reporting period but did not report the number of officials or the allegations made or initiate prosecutions or secure convictions of complicit officials during the year. The government did not report progress on two pending sex trafficking prosecutions involving complicit officials from 2012. The government launched a new trafficking task force, which led investigations of trafficking, including those that may implicate officials. The Attorney General's Office had a prosecutor dedicated to working on trafficking cases. The government sent one immigration officer to attend a regional conference on immigration enforcement, which included human trafficking cases as a secondary topic, but observers reported that training was lacking for law enforcement.

## PROTECTION

The government increased efforts to protect victims. The government reported that the police identified 10 foreign labor trafficking victims and four potential minor victims of sex trafficking, compared with none reported last year. The government did not report funding or provide emergency protective services to adult trafficking victims such as shelter, medical, or psychological care although the minor victims received some counseling at the hospital. There were no guidelines for proactive identification or referral process to guide officials in transferring identified victims to care providers or protective custody. The general lack of support services reportedly led some victims to leave the country rather than pursue legal recourse.

The government contributed approximately \$15,000 to an NGO, Micronesia Legal Services Corporation (MLSC), specifically to assist trafficking victims with legal counseling and representation before labor and immigration hearings. Trafficking victims may file claims with MLSC, which filed 10 civil lawsuits on behalf of 49 victims. The Attorney General's Office assisted some victims with work visa extensions and job placements, in coordination with labor and immigration officials. Prosecutors did not request restitution for trafficking victims, reportedly due to an inability to submit admissible evidence. Non-Palauan trafficking victims could seek to legalize their worker status or receive assistance with repatriation. Victim identities were not kept confidential. Authorities charged one of the defendants in a trafficking case with verbally threatening a potential witness. There were no reports of trafficking victims penalized for acts committed as a result of having been subjected to trafficking; however, insufficient identification efforts made victims vulnerable to law enforcement actions.

## PREVENTION

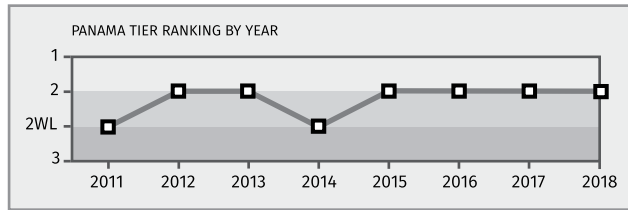
The government increased efforts to prevent trafficking. The government established and funded an Anti-Human Trafficking Office under the Ministry of Justice that will conduct investigations and promote public awareness campaigns on human trafficking. It did not conduct educational or public awareness campaigns for employers or labor recruiters. The government created and distributed a flyer with information on a planned victim hotline. The government's human rights task force submitted both an appraisal of Palau's anti-trafficking efforts and a draft national action plan to the president for review. The president announced a special law enforcement operation targeting illegal business practices in the tourism industry to reduce the demand for forced labor and commercial sex, but did not report any such actions during the reporting period. The government did not make efforts to oversee the labor recruitment and contract violations experienced by many foreign workers. The government did not provide anti-trafficking training for its diplomatic personnel. Palau is not a party to the 2000 UN TIP Protocol.

## TRAFFICKING PROFILE

As reported over the last five years, Palau is a destination country for women subjected to sex trafficking and for women and men subjected to forced labor. Palau's foreign population, about one-third of the country's population of 21,400, is the most vulnerable to trafficking. Filipino, Bangladeshi, Nepali, Chinese, and Korean men and women pay thousands of dollars in recruitment fees and willingly migrate to Palau for jobs in domestic service, agriculture, restaurants, or construction; upon arrival, some are forced to work in conditions substantially different from what had been presented in contracts or recruitment offers, and some become trafficking victims. Women from the Philippines and China are recruited to work in Palau as waitresses or clerks but some are subsequently forced into prostitution in karaoke bars or massage parlors. Foreign workers on fishing boats in Palauan waters also experience conditions indicative of human trafficking. Official complicity plays a role in facilitating trafficking. Government officials—including labor, immigration, law enforcement, and elected officials—have been investigated for complicity.

## PANAMA: TIER 2

The Government of Panama does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Panama remained on Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more traffickers; establishing the Commission on the Identification and Protection of Victims to address victim identification and administer victim services; and developing and implementing its 2017-2022 national anti-trafficking action plan. However, the government did not meet the minimum standards in several key areas. The government did not improve victim identification efforts or provide or fund trafficking-specific shelters or services.



## RECOMMENDATIONS FOR PANAMA

Significantly increase funding for specialized victim services, including by allocating funds to the dedicated victim assistance fund and civil society organizations; intensify law enforcement efforts to proactively investigate and prosecute labor trafficking crimes and trafficking of children, including cases involving Panamanian victims exploited within the country; institute standardized protocols on victim identification including proactive screening of vulnerable populations such as migrants and individuals in prostitution, referral procedures, and reporting data to the national commission; train officials—including police, border, and immigration officials—on victim identification and referral procedures, especially among populations vulnerable to trafficking; make specialized services available to male victims; fully implement the national anti-trafficking action plan; amend the anti-trafficking law to adopt a definition of human trafficking consistent with the 2000 UN TIP Protocol; and eliminate the disparity in penalties between the trafficking in persons law and other laws that criminalized sex trafficking crimes, such as commercial sexual exploitation of children.

## PROSECUTION

The government increased law enforcement efforts. Article 456 of the penal code did not criminalize all forms of sex and labor trafficking because it required movement to constitute a trafficking offense. It specifically criminalized anyone who promotes, leads, organizes, finances, invites, or manages by any means of communication, mass or individual, or in any other way facilitates the entry into or the exit from the country or the movement within the country of a person of any sex, to realize one or several acts of prostitution or submit a person to exploitation, sexual or labor servitude, slavery or activities similar to slavery, forced labor, servile marriage, mendacity, illicit extraction of organs or irregular adoption, prescribing sentences from 15 to 20 years imprisonment. These punishments were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. 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. Panamanian officials continued to investigate and prosecute trafficking cases that did not involve the displacement of individuals as other crimes, such as commercial sexual exploitation. For example, the government charged some child sex traffickers with child sexual exploitation, which carries lighter sentences. Article 180 criminalized the prostitution of minors with penalties of four to six years imprisonment and a 5,200 balboas (\$5,200) fine. Article 186 criminalized purchasing commercial sex acts involving a child and prescribed penalties of five to eight years imprisonment.

Authorities initiated 18 trafficking investigations involving 17 suspects, compared to seven sex trafficking investigations involving 13 suspects in 2016. The government prosecuted 24 suspects under the trafficking law, compared with 13 in 2016.

Authorities convicted seven traffickers—four sex traffickers and three labor traffickers—compared to two sex traffickers in 2016. The government sentenced these traffickers to 10 to 15 years imprisonment, compared to six to 18 years in 2016. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. At least 11 trafficking investigations remained ongoing from the previous reporting periods. The government continued to detain two suspected labor traffickers in a case from a previous year, pending additional evidence. Authorities investigated a sex trafficking operation run by Chinese nationals who recruited Venezuelan women and catered to Chinese-speaking purchasers in Panama.

The Panamanian National Police had 30 officers with specialized training in trafficking investigations and worked with the attorney general's organized crime office to investigate cases. The government dismantled the sub-unit dedicated to trafficking crimes, which had been set up in 2016. Panamanian authorities cooperated with Central and South American countries on three trafficking operations, which led to three investigations and prosecutions. The government provided in-kind support to international organizations, which provided training on trafficking for officials, utilizing a train-the-trainer model that reached more than two dozen officials from eight ministries.

## PROTECTION

The government decreased protection efforts. The government identified 59 trafficking victims—57 sex trafficking victims and two forced labor victims; 55 foreign victims and four Panamanians—compared to 84 suspected adult sex trafficking victims in 2016 (82 foreigners and two Panamanians). The National Commission Against Human Trafficking established the Commission on the Identification and Protection of Victims to address victim identification and administer victim services, which led to the identification of four victims. However, the government did not have systematic procedures to proactively identify victims among some vulnerable populations, such as people in prostitution and undocumented migrants in detention. The government did not implement guidelines for victim identification and protection developed by an international organization, although the new national anti-trafficking action plan for 2017-2022 included an objective related to the implementation of these guidelines. Officials referred all victims to the Technical Unit for Attention and Protection of Victims and Witnesses (UPAVIT), which provided assistance for victims and physical protection to victims, witnesses, and experts, but the government did not provide or fund trafficking-specific shelters or services. The government provided psychological and medical services and transportation to all 59 identified victims and legal services to three victims. Authorities placed victims in hotels and covered the cost of the hotel rooms or allowed victims to return to their country of origin. Officials maintained 24/7 security at hotels and did not permit victims to leave their hotels unescorted, which could re-traumatize them. The anti-trafficking law provided for temporary legal residency or repatriation for foreign victims, but the government did not provide such benefits to any victims during the reporting period. Many victims chose to return to their home countries or reside with family and friends rather than stay in hotels, potentially inhibiting victim-witness support in pending trafficking cases.

The government did not dedicate funds for anti-trafficking efforts and did not allocate sufficient resources for victim care. The government used specially designed interview rooms that

separate trafficking victims from the courtroom, allowing them to provide testimony privately in order to minimize the risk of re-victimization during the judicial process. The government approved the design and construction of a dedicated trafficking shelter by an international organization.

UPAVIT implemented protocols to protect victims during the judicial process. Victims did not assist in the legal process during the reporting period. While victims could file civil suits against traffickers, no victim had ever done so. The government continued to partially implement a 2013 law mandating any seized assets derived from human trafficking activities be allocated to services for trafficking victims. The government did not provide repatriation assistance to its own citizens identified as trafficking victims abroad. While there were no reports of victims penalized for unlawful acts committed as a direct result of being subjected to trafficking, insufficient efforts to screen for indicators of trafficking may have led to some victims being penalized.

## PREVENTION

The government increased prevention efforts. The government, with technical assistance from international organizations, developed and implemented its 2017-2022 national anti-trafficking action plan, which addressed prevention, victim assistance and protection, prosecution, international cooperation, and monitoring. The National Commission Against Human Trafficking met nine times during the reporting period and hired dedicated staff to monitor and report progress toward the action plan. Panama assumed the presidency of the regional coalition against human trafficking and smuggling, which led to a regional anti-trafficking strategic plan and a guide for victim repatriation. The government worked with an international organization to update the multilateral Protocol for International Information Exchange at Border Areas, an information exchange mechanism for authorities in the region to share information on cases, to include trafficking. The commission provided judges with anti-trafficking materials and approved its members the ability to invite other institutions to meetings on victim service coordination. Individual government institutions used their own funds to conduct events, radio programs, concerts, marches, a social media campaign, and press conferences to promote awareness. National laws and regulations provided the authority to revoke the licenses of fraudulent recruiters and recruitment fees, but the government did not report enforcing them. The government made no new efforts to reduce the demand for forced labor and commercial sex acts. Panama criminalized child sex tourism, but did not prosecute any cases. The Panamanian Commission against Sexual Exploitation Crimes continued its campaign against the sexual exploitation of minors—including child sex trafficking—in collaboration with tourism authorities, which led to increased awareness among tourism professionals and authorities conducted 41 inspections of hotels. The government provided anti-trafficking training for its diplomatic personnel.

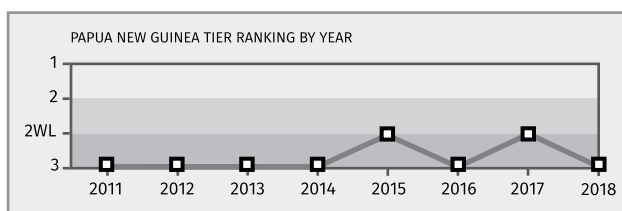
## TRAFFICKING PROFILE

As reported over the past five years, Panama is a source, transit, and destination country for men and women exploited in sex trafficking and forced labor. Children are exploited in forced labor, particularly domestic servitude, and sex trafficking in Panama. Most identified trafficking victims are foreign adults exploited in sex trafficking, especially women from South and Central America. However, traffickers also exploit

Panamanian individuals in sex trafficking in Panama and in the Caribbean and Central and South America. Traffickers exploited transgender individuals in sex trafficking due in part to increased vulnerability on account of discrimination and high demand for sexual services from this population. Some men and women from Central America who transit Panama en route to the Caribbean or Europe are subjected to sex trafficking or forced labor in their destination countries. Traffickers exploit Central and South American and Chinese men in forced labor in construction, agriculture, mining, restaurants, door-to-door peddling, and other sectors using debt bondage, false promises, lack of knowledge of the refugee process and irregular status, restrictions on movement, and other means. In a change from previous years, police reported that victims were forced to consume illegal drugs by their traffickers as a coercive measure. Men from the United States have been investigated as child sex tourists in Panama.

## PAPUA NEW GUINEA: TIER 3

The Government of Papua New Guinea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Papua New Guinea was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including initiating the first investigation of a government official under the country's anti-trafficking law. However, an acute lack of financial and human resources dedicated to trafficking, as well as very low awareness among government officials and the public, hindered progress. The government did not provide or fund protective services for victims, did not systematically implement its victim identification procedures, and did not identify any trafficking victims in 2017. It also did not initiate any prosecutions and did not achieve a single trafficking conviction for the fifth consecutive year.



## RECOMMENDATIONS FOR PAPUA NEW GUINEA

Disseminate, implement, and widely train police, immigration, and customs enforcement officers on the standard operating procedures (SOPs) for victim identification, referral, and protection; investigate and prosecute trafficking offenses and convict and apply strong sentences to traffickers, including family members and officials who facilitate or directly benefit from trafficking; in collaboration with civil society, screen for indicators of trafficking among fishermen apprehended for illegal fishing or immigration crimes; work with NGOs and international organizations to increase protective services for victims of trafficking; to protect victims from arrest, deportation, or other punishment for acts committed as a direct result of being subjected to trafficking, clarify who has the authority to designate an individual as a trafficking victim and simplify the process for doing so; allocate resources, including dedicated staff, to government agencies to implement the national action plan and SOPs; increase collaboration with civil society, private



sector, religious, and community leaders to raise awareness of and reduce demand for forced labor and commercial sex acts, especially of children; strengthen the national trafficking committee by designating senior officials to represent their agencies; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government decreased law enforcement efforts in 2017. The Criminal Code Amendment of 2013 criminalized sex and labor trafficking and prescribed penalties of up to 20 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The police initiated investigations into one individual suspected of trafficking in 2017, compared with three in 2016. The police investigated a police commander for allegedly subjecting eight women to sex and labor trafficking; this was the first trafficking case involving a complicit official under the anti-trafficking law. Authorities did not initiate prosecutions of any suspects in 2017, compared with three in 2016. One prosecution initiated in 2016 was still ongoing and awaiting trial. Similar to past years, the government did not achieve any trafficking convictions.

An international organization partnered with the government to conduct trainings for government officials. The government provided the venue and logistical support and co-facilitated some training sessions. The national action plan outlined future government-led trainings with the goal of implementing government agencies institutionalizing and delivering the training package. Provincial officials' limited understanding of trafficking hindered effective law enforcement activity. Enforcement agencies and most government offices remained weak as a result of underfunding, corruption, cronyism, a lack of accountability, and a promotion system based on patronage.

### PROTECTION

The government decreased efforts to protect victims. Authorities and civil society organizations did not identify any new victims, compared with six victims identified in 2016 and 31 in 2015. Although officials seized three foreign vessels for illegal fishing and trafficking in 2016, they did not apprehend any vessels in 2017. Logging and mining sites primarily operated in remote regions with negligible government oversight, and authorities did not make efforts to identify sex or labor trafficking victims at these sites. The government maintained their SOPs for victim identification; however, authorities lacked a written guide as recommended in the national action plan. The government provided law enforcement agencies rapid screening forms and related victim identification training; however, police continued to rely upon foreign expert assistance to identify victims. Civil society organizations provided medical and short-term shelter services to victims without financial or in-kind support from the government. Male victims could receive ad hoc services and female victims could receive services through NGO-run gender-based violence programs; there were no services specifically tailored to the needs of trafficking victims.

The victim identification procedures included guidance for protecting foreign victims from punishment for immigration crimes committed as a result of trafficking. However, authorities punished some victims for such crimes due to challenges in interagency coordination and a lack of clarity over who had the authority to verify an individual as a victim of trafficking. Authorities arrested and prosecuted children who were forced to pan for gold in areas where this activity was illegal; the national

trafficking committee was working to have these children recognized as trafficking victims at the close of the reporting period. The law provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution, but the government did not report offering this protection to any victim in 2017. The government allowed "ongoing stay" for trafficking victims but lacked provisions for victims to seek compensation through civil suits.

### PREVENTION

The government maintained minimal efforts to prevent trafficking. The national trafficking committee met quarterly in 2017. Committee members participated in monitoring visits to gather information from a variety of stakeholders on their awareness of trafficking. The government did not demonstrate measurable progress in the implementation of its national plan of action, or the government-led training or referral processes. The government did not conduct any awareness-raising campaigns or community outreach to educate the public about trafficking indicators. The government did not make efforts to decrease the demand for forced labor or commercial sex acts. The government did not have effective policies to regulate foreign labor recruiters or hold recruiters liable for fraudulent recruiting. Papua New Guinea is not a party to the 2000 UN TIP Protocol. The government did not provide anti-trafficking training to its diplomatic personnel.

### TRAFFICKING PROFILE

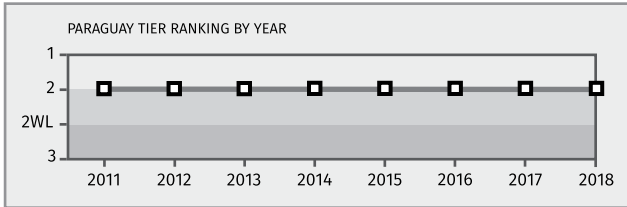
As reported over the past five years, Papua New Guinea is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Foreign and local women and children are subjected to sex trafficking, domestic servitude, forced labor in the tourism sector, and forced begging and street vending. An international NGO conducted research with sex trafficking victims and concluded approximately 30 percent were children under the age of 18 and some were as young as 10 years old. Children are reportedly subjected to sex trafficking or forced labor by members of their immediate family or tribe. Parents force children to beg or sell goods on the street and sell or force their daughters into marriages or child sex trafficking to settle debts or to support their families. Marriages in Papua New Guinea commonly involve a "bride price" of money or chattel paid to the wife's family by the husband's family; this is sometimes used as a debt to compel women to remain in abusive or servile marriages. Young girls sold into polygamous marriages may be forced into domestic service for their husbands' extended families or exploited in sex trafficking. Within the country, children and women may be exploited with promises of legitimate work or education to travel to different provinces where they are subjected to sex trafficking or domestic servitude. Tribal leaders reportedly trade with each other the exploitative labor and service of girls and women for guns and to forge political alliances.

Malaysian and Chinese logging companies arrange for some foreign women to enter the country voluntarily with fraudulently issued tourist or business visas. After their arrival, many of these women—from countries including Indonesia, Malaysia, Thailand, China, and the Philippines—are turned over to traffickers who transport them to logging and mining camps, fisheries, and entertainment sites, and exploit them in forced prostitution and domestic servitude. Chinese, Malaysian, and local men are subjected to forced labor at commercial mines and logging camps, as well as on fishing vessels operating in

Papua New Guinea’s exclusive economic zone, where some receive little pay and are compelled to continue working for the company indefinitely through debt bondage. Vietnamese, Burmese, Cambodian, and local men and boys are subjected to forced labor on fishing vessels; they face little to no pay, harsh working conditions, and debt bondage, and many are compelled to fish illegally, making them vulnerable to arrest. Government officials reportedly facilitate trafficking by accepting bribes to allow undocumented migrants to enter the country or ignore trafficking situations, and some may exploit sex trafficking victims or procure victims for other individuals in return for political favors or votes.

## PARAGUAY: TIER 2

The Government of Paraguay does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Paraguay remained on Tier 2. The government demonstrated increased efforts by investigating more cases under the anti-trafficking law, allowing video testimony to prevent the re-traumatization of victims, issuing strong sentences, and continuing robust cooperation with foreign governments. Despite these efforts, the government did not sufficiently fund protection services for all victims of trafficking, and authorities did not implement or train officials on victim identification and referral protocols. Cooperation with civil society was extremely limited, and the 2014-2018 national action plan was still pending final approval.



### RECOMMENDATIONS FOR PARAGUAY

Increase access to adequate specialized victim services, including shelter options for all victims of trafficking; increase funding and training to implement previously existing victim identification protocols and victim referral mechanisms; increase engagement with civil society actors to assist the government’s efforts to prevent trafficking and protect victims, and incorporate them as regular participants in the interagency roundtable; proactively investigate official complicity in the facilitation of trafficking; prosecute and convict traffickers, including complicit officials; obtain presidential approval for the national plan to combat trafficking and sufficiently fund its implementation; adopt reforms to eliminate situations of *criadazgo* and the related abusive practices and working conditions that may amount to trafficking; empower labor inspectors and law enforcement officials with the authority to be able to detect and investigate situations where trafficking is suspected; designate a government entity responsible for coordinating anti-trafficking efforts; improve transnational cooperation with neighboring governments located in the border area to ensure law enforcement coordination, victim protection, and consular assistance; train members of the navy on victim identification and increase inspections of barges and ships traveling through the major waterways; encourage municipalities and ministries

involved in issuing operational permits to businesses to certify that entities have not been involved in trafficking before issuing permits; and amend the anti-trafficking law to incorporate the definition of trafficking from international law.

### PROSECUTION

The government maintained prosecution efforts. The Comprehensive Anti-Trafficking Law 4788 of 2012 criminalized sex and labor trafficking and prescribed penalties of up to eight years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with international law, law 4788/12 established the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime. Articles 129b and 129c of Law 3440/08 also criminalized international trafficking for the purpose of sexual exploitation and forced labor, respectively.

The public ministry’s Anti-Trafficking Unit (ATU) was the lead agency responsible for investigating and prosecuting traffickers. In 2017, the ATU initiated 134 trafficking investigations (54 for sex trafficking, 21 for forced labor, and 59 for child sex trafficking), an increase from 77 in 2016 and 68 in 2015. Authorities reported 53 prosecutions for trafficking offenses (71 in 2016 and 17 in 2015). Authorities often charged traffickers with lesser crimes, such as pimping or soliciting. In 2017, authorities reported 17 convictions, 10 for trafficking crimes and seven for other trafficking related offenses. It was unclear how many of the seven convictions were for forced labor or sex trafficking. In 2017, sentences for trafficking offenses averaged five years, compared with an average of two years imprisonment in 2016. In a high-profile case, the government allowed several victims to testify against their traffickers using video-conferencing technology; in this case, three traffickers received sentences from 10 to 12 years in prison. During the reporting period, the ATU cooperated with Argentina, Bolivia, France, Spain, EUROPOL, and INTERPOL on the investigation of several cases. In coordination with a foreign government, the ATU conducted four training sessions on labor trafficking reaching 400 government officials, including judges, prosecutors, investigators, labor inspectors, and immigration officials. Although the government did not report investigating any cases of official complicity, several observers alleged police involvement in trafficking activities, including reports of local police chiefs who received bribes from massage parlors and brothels under their jurisdiction to allow the exploitation of trafficking victims. During the reporting period, new anecdotal allegations surfaced in which police facilitated sex trafficking of women and girls on barges operating along the Paraguay River.

### PROTECTION

The government maintained protection efforts. In 2017, the Ministry of Women Affairs (MWA) identified 90 women victims of trafficking, compared with 82 in 2016. Authorities did not report how many victims were identified by other government agencies. In 2016, with the assistance of an international organization, the government developed a formal victim identification protocol and national referral guide for prosecutors, police, labor inspectors, and border officials. However, the government did not widely distribute these tools to first responders. In practice, the government used an ad hoc process for victim identification and referral. The government made insufficient efforts to protect victims and lack of cooperation with civil society actors limited the provision of wholesome and comprehensive care. The ATU

continued to provide basic assistance to victims of trafficking, going beyond their core investigative responsibilities. The ATU had three teams to assist trafficking victims; these teams provided psychological, social, and legal assistance. The overall quality of care for victims was insufficient due to limited resources and the lack of qualified personnel. The government relied heavily on international partners for support. In 2017, authorities cooperated with Argentina, Bolivia, France, Spain, EUROPOL, and INTERPOL on cases involving 20 Paraguayans and three foreign victims of trafficking. The government did not report if Paraguayan victims received assistance upon their return. In an effort to fill immediate budget gaps for victim assistance, the ATU used money collected from fines imposed on individuals driving under the influence of alcohol. Several observers reported that such subsidies were insufficient to adequately fund efforts. There were two shelters dedicated to helping female trafficking victims, one managed by the MWA and the other co-managed by The Secretariat for Children and Adolescents (SNNA) and an NGO. In 2017, the government provided shelter to a total of 27 victims (15 victims by MWA and 12 girl victims by the SNNA). In addition to shelter and food, the MWA and the SNNA provided psychological support, social assistance, legal advice, and reintegration programs for trafficking victims. The government did not have a shelter to assist male trafficking victims; however, the ATU provided assistance on an ad hoc basis before facilitating the return of male victims to their community of origin.

The government provided approximately 5.3 billion guaranies (\$950,840) for the efforts of the ATU, the MWA, and SNNA. Authorities reported funding was insufficient to assist victims adequately. The Ministry of Public Health and municipalities had statutes that allowed the inspection of brothels; however, federal authorities complained that municipalities continued to issue operational permits to establishments where victims had previously been found. The government helped repatriate three trafficking victims and referred them to care facilities to receive medical, psychological, and legal services. Authorities did not provide any training for government officials on victim protection in 2017.

## PREVENTION

The government increased prevention efforts. The Office of the Director General for Consular Affairs was the government entity responsible for coordinating anti-trafficking programs, including the activities of an interagency roundtable that consisted of subcommittees on prevention, prosecution, assistance, and legislation and included representatives from 16 government agencies. The roundtable was effective in fostering dialogue and coordination among government agencies; however, it continued to face challenges in collecting and reporting statistics. The comprehensive anti-trafficking law of 2012 did not stipulate the mandatory participation of civil society actors in the roundtable. During the reporting period, however, the government identified an NGO to serve as a liaison between the roundtable and civil society. In 2017, the interagency roundtable approved the 2014-2018 National Plan for the Prevention and Combat of Trafficking in Persons, but the plan lacked presidential approval at the close of the reporting period.

The government lacked a national anti-trafficking secretariat, despite the 2012 law mandating its creation. Several observers reported the absence of a dedicated agency limited the effectiveness of anti-trafficking efforts. The MWA coordinated eight regional anti-trafficking meetings in five departments reaching 677 community members and local departmental

representatives of the agencies that participated in the roundtable. The government continued to post brochures and posters in bus terminals, airports, and border crossings to promote awareness. The government maintained a hotline to report crimes against children, including trafficking; media reports indicated the government received more than 9,000 calls to the hotline during the first half of 2017, but it was unclear how many of those were reports of trafficking. In 2017, the SNNA launched a cellphone app version of the hotline to promote use among younger audiences. Individuals calling the hotline or using the app had to provide identification; lack of anonymity could hinder reporting of crimes due to fear of reprisal. The government sponsored training for 23 taxi drivers in Asuncion that included awareness on child sexual exploitation. The government did not make efforts to reduce the demand for commercial sex or forced labor. Authorities did not identify children from whom sex was purchased by foreigners in Ciudad del Este and the Tri-Border Area as victims of child sex tourism or trafficking. In 2017, the government launched an awareness campaign focused on the prevention of child commercial sexual exploitation in the tourism sector. The campaign displayed pamphlets, stickers, and banners at hotels, airports, and places of mass circulation in Ciudad del Este and the border region. The government did not provide anti-trafficking training to its diplomatic personnel. The government provided all peacekeepers with UN-approved training on trafficking prior to their deployment on international peacekeeping missions.

## TRAFFICKING PROFILE

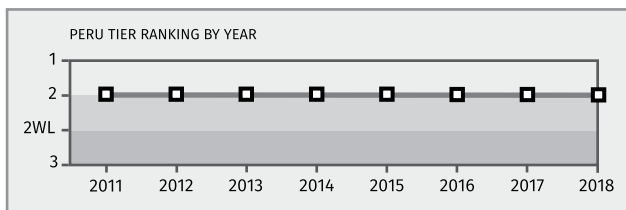
As reported over the past five years, Paraguay is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Paraguayan women and girls are subjected to sex trafficking within the country, and transgender Paraguayans are vulnerable to sex trafficking. The practice of *criadazgo* appears to be the most visible and common form of trafficking in the country. Middle- and upper-income families in both urban and rural areas took on children, almost exclusively from impoverished families, as domestic workers and provided varying compensation that included room, board, money, a small stipend, and/or access to educational opportunities. Although not all children in situations of *criadazgo* are victims of trafficking, it made them more vulnerable. An estimated 46,000 Paraguayan children work in situations of *criadazgo*; many of these children are highly vulnerable to sex and labor trafficking. Although *criadazgo* mainly affects young girls, boys are increasingly at risk. Boys are often victims of labor exploitation in the agriculture industry, domestic servitude, forced criminality, and in some cases as horse race jockeys. Indigenous persons are particularly at risk for forced labor and sex trafficking. Children engaged in street vending and begging and working in agriculture, mining, brick making, and ranching are vulnerable to trafficking. Foreign victims of sex and labor trafficking in Paraguay are mostly from other South American countries. Paraguayan victims of sex trafficking and forced labor are found in Argentina, Brazil, Chile, China, Colombia, Mexico, Spain, and other countries. Paraguayan women are recruited as couriers of illicit narcotics to Europe and Africa, where they are often subjected to forced prostitution. Paraguayan children are subjected to forced labor in the cultivation and sale of illicit drugs in Brazil. The Tri-Border Area, between Argentina, Brazil, and Paraguay, is vulnerable to human trafficking given the lack of regulatory measures, insufficient transnational cooperation, and the fluidity of illicit goods and services. Government officials—including police, border guards, judges, and public registry employees—facilitated



human trafficking, including taking bribes from brothel owners in exchange for protection, extorting suspected traffickers in order to prevent arrest, and producing fraudulent identity documents. Paraguayan women and girls are vulnerable to trafficking in ships and barges navigating along country's major waterways. Reports from 2015 indicated isolated instances of the now-defunct organized criminal group the Armed Peasant Association (ACA) forcibly recruiting children and adolescents to participate in logistical and communication support roles.

## PERU: TIER 2

The Government of Peru does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Peru remained on Tier 2. The government demonstrated increasing efforts by investigating and convicting more traffickers, increasing funding for law enforcement efforts, and implementing a new national anti-trafficking action plan. However, the government did not meet the minimum standards in several key areas. Poor interagency coordination continued to hinder victim identification and assistance. Many ministries reported they did not have adequate funding to fulfill their anti-trafficking mandates. Complicity of some government officials undermined efforts to combat trafficking, but the government only reported one ongoing investigation of a complicit official in 2017.



### RECOMMENDATIONS FOR PERU

Increase funding for, and access to, specialized, comprehensive services for all victims, including for adults and those exploited outside the capital; investigate and prosecute trafficking-related corruption and official complicity, and convict and punish complicit officials for these crimes; increase efforts to prosecute trafficking offenses and convict and punish traffickers, especially for forced labor; consistently implement protocols for interagency coordination and victim-centered investigations and prosecutions; establish systematic training for government officials to increase their understanding of trafficking and improve victim identification; conduct coordinated, intelligence-based raids and employ effective victim screening and referrals; protect victims' rights throughout the entire legal process, including by assigning victim advocates to all identified victims when they are identified rather than waiting for the prosecutor to file a case; cease holding victims in police stations, especially children; train police, prosecutors, and judges to apply anti-trafficking laws effectively and issue stringent dissuasive sentences for convicted traffickers, including in cases involving psychological coercion; harmonize anti-trafficking laws, including through amending laws to remove the legal basis for inadequate sentencing; improve efforts to collect and report comprehensive, disaggregated data on anti-trafficking victim protection, law enforcement, and prosecution efforts and collect data on cases where trafficking charges were reduced to

lesser offences during prosecution or at the time of sentencing; dedicate adequate funding in ministry and regional government budgets to carry out anti-trafficking responsibilities; and enforce laws against crimes that facilitate trafficking, such as fraudulent job recruitment, illegal mining, and counterfeit operations.

### PROSECUTION

The government increased prosecution efforts. Article 153 of the penal code criminalized sex and labor trafficking, prescribing penalties of eight 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 law defined trafficking broadly to include all forms of labor exploitation. Article 168-B of Legislative Decree No.1232 prescribed a six-year minimum sentence for forced labor, which increased to a minimum of 12 years if the victim was 14-18 years old, or a 15-year minimum if the victim was younger than 14. Other laws criminalized elements of sex trafficking: profiting from sex trafficking carried penalties of three to 10 years imprisonment (20 years if the victim was younger than 14, 15 years if the victim was aged 14-17); pimping carried penalties of two to five years imprisonment (four to five years if the victim was younger than 18). Peruvian law also criminalized child sex tourism and prescribed penalties ranging from four to eight years imprisonment or eight to 10 years imprisonment under aggravating circumstances. The government continued to introduce the New Criminal Procedures Code, implementing it in 28 of 31 judicial districts by February 2018. The new criminal code did not require victims of trafficking to submit a complaint in order for the government to prosecute a suspected trafficker.

Peru's overlapping legal framework on human trafficking and related crimes sometimes caused confusion for police, prosecutors, and judges in determining the appropriate charges, particularly in cases of alleged sex trafficking. For example, prosecutors often charged lesser, more readily provable offenses, such as pimping, that carried significantly lower penalties than trafficking offenses. Even when sex trafficking charges were filed, officials reported judges often reduced them to lesser charges, particularly in cases involving adult female victims. Judges applied the law unevenly in cases involving child victims; they occasionally ignored victims' ages and therefore failed to apply the harsher penalty provisions applicable for crimes involving child victims. Prosecutors reported challenges in obtaining convictions in cases where traffickers used psychological coercion, rather than physical force or confinement, to compel victims into sex or labor exploitation.

Although several ministries operated data collection systems to track their anti-trafficking law enforcement and victim protection efforts, the government lacked a single authoritative system to record all government actions, making it difficult for authorities to assess efforts and identify trends. The Ministry of Interior (MOI) and the public ministry, however, tested an integrated data collection system during the year. Police reported conducting 865 anti-trafficking operations in 2017 (764 in 2016), resulting in the arrest of 410 suspected traffickers (427 in 2016). The public ministry's anti-trafficking unit reported participating in 122 anti-trafficking operations and investigating 228 suspected traffickers' cases. Authorities did not report specific details for all operations, including how many victims were identified or received protection services. Several operations involved large, coordinated raids on fraudulent employment agencies and bar-brothels, each resulting in multiple arrests and possible victims removed from the trafficking situation.

Police often conducted raids on commercial sex establishments with limited intelligence-gathering and ineffective victim identification procedures. The government did not report comprehensive data on the total number of prosecutions initiated, convictions obtained, or sentencing information for trafficking offenses in 2017. However, the public ministry reported its trafficking-related prosecutions resulted in 50 court decisions in 2017, compared with 18 in 2016. Thirty-three of these cases resulted in convictions (13 in 2016). In one case, a court in Cusco issued Peru's longest-ever sentence in a trafficking case—35 years—to a trafficker convicted of subjecting four teenage girls to child sex trafficking. In July 2017, prosecutors opened a case charging two individuals under forced labor and aggravated human trafficking statutes following a June industrial fire at an illegal counterfeiting operation that resulted in the deaths of two workers, including a 17-year-old, who had been locked inside. One U.S. citizen arrested in December 2015 for suspected sex trafficking remained in custody while under investigation in Peru; police arrested an alleged accomplice in April 2017.

The government operated eight specialized anti-trafficking regional prosecutor offices and maintained 147 specialized anti-trafficking police officers. The MOI's overall anti-trafficking budget increased to 7.5 million soles (\$2.3 million) in 2017, from approximately 826,000 soles (\$255,250) in 2016, the majority of which it spent on police hiring, operations, training, and equipment. Nevertheless, poor communication and coordination between police and prosecutors sometimes compromised efforts to identify and assist victims and investigate cases, especially during law enforcement operations. NGOs and regional officials reported regional police often did not involve the national anti-trafficking police or public ministry in their cases and did not share investigative information with prosecutors. Inadequate budgets for personnel and logistical support, combined with inconsistent regional and local government capacity, hindered law enforcement efforts; this was particularly acute in regions where trafficking occurred in remote locales with limited government presence. In partnership with NGOs and an international organization, officials trained police, prosecutors, and other officials on trafficking, including how to differentiate between sex trafficking and other prostitution-related crimes. The MOI conducted several sessions to certify police officers to train additional law enforcement officials and the public ministry provided training for prosecutors and police. Authorities coordinated with foreign governments on trafficking investigations; the government maintained bilateral counter-trafficking agreements with Bolivia, Colombia, and Ecuador and signed new agreements with Chile and Argentina.

The government did not report any new 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. NGOs and government officials reported widespread corruption in Peruvian law enforcement and judicial systems severely hampered anti-trafficking law enforcement efforts. Government officials, NGOs, and victims reported police engaged in extortion and threatened nightclub and brothel owners with sex trafficking charges; they falsely charged victims trying to escape bars or brothels with crimes such as theft or trafficking and accepted money to close investigations, drop charges, or exonerate traffickers, including by compelling victims to sign declarations absolving their traffickers. Some judges and prosecutors may have accepted bribes to downgrade trafficking charges to lesser crimes. Some officials' involvement in the mining industry posed a conflict of

interest that impeded law enforcement action against trafficking in mining areas. Government officials and NGOs reported some police officers, including members of the specialized anti-trafficking units, accepted bribes from bar-brothels and illegal mining sites to avoid police anti-trafficking raids. A former member of congress remained under investigation for allegedly operating a hotel where child sex trafficking occurred. The government did not track accusations against or involvement of government officials in trafficking cases.

## PROTECTION

The government maintained weak victim protection efforts. Most victims continued to lack access to specialized services. The anti-trafficking law (law 28950) required the government to assist and protect victims by providing temporary lodging, transportation, medical and psychological care, legal assistance, and reintegration assistance, although the government did not fulfill this mandate. Peru's anti-trafficking law and implementing regulations assigned responsibility to several ministries, as well as regional and local governments, for identifying suspected victims among the high-risk populations they served and referring them to appropriate authorities, but government capacity and some local officials' understanding of trafficking was limited and hindered victim identification and assistance. The MOI attempted to address these capacity gaps by providing training for officials, police, and service providers on victim care and protection protocols. Police reported identifying 1,229 suspected victims in 2017, compared with 1,134 identified in 2016, though this number could not be verified. Of these, 1,155 were female and 74 were male; 302 of the total were children.

The Ministry of Women and Vulnerable Populations (MIMP) was responsible for coordinating and providing services to victims in partnership with regional governments, although confusion over whether the national or regional government was ultimately responsible for service provision at times hampered victim assistance. MIMP did not report how many victims received services in 2017. The public ministry's program for victims and witnesses assisted 521 trafficking victims in 2017, compared with 437 trafficking victims assisted in 2016. The government operated two shelters, in Lima and Masuco, exclusively for trafficking victims, with a total capacity of 28 beds. While the government operated 48 residential centers for children and adolescents, staff in these shelters lacked the expertise and resources to provide adequate protection services to trafficking victims. Many civil society organizations operated shelters or provided other services for victims without government support, although few offered trafficking-specific services. Many shelters were in secure locations and victims could not leave unaccompanied. There were no facilities that could accommodate adult male victims and no specialized services for LGBTI victims. Shelter and specialized psychological, employment, and other services remained unavailable in most areas and for most adults and labor trafficking victims.

The law required the government to provide a victim advocate, known as a public defender, to safeguard victims' legal rights, and to provide for witness protection. Because the government did not assign public defenders to victims until the prosecutor officially filed the case, which could take several weeks, many victims, including children, faced questioning from law enforcement and justice officials without this advocate's assistance. The Ministry of Justice reported it provided legal assistance to 394 trafficking victims in 2017 and increased the number of public defenders available for trafficking victims from 217 to 225. Some anti-trafficking operations, however,

were conducted without adequate resources, such as safe places to screen potential victims and provide them immediate care. Coordination problems between ministries often meant services for victims were unavailable immediately following law enforcement operations. Peruvian law granted victims the ability to receive restitution, but the government did not report any victims receiving restitution in 2017. Most victims did not receive sufficient protective services, leaving them at high risk of re-trafficking. Officials cited the lack of adequate protective services as a key impediment to their ability to combat trafficking effectively in the country as victims' needs and safety concerns were not addressed sufficiently. The new national anti-trafficking action plan sought to reduce the risk of re-victimization by including a specific "victim reintegration plan" within the national action plan.

According to an international organization, the government treated foreign victims as refugees, referring them first to the UN, which then assisted them in filing a complaint and seeking government services. It was not clear whether all foreign victims went through this process or how many foreign victims were identified during the reporting period, although MOI reported identifying 59 possible foreign victims (all female). Foreign victims were eligible for temporary and permanent residency status under Peruvian refugee law, but the government did not report if any victims received this status in 2017. The government did not report whether it assisted in the repatriation of any Peruvian victims exploited abroad.

Due to inadequate victim identification procedures, some sex trafficking victims may have remained unidentified and been arrested, detained, or otherwise punished for unlawful acts committed as a direct result of being subjected to trafficking. Authorities often lacked training to identify sex trafficking victims among women in prostitution and authorities often made such determinations based on whether an individual had access to identity documents and a required public health certificate. The government had both inter- and intra-ministerial protocols for providing protection to trafficking victims, but implemented them unevenly due to insufficient resources and poor interagency coordination. At times, the government placed child victims in police stations among children apprehended for crimes, where they sometimes remained for extended periods. These children faced conditions similar to detention, though they were not charged with crimes.

## PREVENTION

The government maintained prevention efforts. The interagency commission, which also included NGOs and international organizations, met regularly and produced an annual report of the government's anti-trafficking efforts. The commission finished drafting a new national anti-trafficking action plan for 2017-2021, which took effect in June 2017. Twenty-four regional governments maintained anti-trafficking working groups, which varied in effectiveness. The national government provided technical support and training to some of these groups. The government dedicated 11 million soles (\$3.4 million) to its anti-trafficking activities in 2017, an increase from 5.6 million soles (\$1.7 million) in 2016. However, although several key ministries, including MIMP and MOI, had funding specifically for anti-trafficking activities, most government agencies did not have dedicated anti-trafficking budgets. Officials noted this lack of funding significantly impacted ministries' ability to implement their duties as outlined in the national action plan, especially victim protection efforts. The government had a separate commission, inter-ministerial protocol, and plan for

combating forced labor and child labor, which included greater oversight of employment agencies and strengthened response mechanisms to suspected forced or child labor. The government opened four new regional labor inspection offices in 2017 and continued to conduct inspections on formal businesses and employment and recruitment agencies. In response to the growing number of Venezuelan migrants arriving in Peru since 2016—of which more than 200,000 are expected to remain in Peru as of April 2018—the government created a permanent residence permit for Venezuelans that allowed them to work legally in the country, reducing their vulnerability to trafficking. Approximately 36,000 Venezuelans have received such permits. Various ministries conducted awareness-raising efforts, often in partnership with international organizations and NGOs and with foreign donor funding. Some of these efforts focused on preventing child sex tourism and providing information for reporting suspected abuses. In June 2017, the government entered into a partnership with another government to combat child sex and labor trafficking. The government made efforts to reduce the demand for commercial sex acts involving children by investigating and assisting in prosecutions of child sex tourists. The government introduced a new law to criminalize illegal gold mining, which fuels the demand for trafficking in January 2017, although its impact was not clear. The government provided anti-trafficking training for its diplomatic personnel and for Peruvian peacekeepers prior to their deployment abroad on international peacekeeping missions.

## TRAFFICKING PROFILE

As reported over the past five years, Peru is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Indigenous Peruvians are particularly vulnerable to trafficking. Peruvian women and girls, and to a lesser extent boys, are exploited in sex trafficking within the country, often recruited through false employment offers. Peruvian women and children are exploited in sex trafficking in other countries, particularly within South America, and women and girls from neighboring countries are subjected to sex trafficking in Peru. LGBTI Peruvians, especially transgender women, are vulnerable to sex trafficking. Communities located near illegal mining operations are often isolated and lack a permanent government presence, increasing the likelihood of illicit activity, including sex and labor trafficking. The high demand for commercial sex in these towns increases incentives for traffickers to bring in women and girls from various regions in Peru. Women and girls exploited in sex trafficking near mining communities are often indebted due to the cost of transportation and unable to leave due to the remoteness of camps. Tourists from the United States and Europe purchase sex from child trafficking victims in areas such as Cuzco, Lima, and the Peruvian Amazon. In the Loreto region, criminal groups facilitate transportation of foreign tourists by boat to remote locations where women and children are exploited in sex trafficking in venues on the Amazon River.

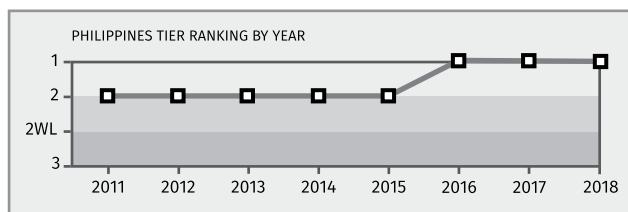
Peruvian men, women, and children are exploited in forced labor in the country, principally in illegal and legal gold mining and related services, logging, agriculture, brick-making, unregistered factories, counterfeit operations, organized street begging, and domestic service. Peruvians working in artisanal gold mines and nearby makeshift camps that provide services to miners are subjected to forced labor, including through deceptive recruitment, debt bondage, restricted freedom of movement, withholding of or non-payment of wages, and threats and use of physical violence. Forced child labor occurs in begging, street vending, domestic service, cocaine production



and transportation, and other criminal activities. The terrorist group Shining Path recruits children using force and coercion to serve as combatants or guards, and uses force and coercion to subject children and adults to forced labor in agriculture, cultivating or transporting illicit narcotics, and domestic servitude, as well as to carry out its terrorist activities. While the group forcibly recruits children from the surrounding communities, many recent recruits are the children of adult members of the group. Peruvian men, women, and children are subjected to forced labor in other South American countries, the United States, and other countries. The number of Venezuelan migrants, many of whom are vulnerable to exploitation, has increased significantly each year since 2016. Migrants from other parts of South America, China, and Senegal transiting Peru to Brazil were reportedly vulnerable to sex and labor trafficking, as were migrants along Peru's southern border with Chile.

## PHILIPPINES: TIER 1

The Government of the Philippines 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 Philippines remained on Tier 1. The government demonstrated serious and sustained efforts by convicting and punishing more traffickers; effectively coordinating identification, referral, and provision of services to more victims; increasing efforts to prevent trafficking of Filipino migrant workers and to assist those who become victims of trafficking overseas; and implementing procedures to reduce the backlog of trafficking cases in the courts. Although the government meets the minimum standards, it did not improve the availability and quality of protection and assistance services for trafficking victims, particularly specialized shelter care, mental health services, access to employment training and job placement, and services for male victims. Further, the government did not vigorously investigate and prosecute officials allegedly involved in trafficking crimes or punish labor traffickers.



### RECOMMENDATIONS FOR THE PHILIPPINES

Increase the availability of specialized shelter and mental health services for victims of trafficking, including child victims of online sexual exploitation and male victims; increase efforts to investigate, prosecute, and convict perpetrators of trafficking, particularly complicit officials and labor traffickers; increase resources for anti-trafficking task forces to support coordinated operations, protection services, and timely preliminary investigation and prosecution of trafficking, including in cases involving online sexual exploitation of children; increase efforts to identify and assist child labor trafficking victims; expand the number of victim and witness coordinators to assist anti-trafficking task forces and increase efforts to prevent re-traumatization caused by multiple interviews; expand government support for follow-up services for trafficking victims that facilitate reintegration, including increased access

to job training and employment; develop and implement programs aimed at reducing the demand for commercial sex acts, including child sex tourism and online child sexual exploitation; increase efforts to protect children demobilized from armed groups; and implement improved and consistent data collection across agencies.

### PROSECUTION

The government maintained law enforcement efforts. The 2003 and 2012 anti-trafficking acts criminalized sex and labor trafficking and prescribed penalties of six years to life imprisonment and fines of up to 5 million pesos (\$100,300). 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, authorities investigated 488 suspected trafficking cases, compared with 553 in 2016. These actions led to the arrest of 283 suspects, an increase from 272 in 2016. During the reporting period, the government initiated prosecution of 177 alleged traffickers (441 in 2016) and convicted 65 traffickers (55 traffickers in 2016). One trafficker was convicted of labor trafficking, compared to no labor trafficking convictions in 2016. Sentences imposed ranged from 12 years to life imprisonment, with most offenders sentenced to life imprisonment. The government filed no criminal cases to punish the recruitment and use of child soldiers by armed groups operating in areas affected by intensified violence.

During the year, the supreme court issued revised guidelines for continuous trial of criminal cases to streamline the litigation process; however, endemic inefficiencies and, in some cases, corruption, left nearly 1,200 trafficking cases pending in the judicial system. The government's use of plea agreements in the conviction of 19 traffickers in seven trafficking cases involving online sexual exploitation of children reduced the potential for re-traumatization of child victims who served as witnesses as well as the litigation time; however, the government did not implement measures to reduce the re-traumatization of victims throughout all investigations and prosecutions. While the government increased funding for equipment and facilities for the Philippine National Police Women and Children's Protection Center from 23 million pesos (\$461,390) in 2017 to 106 million pesos (\$2.1 million) in 2018, support for anti-trafficking task forces declined as the number of prosecutors assigned to the task forces decreased from 240 in 2016 to 203 in 2017. In addition, a lack of equipment and resources for logistics limited the capacity of trafficking task forces to conduct enforcement operations. With support from foreign law enforcement, NGOs, and international organizations, the government conducted more operations to remove child victims of online sexual exploitation from exploitative situations and convicted more perpetrators of this crime. These cases continued to present challenges including difficulty in obtaining timely search warrants, inadequate prosecutorial resources dedicated to preliminary investigations, logistics, and computer evidence analysis, as well as the limited amount of case law pertaining to this form of human trafficking. Late in the reporting period, the Interagency Council Against Trafficking (IACAT) released new guidelines on data collection and monitoring for its member agencies, but inconsistencies in data collected by agencies and a lack of case-specific information continued to impede analysis of enforcement and protection efforts. With donor support, the IACAT also introduced and pilot tested a case management system for prosecutors working with 16 anti-trafficking task forces to facilitate monitoring of prosecutions. To facilitate

evidence collection in online child sexual exploitation and child pornography cases, a second municipality enacted an ordinance requiring money transfer outlets to preserve customer information and transaction data and to provide it to authorities investigating such cases.

The government sustained its efforts to provide anti-trafficking training to its officials by supporting the provision of basic and advanced skills training through 238 programs that included a focus on the investigation and prosecution of cases involving forced labor, child soldiers, child victims of online sexual exploitation, as well as the provision of trauma-informed care in residential facilities. The IACAT and regional anti-trafficking task forces conducted 61 anti-trafficking training programs and the IACAT member agencies provided in-kind support for 177 donor-funded training programs that trained a total of 6,400 local, regional, and national government officials, including law enforcers, prosecutors, judges, and social service personnel in 2017. Philippine officials continued to cooperate with other governments to pursue international law enforcement action against suspected foreign traffickers in six cases.

The government did not convict any officials for complicity in trafficking despite continued reports of corruption at all levels of government during the reporting period and officials investigating several cases. The government reported initiating administrative investigations of six Bureau of Immigration (BI) employees for immigration act violations, such as permitting at least 24 female domestic workers to depart for the Middle East with tourist visas, and a government official for irregularly issuing an overseas employment certificate to a female hired by the official to work as a personal employee overseas. In addition, the government initiated an investigation of two BI employees for trafficking a female victim in the Middle East. The government did not provide information on the trafficking prosecution of two police officers and a Department of Foreign Affairs (DFA) official whose cases were pending in 2017.

## PROTECTION

The government increased protection efforts. Through law enforcement activities, the government identified 1,839 potential victims of trafficking, of whom 1,422 were females and 410 were children. The Department of Social Welfare and Development (DSWD) reported serving 1,659 possible trafficking victims, of whom 1,139 were female, compared with 1,713 victims in 2016. DSWD reported assisting 516 victims of sex trafficking, 646 victims of labor trafficking, and 298 victims of illegal recruitment, compared with 465 victims of sex trafficking, 232 victims of labor trafficking, and 530 victims of illegal recruitment the prior year. Through its recovery and reintegration program for trafficked persons, DSWD provided psycho-social support, medical services, legal assistance, livelihood assistance, skills training, and reintegration services to identified victims and led implementation of the national referral system. The government allocated 24.8 million pesos (\$497,500), an increase of approximately 1.8 million pesos (\$36,110), to implement this program. DSWD also continued to operate 44 residential care facilities that provided services to victims of trafficking and other forms of exploitation. Of these facilities, 24 served children, 12 served women, and one served both women and men. No DSWD shelter is designated solely for the specialized care of trafficking victims. The government provided 419 victims with temporary shelter in a DSWD residential care facility, an NGO facility, or in a local government shelter. The government also provided an unknown amount of support for two NGO-operated halfway houses at border entry points

and a facility in the national capital region that serves as a safe space and processing center where law enforcement officials, working with DSWD, interviewed suspected victims immediately after they were removed from a trafficking situation during an enforcement operation. Department of Labor and Employment Relations (DOLE) removed 58 children from hazardous or exploitative working situations, including one child domestic servant, and referred some of these families for livelihood assistance. Available shelter and other assistance services such as mental health services, community reintegration, job training, and access to employment remained inadequate to address the specific needs of trafficking victims, including child victims of online sexual exploitation and male victims.

The government increased its resources and provided robust services for Filipino victims abroad. The Department of Foreign Affairs (DFA), in coordination with DSWD social welfare attaches and DOLE labor attaches deployed in Philippine embassies, assisted 1,476 potential Filipino trafficking victims in the Middle East, Asia, and Europe. The government maintained a temporary shelter for male Filipino victims in Saudi Arabia and migrant resource centers in three other countries where the government admitted 1,097 Filipinos, of whom 1,019 were lured illegally for work in the United Arab Emirates. DFA increased its allocation for the Assistance to Nationals (ATN) Fund from 400 million pesos (\$8 million) to 1 billion pesos (\$20.1 million) and its Legal Assistance Fund (LAF) from 100 million pesos (\$2 million) to 200 million pesos (\$4 million). In 2017, DFA disbursed 22.7 million pesos (\$455,380) from its ATN Fund, which covered airfare, meal allowance, medical care, and other needs of nearly 15,000 trafficking victims; this represented an increase of more than 21 million pesos (\$421,270). In 2017, DFA revised its LAF guidelines to establish priority funding for legal assistance to trafficking victims and it expended 92 percent of its budget by the end of the year. Through its hotline, the Commission of Filipinos Overseas (CFO) assisted 61 possible victims utilizing 5.3 million pesos (\$106,320) allocated by the IACAT. The Philippine Overseas Employment Administration (PEOA) reported identifying 140 adult trafficking victims, all but two of whom were victims of domestic servitude, but did not report information about services provided to these victims. The government continued to implement formal procedures to identify trafficking victims in the Philippines and overseas and to refer them to official agencies or NGO facilities for care. As a result, DSWD social workers and representatives of the Overseas Workers Welfare Authority, working in coordination with anti-trafficking task forces, assisted 2,149 repatriated and 15 deported Filipino workers.

During the reporting period, the government supported victims who served as witnesses during trials by providing assistance, security, and transportation. Continuing a donor-supported pilot program, two Department of Justice (DOJ) victim-witness coordinators assisted victims whose cases were investigated and prosecuted by anti-trafficking task forces. The IACAT operations center reported assisting 81 witnesses, 51 of whom were minors. Under its witness protection program, justice officials protected 74 victims from reprisals by providing security, immunity from criminal prosecution, housing, livelihood and travel expenses, medical benefits, education, and vocational placement. Judicial officials awarded damages to victims in amounts ranging from 100,000 pesos (\$2,010) to 500,000 pesos (\$10,030); however, victims were often unable to navigate the complex legal process required to obtain the restitution from convicted traffickers. NGOs confirmed government officials did not punish victims for unlawful acts committed as a result of being subjected to trafficking. Adult victims residing in shelters were permitted

to leave unchaperoned, provided there were no threats to their personal security or psychological care issues. While the government did not identify foreign victims in the Philippines during the reporting period, it had long-term alternatives to deportation of victims to countries where victims may face hardship or retribution.

In the Autonomous Region in Muslim Mindanao, where an estimated 420,000 persons were displaced during the reporting period due to intensified violence and reports of recruitment and use of child soldiers by armed groups continued, the government declared martial law on May 23, 2017, and extended it into 2018. There were reports soldiers of the Armed Forces of the Philippines detained and interrogated children, and in one instance tortured a child, suspected of associating with armed groups; however, the government did not provide information regarding efforts to investigate these allegations or efforts to provide services or reintegrate children subjected to soldiering.

## PREVENTION

The government increased its efforts to prevent trafficking. The IACAT, which was chaired by the secretaries of DOJ and DSWD and included the heads of the key anti-trafficking agencies and three NGO members, met three times during the year and approved 13 resolutions setting policy and approving interagency protocols, including approval of the government's third strategic action plan against human trafficking (2017–2021), as well as the national systems for referral, case management, and data collection. In addition, 24 anti-trafficking regional and municipal task forces met regularly during the reporting period to share information and coordinate interagency activities. The IACAT's budget increased from 93.88 million pesos (\$1.88 million) in 2016 to 95.28 million pesos (\$1.91 million) in 2017. The IACAT and its member agencies led national and regional trafficking awareness raising events. The CFO continued its national prevention campaign and reached approximately 8,000 persons. The POEA conducted 29 seminars for 3,400 law enforcement and other officials on how to detect illegal recruitment and amplified these efforts by training 2,825 officials and NGO partners to provide such training locally. During the reporting period, 722,132 individuals completed pre-employment seminars that provided information about worker protection, legal recruitment, and government services available to overseas foreign workers. Recognizing the increased vulnerability of people living in conflict-affected areas of Mindanao, DOLE and local government officials conducted orientation and trafficking awareness campaigns attended by 820 university students, community leaders, and local officials.

POEA developed a database of persons known to be involved in trafficking or illegal recruitment and delisted recruitment agencies for use by the relevant enforcement agencies. National Bureau of Investigation and POEA officials investigated 309 cases of alleged illegal recruitment in 2017, and eight cases resulted in a conviction, compared with 356 investigations and four convictions in 2016. The POEA filed 2,014 administrative charges against licensed agencies for fraudulent employment or exorbitant fees, resulting in the cancellation of 33 agencies' licenses. The BI Travel Control and Enforcement Unit continued to screen departing passengers and deferred the departure of 29,357 passengers due to incomplete or missing travel documents or misrepresentation, referred 104 potential cases of suspected trafficking to IACAT task forces for further investigation, and identified 55 possible victims of illegal recruitment. Despite stopping 168 foreign registered sex offenders from entering the country, local and foreign demand

for the country's vast commercial sex trade remained high and the government's efforts to reduce the demand for commercial sex acts were negligible. During 2017, the government signed a regional anti-trafficking convention, led the drafting of its plan of action, and entered into a partnership with another government aimed at addressing child trafficking. The DFA also reviewed 30 bilateral labor agreements with other countries and signed five agreements aimed at reducing the vulnerability of Filipinos working overseas. The government also banned the issuance of new contracts for work in Kuwait following reports of the alleged murder of a Filipina domestic worker there and provided air transport for Filipino workers who wished to return to the Philippines. The government provided anti-trafficking training to Philippine troops prior to their deployment abroad on international peacekeeping missions. The DFA provided training on trafficking and guidelines on the employment of personal staff for its diplomatic personnel.

## TRAFFICKING PROFILE

As reported over the past five years, the Philippines is a source country and, to a lesser extent, a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. An estimated 10 million Filipinos reside or work abroad and the government processes approximately 2.3 million new or renewed contracts for Filipinos to work overseas each year. A significant number of these migrant workers are subjected to sex and labor trafficking—predominantly via debt bondage—in the fishing, shipping, construction, education, home health care, and agricultural industries, as well as in domestic work, janitorial service, and other hospitality-related jobs, particularly in the Middle East and Asia, but also in all other regions. Traffickers, typically in partnership with local networks and facilitators, engage in illegal recruitment practices that leave migrant workers vulnerable to trafficking, such as charging excessive fees, producing fraudulent travel and contract documents, and confiscating identity documents. Illegal recruiters use student, intern, exchange program, and tourist visas, as well as travel through other countries to circumvent the Philippine government and destination countries' legal frameworks for foreign workers. Traffickers also recruit Filipinos already working overseas through fraudulent offers of employment in another country.

Forced labor and sex trafficking of men, women, and children within the country remains a significant problem. Women and children from indigenous communities and remote areas of the Philippines are the most vulnerable to sex trafficking, and some are vulnerable to domestic servitude and other forms of forced labor. Men are subjected to forced labor and debt bondage in the agricultural, fishing, and maritime industries. Persons displaced due to the conflict in Mindanao, Filipinos returning from bordering countries without documents, and internally displaced persons in typhoon-affected communities are vulnerable to domestic servitude, forced begging, forced labor in small factories, and sex trafficking in Metro Manila, Metro Cebu, central and northern Luzon, and urban areas in Mindanao. Sex trafficking also occurs in tourist destinations, such as Boracay, Angeles City, Olongapo, Puerto Galera, and Surigao, where there is a high demand for commercial sex acts. Although the availability of child sex trafficking victims in commercial establishments declined in some urban areas, child sex trafficking remains a pervasive problem, typically abetted by taxi drivers who have knowledge of clandestine locations. In addition, young Filipino girls and boys are increasingly induced to perform sex acts for live internet broadcast to paying foreigners in other countries; this typically occurs in private

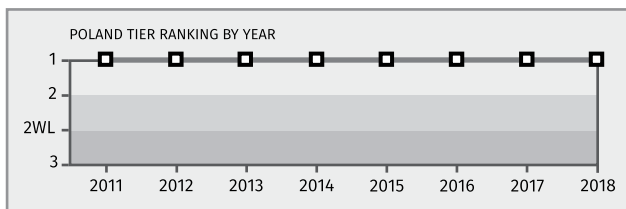


residences or small internet cafes, and may be facilitated by victims' family members and neighbors. NGOs report high numbers of child sex tourists in the Philippines, many of whom are citizens of Australia, Japan, the United States, Canada, and countries in Europe; Filipino men also purchase commercial sex acts from child trafficking victims. Organized crime syndicates allegedly transport sex trafficking victims from China through the Philippines en route to other countries. The UN reports armed groups operating in the Philippines, including the New People's Army, Maute Group, the Moro National Liberation Front, the Abu Sayyaf Group, and the Bangsamoro Islamic Freedom Fighters recruit and use children, at times through force, for combat and noncombat roles; the Islamic State is reported to subject women and girls to sexual slavery.

Officials, including those in diplomatic missions, law enforcement agencies, and other government entities, allegedly have been complicit in trafficking or allowed traffickers to operate with impunity. Some corrupt officials, particularly those working in immigration, allegedly accept bribes to facilitate illegal departures for overseas workers, reduce trafficking charges, or overlook illegal labor recruiters. Reports in previous years asserted police conduct indiscriminate or fake raids on commercial sex establishments to extort money from managers, clients, and victims. Some personnel working at Philippine embassies reportedly withhold back wages procured for their domestic workers, subject them to domestic servitude, or coerce sexual acts in exchange for government protection services.

## POLAND: TIER 1

The Government of Poland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Poland remained on Tier 1. The government demonstrated serious and sustained efforts by increasing investigations and prosecutions. The government also enhanced penalties for recruiters charging excessive recruitment fees and increased efforts to protect foreign workers. Although the government meets the minimum standards, it still had challenges identifying forced labor and child trafficking victims and prosecuting labor trafficking cases.



### RECOMMENDATIONS FOR POLAND

Sentence convicted traffickers to penalties proportionate with the severity of the crime; increase training for prosecutors and judges on the severity of the crime and the importance of prosecuting under the anti-trafficking statute; vigorously investigate and prosecute trafficking crimes, particularly forced labor cases; increase training of law enforcement on investigating and prosecuting labor trafficking cases and consider creating specialized prosecution units for trafficking crimes; improve training and efforts to identify victims proactively, particularly among unaccompanied children, migrants, and children exploited in prostitution; increase referrals of victims to services

and the witness protection program; provide specialized services for child victims; educate and incentivize foreign victims to enroll in the witness protection program and assist prosecution; increase training for labor inspectors on trafficking indicators; facilitate victims' access to compensation by encouraging prosecutors to request restitution during criminal cases and systematically informing victims of their right to pursue civil suits against their traffickers; and improve central operational coordination and data collection for anti-trafficking activities.

### PROSECUTION

The government increased law enforcement efforts. Article 189a of Poland's penal code criminalized sex and labor trafficking and prescribed punishments of three 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. In addition, Article 203 criminalized inducing an adult into prostitution through force, fraud, or coercion, and Article 204.3 criminalized inducing a child into prostitution; both articles prescribed punishments of one to 10 years imprisonment.

The government lacked a central mechanism to cross-reference and consolidate law enforcement statistics, and it only considered convictions and sentences issued after appeals to be final. Authorities initiated 27 investigations under Article 189a in 2017, compared with 31 in 2016 and 30 in 2015. In 2017, 34 prosecutorial investigations conducted involved forced labor (12 in 2016 and 17 in 2015). Authorities reported prosecuting 47 suspected traffickers under Article 189a in 2017 (30 in 2016 and 23 in 2015). First-level courts issued six convictions under Article 189a in 2016 (33 in 2016 and 36 in 2015). In addition, first-level courts issued 24 convictions (15 in 2016) under Article 203. In 2016, the most recent year for which post-appeal judgments were available, judges issued a total of 58 final convictions (58 in 2015, 37 in 2014, and 41 in 2013). Courts upheld 34 convictions under Articles 189a and 253 (30 in 2015 and nine in 2014). Courts also upheld seven convictions under Article 204.3 (12 in 2015). In addition, there were 17 upheld convictions for forced prostitution under Article 203 (16 in 2015). One trafficker received a fine instead of a prison sentence. Prison terms imposed ranged from less than one year to up to eight years. Fifty-five percent of sentences were for two years or less (58 percent in 2015 and 78 percent in 2014); two for seven to 11 months; 10 for one year; 14 for one to two years; five for two years. Authorities suspended 43 percent of prison sentences for trafficking convictions (45 percent in 2015 and 62 percent in 2014), including two sentences for seven to 11 months, ten for one year, and 12 for one to two years. The justice ministry began drafting new legislation in 2016 to reduce the number of suspended sentences on trafficking cases, but did not pass it in 2017.

Authorities provided training on victim identification to police, border guards, 154 consular officers (189 in 2016), 30 labor inspectors (99 in 2016), 94 employees of crisis intervention centers (79 in 2016), and 13 officials who interview asylum-seekers (11 in 2016). The border guard organized training for 410 officers on standard operating procedures for assisting child victims of trafficking, compared with 2,065 in 2016. Police and prosecutors, however, acknowledged authorities lacked the expertise to identify forced labor victims and child victims. During 2017, authorities held trafficking training sessions for 111 prosecutors and judges, compared with 236 in 2016.

The government did not report any investigations, prosecutions,

or convictions of government employees complicit in trafficking offenses. Authorities collaborated on investigations with counterparts in several foreign countries and requested extradition of two Bulgarian citizens on trafficking-related charges. Despite NGOs assisting more than 82 victims of forced labor, authorities reported there were very few prosecutions for forced labor for several reasons: law enforcement had difficulty identifying this type of crime, there was no clear definition of what constitutes forced labor in the Polish criminal code, prosecutors and judges often lacked expertise in labor trafficking cases, and victims were often unwilling to testify against their traffickers.

## PROTECTION

The government maintained protection measures. Law enforcement identified 155 potential trafficking victims during the reporting period (compared with 144 in 2016), of which 21 joined the nationwide witness and victim protection program. The National Intervention-Consultation Center for Victims of Trafficking (KCIK) provided assistance to 169 potential victims, including 10 minors, in 2017, compared with 200 in 2016 and 229 in 2015. Of these potential victims, 74 were for forced labor; 50 sexual exploitation and abuse; 25 violation of workers' rights; four forced begging; four inhumane or degrading treatment; three domestic violence; three combined sexual exploitation and forced labor; two domestic slavery and violence; one sexual exploitation and violence; one domestic slavery, sexual exploitation and forced labor; one forced marriage; and one forced labor and slavery-like conditions. KCIK offered victims medical and psychological care, legal counseling, shelter referrals, and welfare support. KCIK included two shelters for adult female victims and one shelter for male victims that opened in the reporting period. The shelters housed a combined total of 46 victims in the reporting period. KCIK arranged accommodations for an additional 61 victims, using crisis centers, hotels, and hostels for this purpose. Victims also could receive comprehensive assistance (social, medical, psychological, and legal) in 17 crisis intervention centers operated and funded by local governments, where staff were trained in assisting trafficking victims. The government did not report the number of trafficking victims served by these non-specialized centers. In addition to KCIK services, all foreign victims from outside the European Economic Area (EEA) formally identified by law enforcement were entitled to social welfare benefits, including crisis intervention assistance, shelter, meals, necessary clothing, and financial assistance; 11 non-EEA national victims received assistance through the welfare system during the first six months of 2017. EEA victims had access to the full scope of welfare benefits offered to Polish citizens. Non-EEA national victims had access to services to normalize their presence in Poland. The government did not have facilities available to provide specialized care to child victims, who typically were placed in orphanages or with foster families. Observers reported orphanages often were not well prepared to assist child victims of trafficking. In 2017, law enforcement did not refer any child victims to the national referral program. The border guard had a formal procedure for screening unaccompanied children for trafficking, but NGOs and academics reported there was no clear system of assistance to meet the needs of unaccompanied children.

In 2017, the government allocated 1.1 million zloty (\$315,820) to two NGOs that run KCIK, which covered the majority of operating expenses; this was the same amount allocated in 2016 and 2015. The government allocated 79,800 zloty (\$22,910) to train welfare assistance personnel on assisting trafficking victims

and witnesses, compared with 78,000 zloty (\$22,390) in 2016.

The government's witness protection program provided foreign victims with a temporary residence permit, medical and psychological care, legal assistance, and shelter for those who cooperated with a prosecution; this program also provided for a victim's repatriation. The government enrolled 21 trafficking victims into this program in 2017, compared with 39 in 2016 and 38 in 2015; from 2012 to 2014, the government enrolled at least 56 victims each year. Foreign victims were entitled to a three-month reflection period, during which they could stay legally in Poland to decide whether to assist in the criminal process; 12 victims used this reflection period in 2016 (23 in 2016 and 33 in 2015). Foreign victims were eligible for a residency permit valid for up to three years and were entitled to work; victims could also apply for permanent residency and were protected against deportation. Foreign victims were eligible for repatriation and may receive assistance upon return to their country of origin; the assistance did not depend on cooperation with law enforcement. In 2017, the government, in cooperation with an international organization, assisted four trafficking victims to return to their home countries (seven in 2016). In 2017, 35 foreign victims who joined the witness protection program agreed to participate in the prosecution of their traffickers (23 in 2016 and 27 in 2015). Polish law permitted victims to provide testimony via video or written statements; however, in cases where victims left Poland, judges often requested additional testimony that resulted in a longer and more complicated legal process. Media reports indicated North Korean laborers in the country were highly vulnerable to forced labor and showed indicators of trafficking. One ongoing prosecutorial investigation involved suspected forced labor of 107 North Korean potential victims in the agricultural sector with trafficking indicators, such as workers paying money to middlemen in advance to obtain employment. None of the workers were referred to services. The labor inspectorate inspected all companies employing North Korean workers, but did not report finding actionable evidence to justify recommending formal law enforcement investigations. Officials acknowledged inspections usually were confined to paperwork and investigators typically relied on translators provided by employers. Victims could file civil suits against traffickers, prosecutors could request restitution, and judges could order compensation for victims in criminal cases. Prosecutors rarely requested compensation. No victims received court ordered restitution in criminal cases in 2016 or 2017.

## PREVENTION

The government increased prevention efforts. The government allocated 135,000 zloty (\$38,760) for the implementation of the 2016-2018 action plan, a 43 percent decrease from 235,000 zloty (\$67,470) allocated in 2016, but the same amount as allocated in 2015 for the 2013-2015 plan. The interior ministry continued to lead the inter-ministerial anti-trafficking team, which met twice during the reporting period, as well as a working-level group of experts and NGOs, which met four times to coordinate efforts and develop national policies. During the reporting period, provincial-level interagency anti-trafficking teams in all 16 regions conducted prevention and public awareness campaigns, and organized trafficking-related trainings and conferences for NGOs and professional associations. In September, the interior ministry published a report analyzing the child identification system and offering recommendations for enhancing the capacity of law enforcement to better identify child victims. The interior ministry approved an assessment of the government's anti-trafficking activities in February 2018,

but had not make it publicly available by the end of March 2018. The government lacked a central mechanism to cross-reference and consolidate trafficking-related statistics, hindering officials' ability to assess the scope of trafficking in Poland and the efficacy of law enforcement efforts.

The government sponsored information campaigns on human trafficking, several of which focused on forced labor, and targeted students, migrant workers in Poland, at-risk Polish communities, and Poles seeking work abroad. The ministry of interior's web portal continued to operate, offering information on prevention, the system of victim support, and relevant statistics and publications. A government-funded NGO operated a hotline (10 hours per day on weekdays and 24 hours per day on weekends) for trafficking victims and witnesses, which received approximately 9,600 calls during the reporting period. In June 2017, the government increased the minimum fine for recruitment agencies operating without a license and agencies charging excessive fees for job placement and mandated agencies provide foreigners with a copy of their employment agreement in their own language, as well as their rights and responsibilities as workers in Poland. The government also enhanced local regulatory control over the simplified procedure of hiring foreigners from six countries in the region, which came into effect in January 2018; local authorities could ban employers previously convicted of trafficking from hiring foreigners. The government did not confirm whether any employers were banned in the reporting period. The National Labor Inspector identified 51 job recruiting agencies operating illegally during the reporting period, but did not report taking punitive action. To help address experts' concerns that Poland may become a destination country for child sex tourism, the government continued to operate an NGO-designed internet platform for reporting cases of child sex trafficking. The government made efforts to reduce the demand for commercial sex acts and forced labor during the reporting period. The government provided training for several foreign governments on anti-trafficking measures.

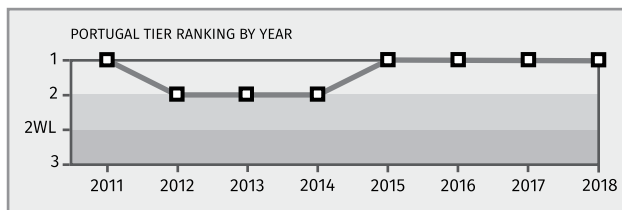
### TRAFFICKING PROFILE

Poland is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Labor trafficking is increasing in Poland; victims originate from Europe, Asia, and Africa. There is an increasing vulnerability to labor trafficking among Poland's growing Ukrainian and Belarusian migrant populations, particularly in restaurants and construction, and North Korean migrant workers, particularly in shipyards, construction, and agriculture. Children, particularly Roma, are recruited for forced begging in Poland. Men and women from Poland are subjected to forced labor in Europe, primarily Western and Northern Europe. There is an increasing number of Polish victims of forced labor for construction in the United Kingdom. Women and children from Poland are subjected to sex trafficking within the country and also in other European countries. Women and children from Eastern Europe, particularly Bulgaria, Romania, and Ukraine, are subjected to sex trafficking in Poland. A growing number of Vietnamese victims transit Poland en route to Western Europe after being subjected to labor trafficking in Russia.

## PORTUGAL: TIER 1

The Government of Portugal fully meets the minimum standards for the elimination of trafficking. The government continued to

demonstrate serious and sustained efforts during the reporting period; therefore Portugal remained on Tier 1. The government demonstrated serious and sustained efforts by increasing the number of investigations, training more law enforcement personnel, and sentencing the majority of convicted traffickers with strong penalties. The government approved its fourth national action plan for 2018 to 2021. Although the government meets the minimum standards, it prosecuted significantly fewer traffickers, identified significantly fewer victims, and lacked specialized services for child victims.



### RECOMMENDATIONS FOR PORTUGAL

Increase proactive identification of victims, particularly adult and child sex trafficking victims; increase resources for law enforcement and labor inspectors monitoring for labor trafficking; increase prosecutions and convictions of traffickers; provide specialized shelter and assistance for child trafficking victims; increase victim identification training within the health care sector, specifically for victims of sexual exploitation; continue to increase and document use of victim services, such as shelters and residence permits, and ensure availability of a sufficient number of places to accommodate all victims in need of shelter; continue to train immigration and social workers, law enforcement, labor inspectors, and NGOs on victim identification and referral; strengthen monitoring and regulation of temporary employment agencies, including employing and recruiting domestic workers; and increase efforts to reduce the demand for commercial sex.

### PROSECUTION

The government maintained law enforcement efforts. Article 160 of the penal code criminalized sex and labor trafficking and prescribed penalties of three to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. Article 159 prohibited slavery and prescribed penalties of five to 15 years imprisonment. Article 175 prohibited child sex trafficking, with penalties of one to 10 years imprisonment, although it classified these crimes as pimping rather than trafficking.

In 2017, the government investigated 103 potential trafficking cases, compared with 83 in 2016. Authorities did not report how many cases involved labor or sex trafficking. In 2017, authorities prosecuted 45 defendants in 12 cases, compared with 77 defendants in nine cases prosecuted in 2016. Courts convicted and sentenced 12 traffickers in 2017 (one sex trafficking and 11 forced labor), compared with 15 convictions in 2016. Eleven out of the 12 sentences issued were more than one year imprisonment, and the average sentence was seven and a half years imprisonment. Authorities suspended only one sentence compared with five in 2016. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The judiciary police provided training in investigations and victim identification to 40 of its senior officials and 80 mid-level officials. The office of the attorney general reported more than 100 prosecutors



received anti-trafficking training in 2017. The immigration and border service provided victim identification training to 60 border officers and 44 new border officers received anti-trafficking training as part of their initial training. The national rapporteur held training programs for first responders in districts vulnerable to labor trafficking, including police, social workers, and health professionals. Authorities cooperated with Ireland, Romania, Spain, and the United Kingdom on international trafficking cases during the reporting period.

## PROTECTION

The government maintained protection efforts. The government's national referral system coordinated victim assistance efforts between law enforcement and government-supported NGOs. During the reporting period, the government, with input from two NGOs, updated the referral system process to streamline communication between law enforcement and victim assistance providers and to ensure all stakeholders were represented nationwide. The government's anti-trafficking agency provided a checklist to law enforcement, NGOs, health care professionals, and social workers on identifying victims of forced prostitution, forced labor, and forced begging and criminality. The government also provided victim identification guidelines to labor inspectors. Civil society reported the health care sector lacked sufficient training on identification for victims of sexual exploitation.

Upon encountering a potential victim, law enforcement personnel conducted an initial standardized risk assessment; individuals deemed vulnerable or at risk were referred to one of five regional multidisciplinary NGO teams to receive specialized shelter and assistance. The multidisciplinary teams comprised psychologists and social workers. First responders and social service providers could refer potential victims to services, but only law enforcement officials could officially "confirm" an individual a victim of trafficking. GRETA reported there was no timeline for authorities to confirm official victim status; the process depended on the duration of the related prosecution. In 2017, authorities identified 171 potential victims and four confirmed victims, compared with 143 potential and 118 confirmed victims in 2016. Potential victims received the same access to services as confirmed victims. In 2017, the government provided approximately €1 million (\$1.2 million) to shelters and the multidisciplinary regional teams, the same amount as 2016. Victims and their minor children had the right to shelter, health care, psycho-social, legal, and translation and interpretation services, as well as education and employment training. The three government-funded NGO-operated shelters were exclusively for trafficking victims—two for female victims and their minor children and one for adult male victims. GRETA reported the shelters could each accommodate a limited number of victims and noted a growing need for additional shelter places. Adult victims could leave the shelters at will unless authorities determined victims' safety was at risk. There were no specialized services for child trafficking victims; child victims instead received care under Portugal's child protection system and were placed in institutions if they could not be placed with family members. The government reported it would open a fourth shelter solely for child trafficking victims in 2018. The shelter would offer comprehensive assistance tailored to child victims. The government, working through its five regional anti-trafficking teams, conducted 303 training and awareness sessions (220 in 2016), which reached 70,487 beneficiaries, including health care professionals, law enforcement, lawyers, social services professionals, and students.

The government could offer witness protection to victims participating in trials; victims could testify by deposition or videoconference and had access to medical and psychological services to prevent re-traumatization. The government offered victims a reflection period of 30 to 60 days, during which they could recover before deciding whether to cooperate with law enforcement. The law also provided for a one-year residence permit for victims based on cooperation with law enforcement or a personal situation regarding their security, health, family situation, or vulnerability; this permit could be renewed indefinitely. Civil society reported the need for expedited issuance of residency permits for victims. Portuguese law allowed victims to seek compensation from and file criminal proceedings against their traffickers; victims may seek compensation from the government if the convicted trafficker was unable to pay the awarded restitution. The government did not report whether any victims received compensation from their traffickers or the government. There were no reports the government penalized victims for unlawful acts committed as a result of being subjected to trafficking; however, GRETA reported the lack of a specific provision in Portuguese law protecting victims from prosecution for acts they were coerced to commit could leave victims vulnerable to individual prosecutors' decisions to bring charges.

## PREVENTION

The government maintained prevention efforts. The government maintained a multi-stakeholder anti-trafficking network, including a national rapporteur, representatives from various government agencies, and three NGOs. In March 2018, the government approved the fourth national action plan for 2018 to 2021. The plan was created with input from the full anti-trafficking network and focused on victim assistance, awareness, and combating criminal networks. The government's anti-trafficking was expected to publish an annual report and issued three internal quarterly reports detailing the trafficking situation in the country. The multidisciplinary regional teams held awareness campaigns on sexual and labor exploitation throughout the reporting period. According to the rapporteur, labor authorities increased inspections in areas where persons are vulnerable for exploitation, particularly places of agricultural activity, construction sites, catering facilities, and nightlife establishments. However, a trade union representing labor inspectors reported to the media there was a lack of resources to inspect farms for forced labor. The government screened vetted visa applicants' work contracts and travel documents. GRETA noted, however, a need to strengthen monitoring and regulation of temporary employment and recruitment agencies, especially those employing and recruiting domestic workers. The government continued to conduct a corporate social responsibility campaign to address labor exploitation, which targeted Portuguese companies' supply chains. The government did not make efforts to reduce the demand for commercial sex. Laws prohibiting sexual crimes against children had extraterritorial reach, allowing the prosecution of suspected child sex tourists for offenses committed abroad; there were no reported investigations of Portuguese citizens engaging in child sex tourism abroad. The government provided anti-trafficking training to its diplomatic personnel and peacekeeping troops.

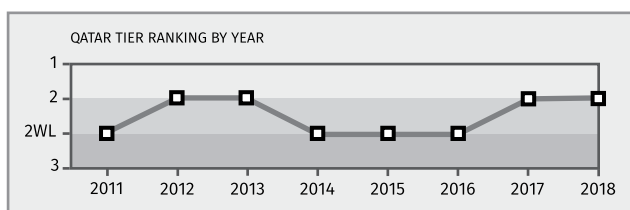
## TRAFFICKING PROFILE

As reported over the past five years, Portugal is a destination, transit and, to a lesser extent, source country for men, women, and children subjected to forced labor and sex trafficking. Trafficking victims primarily originate from West Africa, Eastern

Europe, Asia, and, to a lesser extent, Latin America. Most victims are subjected to forced labor, with seasonal migrant workers especially vulnerable. Foreign labor trafficking victims are exploited in agriculture, construction, and domestic service, while Portuguese victims are exploited in restaurants, agriculture, and domestic service, primarily in Portugal and Spain. Poor and uneducated Portuguese in the country's rural interior are especially vulnerable to forced labor networks in Spain, which may extend into Northern and Eastern Europe. Authorities noted an increase in recent years in the number of labor trafficking victims from Bangladesh, India, Nepal, and Pakistan. Foreign women and children, mostly from Africa and Eastern Europe, and Portuguese women and children are subjected to sex trafficking within the country. Portuguese victims have also been subjected to sex trafficking in other countries, mostly in Europe. Children from Eastern Europe, including those of Roma descent, are subjected to forced begging and forced criminal activity in Portugal. Authorities report traffickers bring women and children, many from West Africa, to Portugal to claim asylum and obtain false documents before bringing them to other European countries to be exploited in sex trafficking. Portugal is being used as a new route into the Schengen area by Sub-Saharan African criminal networks trafficking children for both sexual exploitation and forced labor.

## QATAR: TIER 2

The Government of Qatar does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Qatar remained on Tier 2. The government demonstrated increasing efforts during the reporting period by enacting the Domestic Worker Law to better protect domestic workers and a labor law amendment to overhaul the onerous labor court system and establish Labor Dispute Resolution Committees (LDRC). Substantial progress was made towards implementing the electronic contracting system and new labor dispute panels designed to greatly accelerate resolution of labor dispute cases. It strengthened enforcement on prohibitions against passport retention and substantially increased the number of investigations and prosecutions of forced labor cases and trafficking-related crimes. It also signed major agreements with an international body and a foreign government committing itself to a substantial number of additional reforms and the elimination of remaining restrictions on movement. The government, however, did not meet the minimum standards in several key areas. It did not report prosecuting any Qatari employers or recruitment agencies for forced labor. The government often did not investigate for trafficking indicators such as passport retention, labor violations, and complaints of abuse, and authorities reportedly arrested, detained, and deported potential trafficking victims for immigration violations or for fleeing their employers or sponsors. The government did not provide data on the number of victims it identified or assisted, and it did not hold complicit officials criminally accountable.



## RECOMMENDATIONS FOR QATAR

Increase efforts to investigate indicators of trafficking, prosecute trafficking offenses, and convict and punish traffickers, particularly for forced labor crimes, under the anti-trafficking law; continue to implement reforms to the sponsorship system so it does not provide excessive power to sponsors or employers in granting and maintaining the legal status of migrant workers; fully implement reforms to protect migrant workers from abusive practices and working conditions that may amount to forced labor; fully implement the new domestic worker law, which conforms with international standards, and extend full labor law protections to domestic workers; continue to implement the new LDRCs to expedite cases pertaining to contract or employment disputes; continue to implement the electronic contracting system to reduce instances of contract substitution; strengthen enforcement of the law criminalizing passport retention; ensure the Wage Protection System (WPS) covers all companies, including small and medium-sized companies, joint ventures, and foreign-owned companies; consistently apply formal procedures to identify victims of all forms of trafficking proactively among vulnerable groups, such as those arrested for immigration violations or prostitution or who flee abusive employers; collect and report data pertaining to the number of victims identified and the services provided to them; continue to provide anti-trafficking training to government officials, targeting the judicial sector, labor inspectors, and diplomatic personnel; and continue to conduct anti-trafficking public awareness campaigns.

## PROSECUTION

The government increased overall anti-trafficking law enforcement efforts. The 2011 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of up to seven years imprisonment and a fine of up to 250,000 Qatari riyal (\$68,680) for offenses involving adult male victims and up to 15 years imprisonment and a fine of up to 300,000 Qatari riyal (\$82,420) if the offense involved an adult female or child victim. Heads of recruiting agencies found guilty of trafficking faced up to five years imprisonment and a fine of up to 200,000 Qatari riyal (\$54,950). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Under Law number 4 of 2009, the government criminalized the confiscation of workers' passports by a sponsor, punishable by a maximum fine of 25,000 Qatari riyal (\$6,870).

During the reporting period, the government reported investigating 149 potential trafficking cases, an increase from 93 in 2016; some of these cases likely involved other crimes often conflated with trafficking. The government reported prosecuting, but not yet convicting, one suspected trafficker under the 2011 anti-trafficking law, similar to the previous reporting period. The Public Prosecution Office (PPO), however, initiated prosecutions involving 109 cases of forced labor, up from zero the previous year, though none have yet resulted in convictions. During the previous reporting period, it achieved 28 trafficking-related convictions, including facilitating prostitution and unscrupulous employment practices. During the year, out of 4,230 cases of worker grievances, parties mutually resolved 2,720 in out-of-court settlements and officials referred 763 to the judiciary. Under various sections of the labor code, the PPO convicted up to 19 companies for labor law contraventions, including failure to comply with work hour limitations, grant a mandatory rest day, or pay overtime. Labor courts handed down 2,575 judgments, an improvement from the 2,039 judgments made in 2016. In 2017, the government continued

to strengthen its enforcement of the law prohibiting passport retention by investigating 361 cases and referring 53 to the PPO; it prosecuted 48 cases and administered fines to the perpetrators of passport retention during the previous reporting period. However, the government did not investigate such instances as potential trafficking offenses.

Qatari labor protections remained biased in favor of the employer. Government authorities did not routinely categorize forced labor or exploitative working conditions of domestic workers as human trafficking, but rather as criminal assaults, immigration or labor law violations. The government lacked a clear and efficient judicial process to criminalize human trafficking offenses, and its primary solution for resolving labor violations continued to be a transfer of employer sponsorship, mandated back payment of wages and fines, and blacklisting of companies with limited efforts to investigate whether the violations constituted forced labor.

The government did not report investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses. In October 2016, two domestic workers filed a civil suit against a former Qatari diplomat posted in the United States alleging the official withheld their wages, forced them to work excessive hours, and threatened deportation and blacklisting, among other accusations indicative of forced labor; the case resulted in a confidential settlement during the current reporting period. In early 2017, a Qatari official formerly posted to the United States as a diplomat agreed to a confidential settlement after a federal court in Virginia issued a default judgment in a civil suit in May 2014 in the amount of nearly \$500,000 for claims the official subjected a domestic worker to forced labor. During the year, government entities financed and conducted specialized trainings on trafficking issues. The government continued its coordination with several international organizations and civil society stakeholders to improve training programs for federal employees, and the police training institute of the Ministry of Interior (MOI) conducted courses and workshops for an unknown number of officers and staff who investigate and work on trafficking cases. With government support, judges, inspectors, and police officers continued participation in a multi-year training program with an international organization on combating trafficking. Qatar University's Law Clinic conducted training related to human trafficking at the local Police Training Institute.

## PROTECTION

The government maintained efforts to protect victims. The government did not report the number of trafficking victims it identified, referred for care, or assisted during the reporting period, although it did vastly strengthen institutional protections for laborers, including the highly vulnerable domestic worker population. During the reporting period, the government again dispersed approximately 90 million Qatari riyal (\$24.7 million) to the Aman Protection and Social Rehabilitation Center shelter, which provided basic medical care, social services, psychological treatment, housing, rehabilitation, and reintegration for female workers who fled their sponsors as well as female and child victims of violence; shelter officials did not use established protocols to proactively screen vulnerable individuals for trafficking indicators. During the reporting period the National Committee to Combat Human Trafficking (NCCHT) also reported renting out six villas each capable of holding 20 people, specifically designated for victims of trafficking—both males and females. Some officials reportedly used a manual to proactively identify human trafficking victims, but law

enforcement personnel and other government entities did not report proactively screening for any trafficking indicators among domestic workers, a vulnerable population typically isolated and mostly excluded from protections under labor laws. The government updated and continued to use its national victim referral system to coordinate victim identification and referral efforts between government authorities and NGOs. The referral system included the provision of shelter, health care, and legal assistance to trafficking victims. During the reporting period, victims were able to access the shelter even if their employers filed charges against them and maintained the right to leave the shelter without supervision.

In August 2017, the Emir signed into law the Domestic Workers Law, which was published in September 2017 and formally came into force in March 2018. The law required that domestic workers have government-verified contracts; receive adequate employer-provided food, accommodation, medical benefits, one day off per week, limited 10-hour workdays, sick leave, return flight tickets once each year, three weeks paid vacation per year, and full end-of-service payments; guaranteed access to the new dispute resolution committees to resolve workplace grievances; and allowances for domestic workers to leave their employers in cases of exploitation or violation of contract terms. However, at the close of the reporting period, enforcement and knowledge of the new law remained limited, thereby leaving significant vulnerabilities to forced labor among this population.

Systemic hurdles limited victim protection and impeded access to justice. In 2017, there were no reports of trafficking victims being detained, fined, or jailed for unlawful acts committed as a direct result of being subjected to trafficking; however, police did detain out of legal status workers for immigration violations and fleeing their employers or sponsors. The government generally encouraged victims to testify against their traffickers by providing free legal counseling and allowing them to pursue financial compensation; it did not report how many victims testified or received these benefits during the reporting period. The Qatari legal system lacked adequate privacy laws to protect victims against potential retribution and often did not provide adequate assistance or protection for victims during legal proceedings. Victims who lodged complaints were sometimes the subject of spurious counter-charges by their respective employers that resulted in administrative deportation proceedings. During the year, in an effort to address complaints directed against the prohibitive exit permit system, the government utilized its Grievance Committee—in accordance with Law No.21 of 2015—to evaluate and adjudicate refusals of employers to grant their employees exit permits. In 2017, the Grievance Committee reviewed 2,958 cases and, in all but two—due to preexisting criminal charges against the workers—it overturned employers' refusals to grant exit permits and gave employees permission to leave. The Grievance Committee began to alleviate some of the burden of the onerous exit permit system; however, authorities acknowledged more work was needed to ensure victims could expeditiously change employers or return to their respective countries of origin. The government assisted workers who wished to prematurely terminate their contracts and transfer employers in the event of employment malfeasance. The government reported the transference of 10,485 workers over the objections of their employers to new companies, far surpassing the 1,784 transferred in 2016. The MOI's Search and Follow Up and Human Rights departments coordinated with embassies to assist in the repatriation of migrant workers, including an unknown number of domestic workers. The MOI reported providing 15,646 complimentary repatriation tickets in 2017, more than doubled from 7,506 tickets granted in 2016.



The government reported it did not deport those who faced retaliation or retribution in their country of origin.

## PREVENTION

The government sustained robust efforts to prevent trafficking in persons. The NCCHT, which included representatives of both government offices and NGOs, commenced regular meetings in 2017 and organized and hosted an international anti-trafficking conference in partnership with INTERPOL. The NCCHT began re-drafting its national strategy to combat trafficking, which spanned 2017-2022 and prioritized prevention, protection, judicial pursuits, and regional and international cooperation. The government did not report its financial allocation toward revision and implementation of the strategy; it allocated approximately 7.2 million Qatari riyal (\$1.98 million) for such activity during the previous reporting year. The government-funded Aman Center continued to promote awareness campaigns on various forms of abuse, including trafficking, and outlined where to receive help; these campaigns targeted women, domestic workers, and exploitative employers. The Slavery Museum in Doha—part of a museum consortium chaired by the Emir’s mother—enhanced trafficking knowledge among the local population. The government maintained its publication of manuals for expatriates in Arabic, English, and several source country languages on proactive victim identification, domestic worker rights, and ways to combat trafficking in Qatar. It continued to publish and disseminate “worker rights” pamphlets in English, Arabic, Hindi, Bengali, Nepali, and Tagalog that contained relevant articles from the labor and sponsorship laws. Officials began to include in every domestic worker’s passport a sticker with a number for the complaint hotline and that of the Ministry of Administrative Development, Labor and Social Affairs (MADLSA); the government did not report how many calls either line received during the reporting year. The MADLSA and MOI held lectures and town halls, and supported media publications, to explain Qatar’s labor system reforms and solicit feedback from labor sending country representatives; these activities targeted companies, government entities, foreign embassies, the press, and migrant worker communities. The government did not report efforts to reduce the demand for commercial sex acts. The government did not regularly provide anti-trafficking training for its international peacekeepers or diplomatic personnel.

In 2017, a total of 408 labor inspectors conducted more than 19,000 inspections of recruitment agencies resulting in roughly 3,605 warnings, 1,210 violation reports and various penalties, 78 company blacklistings, cancellation of nine licenses for recruitment agencies operating in Qatar, and the revocation of one license—compared to 24 license revocations in 2016—that MADLSA’s routine inspection and monitoring found to be noncompliant with the labor law; however, it did not report if it referred any companies, or their owners or staff, for further prosecution or whether it achieved any convictions for those suspected of illegal recruitment activities. The government continued its rollout of the WPS, which requires employers to pay workers electronically and increases penalties for violating the labor code. Officials blacklisted more than 18,000 companies for violating the WPS and roughly 3,400 for labor law contraventions, exceeding the blacklisting of 5,500 companies and 2,000 individuals in the previous reporting period. The WPS detected and, as a result, officials blocked from future transactions, more than 27,000 companies for labor violations, a notable increase from just 600 during the previous reporting period; however, it remained unclear whether the system

flagged any potential trafficking cases for criminal investigation. During the reporting period, the government signed landmark agreements with a foreign government and the ILO to strengthen anti-trafficking operating capacity and generate sustainable labor reform efforts throughout Qatar. Committing itself to the ILO official agreement, the government allocated workplace space and funding for a 17-person staffed office to solely oversee the implementation of the activities contained therein. The government continued to address recruitment issues and worker rights through 36 bilateral agreements and five memoranda of understanding with labor-sending countries, and it worked with individual countries to certify vetted labor recruitment offices to reduce fraud or excessive debts that may lead to forced labor conditions. The quasi-governmental Qatar Foundation and the Qatar 2022 Supreme Committee published workers’ mandatory standards documents, which injected workers’ rights into corporate social responsibility to provide contractual incentives to contractors and subcontractors to follow the labor law or risk losing lucrative, multiyear projects.

In 2017, the government advanced implementation of the new e-contract system, espoused by Law No.21 of 2015, which applies to all expatriate workers in Qatar, including those in the domestic sector. During the reporting year, the MOI signed an agreement with a biometric data company to establish 22 service centers in eight primary sending countries constituting 80 percent of Qatar’s total workforce. The government planned these centers to be responsible for signing contracts in local languages, issuing Qatari residence permits, conducting rights awareness training, taking fingerprints, and opening bank accounts for migrant workers, to reduce instances of contract switching and falsified employment agreements. This contract system included standardized language, including in local languages of major labor-sending countries, and online instructional guidance in Arabic and English. On August 16, the Emir signed into law a 2004 Labor Law amendment to establish new LDRCs, which replaced the laborious labor court system that were plagued by inefficiencies, including protracted court proceedings and the imposition of heavy financial burdens on laborers. The LDRCs formally began operation on March 19, 2018. The LDRCs streamlined cases and were mandated by law to reach a decision within three weeks for any contract or labor dispute.

## TRAFFICKING PROFILE

As reported over the past five years, Qatar is a destination country for men and women subjected to forced labor and, to a much lesser extent, forced prostitution. Men and women from Nepal, India, Pakistan, Bangladesh, the Philippines, Indonesia, Sri Lanka, Sudan, Kenya, Nigeria, Uganda, and other countries voluntarily migrate to Qatar as unskilled laborers and domestic workers, often paying illegal and exorbitant fees to unscrupulous recruiters in the labor-sending countries, thereby increasing their vulnerability to debt bondage. Some workers subsequently face conditions indicative of involuntary servitude, to include restricted movement, payment withholding, passport confiscation, exit permit retention, and threats of deportation or abuse. Individuals in Qatar sell visas to migrants and occasionally demand regular payments, enabling migrant workers to work illegally and without legal recourse against their respective sponsors, although reportedly this trend is on the decline.

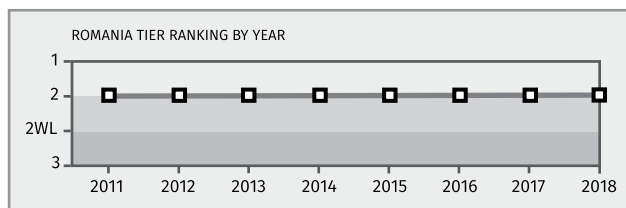
Qatar’s unskilled migrant workers continue to comprise the largest group at risk of trafficking. Many migrant workers arriving in Qatar pay exorbitant fees to recruiters in their home

countries, and some predatory recruitment agencies in labor-sending countries lure foreign workers to Qatar with fraudulent employment contracts that bear no legal consideration in Qatar, rendering workers vulnerable to involuntary servitude once in the country. Among foreign workers, female domestic workers are particularly vulnerable to trafficking as, up until the current reporting period, they have not been protected under Qatari labor laws, and because officials lack authority to enter private residences. Some women who migrate for legitimate purposes may subsequently be subjected to forced prostitution.

Qatar's employment-based sponsorship system places significant power in the hands of employers, who have unilateral power to cancel residence permits, prevent workers from changing employers, and deny permission to leave the country. Debt-laden migrants who face abuse or are misled often avoid reporting their exploitation out of fear of reprisal or deportation, the protracted recourse process, or lack of knowledge of their legal rights, thereby exacerbating or prolonging their forced labor situation. Instances of delayed or unpaid salaries are a leading driver of forced labor in Qatar. Many migrant workers often live in confined, unsanitary conditions, and many complain of excessive working hours and hazardous working conditions; threats of deportation and physical or financial harm; and physical, mental, or sexual abuse. Reports allege the vast majority of expatriate workers' passports were in their employers' possession, despite laws against passport confiscation.

## ROMANIA: TIER 2

The Government of Romania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Romania remained on Tier 2. The government demonstrated increasing efforts by significantly increasing prosecutorial use of the trafficking statute, increasing participation in joint investigative teams with several European counterparts, implementing new prevention campaigns, and developing a draft national action plan. However, the government did not meet the minimum standards in several key areas. Lack of sufficient government funding to NGOs for assistance and protection services remained a problem, leaving most victims unprotected, susceptible to re-traumatization, without services, and vulnerable to re-trafficking. Bureaucratic procedures continued to impede victims' access to medical care. Authorities investigated fewer trafficking crimes, courts convicted significantly fewer traffickers, and officials identified fewer victims. Judges continued to lack specialized training on working with trafficking cases and victims, which had detrimental effects on witness protection, restitution for victims, and sentencing for perpetrators.



## RECOMMENDATIONS FOR ROMANIA

Significantly increase efforts to investigate, prosecute, and convict

traffickers, including complicit officials, and issue sentences that are proportionate with the severity of the crime; proactively identify potential victims, especially among vulnerable populations, such as migrants and asylum-seekers, children in government placement centers, children involved in begging, and individuals in prostitution, through enhanced training for police officers and labor inspectors on recognizing indicators of exploitation; provide financial support to NGOs for victim services and develop and institute a formal mechanism for administering the funds; amend legislation to allow authorities to sanction recruiting agencies for trafficking-related crimes; increase the quality of psychological counseling and improve access to medical assistance for victims; exempt all trafficking victims who testify in trials from the online disclosure of their names to protect participating witnesses from retaliation and stigma and to incentivize greater victim participation in prosecutions; expand efforts to train officials involved in judicial proceedings, particularly judges, on sensitivity to trafficking issues, understanding all forms of trafficking, and applying anti-trafficking laws; significantly increase anti-trafficking training for law enforcement officials on working with victims, evidence collection, and understanding psychological coercion; increase the number of financial investigators specializing in trafficking cases; finalize, adopt, and implement the 2018-2022 national action plan; and revise the restitution mechanism to include minimizing court fees and increasing efforts to ensure victims receive compensation.

## PROSECUTION

The government decreased overall law enforcement efforts. Articles 210, 211, and 367 of the penal code criminalized sex and labor trafficking and prescribed penalties of three 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. Authorities opened 675 new trafficking cases in 2017, a decrease from 864 and 858 in 2016 and 2015, respectively. A split reporting structure hindered police efficiency and coordination with investigations and prosecutions. Likewise, limited dedicated financial investigators impeded financial investigations and asset seizures, inhibiting evidence collection in trafficking cases and causing investigators and prosecutors to rely mainly on witness testimony. Prosecutors processed 481 alleged trafficking cases in 2017, compared to 552 in 2016; of these cases, 57 (12 percent) were prosecuted for pandering, rape, sexual activity with minors, and fraud, compared to 416 (75 percent) in 2016, indicating a significant increase in the use of the trafficking statute versus lesser crimes that carried weaker penalties. Prosecutors indicted 362 suspected traffickers in 2017, compared with 358 in 2016 and 480 in 2015. Courts convicted 222 traffickers in 2017, a decrease from 472 in 2016 and 331 in 2015. Fifty-five traffickers (25 percent) received suspended sentences, compared to 22 percent in 2016; the remaining traffickers received sentences of imprisonment, which ranged from one to more than 10 years. The government did not report how many fines were levied on convicted traffickers in 2017, compared with approximately 200,000 lei (\$51,550) in 2016. Authorities participated in 43 joint investigative teams with several European counterparts, compared with 21 in 2016. Authorities extradited 44 traffickers to other European countries to serve sentences. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

The National Institute for Magistrates organized two conferences on strengthening legal knowledge and cooperation with prosecutors and judges to protect victims' rights during judicial

proceedings; 93 judges, prosecutors, lawyers, and psychologists participated. Prosecutors received training on investigating and prosecuting trafficking cases. The government provided training to government employees on the early identification of victims. The police organized a series of training programs for its staff that included an anti-trafficking component. Regardless of the numerous training events, NGOs reported many police officers and judges lacked specialized training and sensitivity toward sex trafficking cases and trafficking issues. Judges typically did not differentiate between prostitution and sex trafficking as distinct crimes, which had detrimental effects on sentencing for perpetrators and compensation for victims. Observers frequently criticized police for being unaware of the exploitation potential in prostitution, leading to a failure to check for indicators of force, fraud, or coercion when encountering individuals in prostitution.

## PROTECTION

The government maintained efforts in victim protection. Public officials and NGOs identified 662 victims in 2017, the lowest number identified in over a decade and a decline from 757 identified victims in 2016 and 880 in 2015; these statistics included victims from ongoing investigations and prosecutions initiated in previous years. Of these victims, 51 percent were children, 76 percent were female, and 69 percent were subjected to sex trafficking. Police used the government's national victim identification and referral mechanism, although observers reported the government did not proactively identify victims. In 2017, 46 percent (307) of registered victims received assistance provided by public institutions and NGOs, compared with 41 percent in 2016. While the government relied on NGOs to assist victims, it did not provide sufficient financial support. The government did not allocate grants directly to NGOs due to legislation precluding direct funding for NGOs, and it declined to allow its national anti-trafficking agency to become an implementing agency for European funding programs, a status that would have allowed them to allot European funds to NGOs. Additionally, for the second consecutive year, the government failed to channel a Swiss-funded grant (approximately \$2 million with the Romanian government co-financing 15 percent) to NGOs for victim assistance efforts. However, the government facilitated the transfer of the Swiss funds to IOM in order to disburse the funds to NGOs.

The government maintained five government-run shelters and one shelter jointly run by the government and an NGO that were designated for trafficking victims; these shelters also housed domestic violence victims in separate living areas. Officials referred victims to government-run domestic violence or homeless shelters or privately run shelters when the six trafficking shelters were full. Authorities placed child trafficking victims in general child facilities or in facilities for children with disabilities run by the governmental child protection service, which generally did not offer specialized assistance and frequently re-traumatized children. Perennial problems of abuse and neglect of institutionalized children and the lack of proactive identification in government facilities left children in placement centers and orphanages vulnerable to trafficking. Romanian victims abroad received free travel documents issued by Romanian embassies; the government, NGOs, or an international organization paid for transport costs. Local governments financed and operated transit centers that could assist repatriated victims. The law entitled all victims to legal aid, reintegration support, and psychological and medical care. However, the government did not necessarily provide for more than one mental health counseling session and did not finance

medical care costs. NGOs paid for all psychological services costs for victims due to the government's refusal to reimburse psychologists who assisted victims, and for emergency medical care costs because the government lacked financial assistance and medical care required payment upfront. Moreover, access to medical care required Romanian victims to return to their home districts to obtain identity documents. The process presented logistical and financial hurdles for many trafficking victims; NGOs also covered those costs.

The law permitted foreign victims to request asylum and granted asylum-seekers the right to work after three months. In 2017, an NGO identified one foreign victim from Pakistan among refugees and asylum-seekers, but suspected dozens of other cases. The law also permitted foreign victims who cooperated with authorities to receive a renewable, six-month temporary residence permit. In 2017, 496 victims participating in criminal proceedings accessed services available to victims assisting law enforcement; these services included transporting victims to court and returning them home. Some victims chose not to testify because the justice ministry published the names of all trial witnesses, including children, on its public website, putting victim-witnesses at risk of retaliation and societal or familial ostracization. While the law allowed victims to provide testimony from a separate room, this was rarely done in practice due to judges' preference for live testimony in front of traffickers. The law entitled victims to restitution from their traffickers; however, victims generally could not afford the fees necessary to initiate civil trials or, in cases in which judges ordered restitution, to pay court officers to collect the money owed from traffickers. Additionally, NGOs reported victims rarely received restitution money because when ordered by courts to pay restitution, traffickers did not do so. Prosecutors typically dropped charges and fines against victims for crimes committed as a direct result of being subject to human trafficking.

## PREVENTION

The government increased prevention efforts. The government developed a draft national action plan for 2018-2022; the last action plan expired in 2016. The national anti-trafficking agency made operational a three-year EU internal security fund grant of €160,000 (\$192,080) for prevention campaigns focusing on sexual exploitation in 2018 and forced begging in 2019. In collaboration with an NGO, the agency developed and deployed an online prevention tool for a job and commerce website, warning potential job seekers of possible trafficking risks before they view job offers and providing contact information for the authorities in case of suspicious activity. The agency also organized a number of anti-trafficking awareness campaigns. The agency continued to publish yearly reports and statistics on trafficking. Despite a 2006 amendment to the criminal code that prohibited Romania-based recruitment companies from facilitating the exploitation of citizens abroad, the government did not have the power to punish recruitment agencies for trafficking-related crimes, such as illegal recruitment fees. Observers noted police were unresponsive to reports of labor trafficking and labor inspectors lacked the competency for detecting trafficking as well as the legal authority for unannounced worksite inspections. The government continued to operate a hotline during regular business hours that primarily focused on informing Romanians about working abroad safely. The government took steps to reduce demand for commercial sex acts and forced labor. The government provided anti-trafficking training for its troops prior to their deployment abroad as part of international peacekeeping missions.

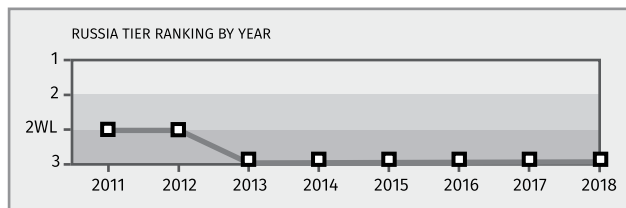


## TRAFFICKING PROFILE

As reported over the past five years, Romania is a source, transit, and destination country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Romania is a significant source of sex and labor trafficking victims throughout Europe. Romanian men, women, and children are subjected to labor trafficking in agriculture, construction, hotels, manufacturing, and domestic service, as well as forced begging and theft in Romania and other European countries. Romanian women and children are victims of sex trafficking in Romania and other European countries. Romani children, as young as 12 years old, are particularly vulnerable to forced begging and sex trafficking. Reports indicate some children were subjected to trafficking while in the care of the state, particularly in small towns. Romania is a destination country for a limited number of foreign trafficking victims, including trafficking victims from Pakistan and the Philippines. Romanians living in privately run institutions for the mentally disabled are vulnerable to forced labor.

## RUSSIA: TIER 3

The Government of Russia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Russia remained on Tier 3. Despite the lack of significant efforts, there were reports some authorities took steps to address trafficking, including by identifying some victims, though the number of victims identified by the government remained negligible. However, authorities routinely detained and deported potential forced labor victims without screening for signs of exploitation, and prosecuted victims forced into prostitution for prostitution offenses. Throughout 2017, the government maintained bilateral contracts with the Democratic People's Republic of Korea (DPRK) under which the DPRK operated labor camps in Russia and subjected thousands of North Korean workers to forced labor, though near the end of the reporting period, Russia announced its intention to discontinue future contracts to comply with UN Security Council Resolution 2397. The government offered no funding or programs for trafficking victims' rehabilitation, while several privately run shelters remained closed due to lack of funding and the government's crackdown on civil society. Authorities did not report assisting any victims and lacked a process for the identification of victims and their referral to care. The government did not consistently provide comprehensive information on prosecution efforts, but the limited available data and media reports suggest prosecutions remained low compared with the scope of Russia's trafficking problem. As in previous years, the government did not draft a national strategy or assign roles and responsibilities to government agencies.



## RECOMMENDATIONS FOR RUSSIA

Investigate allegations and prevent the use of forced labor in construction projects and North Korean-operated labor

camp; screen for trafficking indicators before deporting or repatriating migrants, including from the DPRK; allocate funding to state bodies and anti-trafficking NGOs to provide specialized assistance and rehabilitative care to trafficking victims; develop formal national procedures to guide law enforcement, labor inspectors, and other government officials in identifying and referring victims to service providers, particularly among labor migrants and individuals involved in prostitution; increase efforts to investigate and prosecute trafficking offenses and convict traffickers including complicit officials, respecting due process; create a national anti-trafficking action plan and establish a central coordinator for government efforts; implement a formal policy to ensure identified trafficking victims are not punished, detained, or deported for acts committed as a direct result of being subjected to trafficking; provide victims access to legal alternatives to deportation to countries where they face hardship or retribution; create a central repository for publicly available information on investigation, prosecution, conviction, and sentencing data for trafficking cases; and increase efforts to raise public awareness of both sex and labor trafficking.

## PROSECUTION

The government maintained minimal law enforcement efforts. It did not report comprehensive data on trafficking criminal cases, making it difficult to assess the adequacy or effectiveness of law enforcement efforts. Media reports and publicly available data revealed some details on trafficking cases investigated and prosecuted during the reporting period, although the limited number of cases reported did not constitute an adequate law enforcement response compared to the scale of trafficking in Russia. From the limited available information, authorities prosecuted trafficking suspects through Articles 127.1 and 127.2 of the criminal code, which criminalized "trade in people" and "use of slave labor." These articles prescribed punishments of up to five years of forced labor or up to six years of imprisonment for "trade in people" and up to five years imprisonment for "use of slave labor." These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. However, inconsistent with the definition of trafficking under international law, these articles established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime.

In 2017, Russia's federal-level investigative committee publicly reported 19 investigations, 16 under article 127.1 and three under 127.2, an increase from seven investigations reported in 2016. The government did not report the number of prosecutions initiated. The Supreme Court did not release conviction statistics before the close of the reporting period. Media reports about these investigations and prosecutions revealed several cases involving baby-selling, a crime that falls outside the international definition of trafficking. There were indications that some trafficking cases were reclassified as kidnapping or battery in order to secure a conviction; the government provided no public information on whether any of these cases involved force, fraud, or coercion.

Law enforcement training centers provided lectures and courses on trafficking for investigators and prosecutors. Due to insufficient funding, NGOs did not conduct trafficking training for officials. Russian authorities cooperated in some international investigations involving Russian nationals subjected to trafficking abroad. The DPRK government continued to send workers to Russia under bilateral contracts with Russia

and other foreign governments. Despite credible reports of slave-like conditions of North Koreans working in Russia, the Russian government did not report any investigations into those conditions. Corruption and official complicity remained significant concerns, inhibiting law enforcement action during the year. Despite media reports that alleged the use of forced labor in the construction of the new Russian embassy in Panama in 2017, the government did not report any investigations, prosecutions, or convictions of government employees or contractors complicit in human trafficking offenses.

## PROTECTION

The government generally did not undertake efforts to protect victims and did not publicly report assisting victims. The government did not provide funding or programs for protective services dedicated to trafficking victims. Without specific legislation differentiating trafficking victims from victims of other crimes, government agencies claimed they had neither the means nor authority to provide assistance programs specifically for trafficking victims. Three dedicated trafficking shelters remained closed due to lack of funding; however, some victims continued to be accommodated in homeless shelters. A government-funded homeless shelter accepted Russian and foreign trafficking victims, provided medical and psychiatric aid, and referred victims to international NGOs and other homeless shelters located in many of Russia's regions. A homeless shelter run by the Russian Orthodox Church continued to accept victims and offered them food and housing, although not medical or psychological care; the government did not provide financial support for the shelter. The Russian Red Cross continued to operate a hotline, which primarily served labor migrants and did not identify any victims of trafficking among its callers. Similar to the previous reporting period, the government took steps to limit or ban the activities of other civil society groups, including some dedicated to anti-trafficking activities. Further, the government's efforts to exert pressure on NGOs through the implementation of restrictive laws also targeted those providing protective services for trafficking victims; the government criminally charged and investigated one NGO working on trafficking issues, although charges were eventually dropped. In 2016, two locally registered NGOs working on trafficking issues were designated as "foreign agents." The "Yarovaya" package of anti-terror laws made it a crime for individuals or organizations to provide material assistance to people considered to be in Russia illegally. There were limited examples of government cooperation with civil society. In January 2018, local authorities worked with NGOs to free victims from a factory, obtain travel documents and raise funds to help repatriate Uzbek victims. Authorities reportedly covered repatriation costs on a case-by-case basis.

The government identified 20 trafficking victims in 2017. According to law enforcement statistics, all identified victims were Russian; four victims were females subjected to sex trafficking, six were men subjected to forced labor, and 10 were children, although many of these were baby-selling cases. An NGO assisted approximately 125 victims in 2017. An international organization identified more than 2,400 trafficking cases in Russia from 2015 to 2017. Police regularly avoided registering victims in criminal cases that were unlikely to be solved in order not to risk lower conviction rates. The government did not develop or employ a formal system to guide officials in proactive identification of victims or their referral to available services. NGOs reported a significant number of cases go unreported due to the lack of a formal referral mechanism, victims' fears, and the lack of government

assistance to victims. Despite the lack of formal procedures, observers reported some working-level officials referred potential victims for assistance on an ad hoc basis. However, observers also noted other authorities often did not distinguish between foreign victims and individuals unlawfully present in Russia, which resulted in the penalization of foreign victims rather than their referral to care. Frequently, authorities criminally charged victims with prostitution or unlawful presence in country. Authorities punished child victims of forced criminality along with their exploiters. Authorities routinely detained and deported possible foreign victims with no effort to screen them as victims or refer them to care providers. However, in limited instances, Moscow city police informally provided "permit letters" valid for one year to individuals the police determined were trafficking victims. While the letters offered no official status to the migrants, they allowed victims to remain in the Moscow region without risk of deportation or prosecution while police investigated their trafficking case. Authorities reportedly prosecuted Russian citizens returning from Syria and Iraq, where some were subjected to trafficking, under anti-terror laws without being screened for indicators of trafficking. A February 2016 agreement between Russia and DPRK enabled Russian authorities to deport North Koreans residing "illegally" in Russia, possibly even for those with refugee status; this may increase the risk of labor trafficking for North Koreans working under the state-to-state agreement. Moreover, DPRK authorities reportedly arrested, imprisoned, subjected to forced labor, tortured, and sometimes executed repatriated trafficking victims. In February 2018, government officials announced that in accordance with UN Security Council Resolutions 2375 and 2397, Russia would cease issuing new work permits to North Korean laborers, and repatriate those workers whose contracts had expired. Media reports indicated Russia had begun to repatriate the first wave of laborers whose permits had expired. Although government representatives publicly stated workers were asked to leave voluntarily, it was not clear that workers were being screened for trafficking indicators or offered options to legally remain in the country. Authorities did not screen other vulnerable populations, such as migrant workers or foreign women entering Russia on student visas despite evidence of their intention to work or other vulnerabilities to trafficking.

## PREVENTION

The government maintained limited efforts to prevent trafficking. The government operated regional migration centers where migrants could obtain work permits directly from the government; however, the permits contained large upfront fees and sometimes required multiple time-consuming trips to the center to obtain. In 2017, Russia entered into bilateral agreements with Uzbekistan to regulate, control, and provide training to migrant laborers in each country. Authorities conducted scheduled and unannounced audits of firms employing foreign laborers to check for violations of immigration and labor laws—with penalties in the form of revoking foreign worker permits. While these raids took place with some regularity, the use of undocumented or forced labor remained widespread due to complacency and corruption. There were widespread reports of abuse of World Cup stadium construction workers, many of whom were migrants from Central Asia, ranging from non-payment of wages to the death of 17 laborers in 2017. Russia did not have a national action plan, nor was there a designated lead agency to coordinate anti-trafficking measures; legislation that would implement such a framework continued to languish at the highest levels within the presidential administration. The government did not have a body to monitor its anti-trafficking activities or

make periodic assessments measuring its performance. The government made no efforts to develop public awareness of forced labor or sex trafficking, although high-level officials, including the Ministers of Foreign Affairs and Internal Affairs, occasionally urged cooperation in countering human trafficking. In July 2017, Russia provided in-kind support for an OSCE conference focusing on the role of public-private partnerships in the fight against human trafficking; however, the event focused on the global scope of the problem rather than the challenges in Russia. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

### TRAFFICKING PROFILE

As reported over the past five years, Russia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Although labor trafficking remains the predominant human trafficking problem within Russia, sex trafficking is increasing. Workers from Russia and other countries in Europe, Central Asia, and Southeast Asia—including Vietnam and DPRK—are subjected to forced labor in Russia. Instances of labor trafficking have been reported in the construction, manufacturing, logging, agricultural, brick factories, textile, grocery store, maritime, and domestic service industries, as well as in forced begging, waste sorting, and street sweeping. Official and unofficial statistics estimate there are between 5 and 12 million foreign workers in Russia, of which the government estimates 1.5 million are irregular migrants. According to press reports, 2.3 million Ukrainians resided in Russia, including more than 1 million who went east to escape Russian aggression in Ukraine. International organizations estimate up to 40 percent of these migrants were working unofficially and vulnerable to both forced labor and sex trafficking. Foreign laborers work primarily in construction, housing, and utilities, and as public transport drivers, seasonal agricultural workers, tailors and garment workers in underground garment factories, and vendors at marketplaces and shops. Many of these migrant workers experience exploitative labor conditions characteristic of trafficking cases, such as withholding of identity documents, non-payment for services rendered, physical abuse, lack of safety measures, or extremely poor living conditions. Subcontracting practices in Russia's construction industry result in cases of non-payment or slow payment of wages, which leave workers at risk of labor trafficking. Corruption among some government officials and within some state agencies creates an environment enabling trafficking crimes. There are reports of Russian citizens facing forced labor abroad. There are also reports of increased vulnerability of minors from state and municipal orphanages being lured to forced begging, forced criminality, child pornography, and sexual exploitation, and use by armed groups in the Middle East.

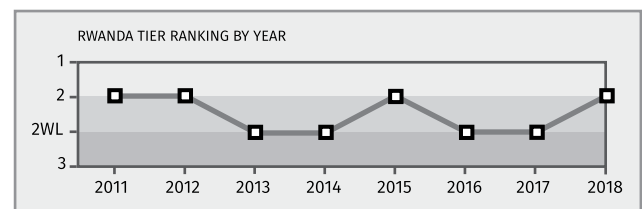
Women and children from Europe (predominantly Ukraine and Moldova), Southeast Asia (primarily Vietnam), Africa (particularly Nigeria), and Central Asia are victims of sex trafficking in Russia. NGOs reported an increase in the number sex trafficking victims from Africa in 2017 and predicted the number of Africans subjected to trafficking in Russia could increase during soccer tournaments and as the Libyan route to Europe becomes more treacherous. Forced prostitution occurs in brothels, hotels, and saunas, among other locations. Homeless children are exploited in sex trafficking. Teenagers are targeted for "pick-up trainings," sexual education classes in which they are pressured into performing recorded sexual acts on course organizers; the compromising videos are subsequently used to coerce the victims into further sexual exploitation. Russian women and children are reportedly victims of sex trafficking

in Russia and abroad, including in Northeast Asia, Europe, Central Asia, Africa, the United States, and the Middle East. Women from Russia's North Caucasus region as well as women from Central Asia residing in Russia were recruited to join ISIS through online romantic relationships and subjected to exploitation once they arrived. Wives and children of foreign fighters were sold after their spouse or father was killed in action.

In recent years, criminal cases have involved Russian officials suspected of allegedly facilitating trafficking in Russia by facilitating victims' entry into Russia, providing protection to traffickers, and returning victims to their exploiters. Employers sometimes bribe Russian officials to avoid enforcement of penalties for engaging illegal workers. The DPRK sends approximately 20,000 North Korean citizens to Russia annually for work in a variety of sectors, notably including logging in Russia's Far East and construction of the 2018 World Cup Stadiums—with 30,000 to 40,000 North Korean citizens believed to be present in Russia; reportedly many of these North Korean citizens are subjected to conditions of forced labor.

## RWANDA: TIER 2

The Government of Rwanda does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Rwanda was upgraded to Tier 2. The government demonstrated increasing efforts by prosecuting and convicting more perpetrators of transnational trafficking crimes, opening more short-term care facilities, and continuing to implement anti-trafficking awareness campaigns and other prevention measures. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers for internal trafficking crimes, despite the presence of sex trafficking and forced labor within the country. The government did not systematically or proactively identify and refer trafficking victims among vulnerable populations or operate sufficient long-term care facilities for all trafficking victims. While there were no credible reports of Rwandan government involvement in either the recruitment into armed groups or sexual exploitation of refugees, during the reporting period, refugee whistleblowers from 2015 reported reprisal from the government for reporting trafficking concerns in camps. The government did not adequately screen for trafficking victims at government transit centers that serve vulnerable populations, and observers stated these centers continued to function as de facto detention facilities. The government implemented some improvements after an NGO documented physical and sexual abuse at these facilities in 2015, but observers stated the reforms were insufficient.



### RECOMMENDATIONS FOR RWANDA

Systematically and proactively identify trafficking victims among vulnerable populations, and ensure potential and identified victims are not arrested, detained, or punished for



unlawful acts committed as a direct result of being subjected to human trafficking; cooperate and coordinate with NGOs and international organizations to provide all foreign and domestic trafficking victims with appropriate long-term protection services, including shelter and psycho-social care; develop and implement a victim-witness support program and expand training for prosecutors dealing with victim-witnesses; develop a formal mechanism to systematically refer trafficking victims to appropriate care; adopt and implement an updated national anti-trafficking action plan (NAP); continue to investigate, prosecute, and convict perpetrators of forced labor and sex trafficking, including internal trafficking; continue to implement protection measures for Rwanda's refugee population; increase training of law enforcement, judicial officials, labor inspectors, and social workers on the implementation of trafficking laws and victim identification procedures; and expand anti-trafficking awareness campaigns.

## PROSECUTION

The government increased law enforcement efforts to combat cross-border trafficking crimes but continued to make inadequate efforts to address internal trafficking crimes. Rwanda's penal code did not criminalize all forms of sex and labor trafficking because it required movement to constitute a trafficking offense. Chapter 8 prescribed penalties of seven to 10 years imprisonment and a fine of 5 million to 10 million Rwandan francs (\$5,850 to \$11,700) for internal trafficking, and 10 to 15 years imprisonment and a fine of 10 million to 20 million Rwandan francs (\$11,700 to \$23,400) for transnational trafficking. Child trafficking convictions were subject to a minimum five-year prison term. 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, parliament passed a revised penal code and, following partnership with a foreign donor to draft the provisions, a standalone anti-trafficking law, the Law on the Prevention, Suppression, and Punishment of Trafficking-in-Persons and Exploitation of Others. However, as the president had not yet signed the legislation into law, it remained pending enactment at the close of the reporting period.

The National Public Prosecution Authority (NPPA) reported increased efforts compared to the government's previously reported timeframe, initiating 65 trafficking investigations and prosecuting at least 25 alleged traffickers in 25 cases of suspected trafficking between October 2016 and September 2017—a timeframe that does not entirely correspond to the one previously used (July 2015-October 2016). Of the 25 prosecutions of alleged traffickers, five involved internal trafficking. The NPPA reported obtaining convictions for at least 12 traffickers in 12 cases during the specified timeframe, but it did not report the sentences or the laws under which these offenders were convicted. During the previous timeframe, the government reported investigating 44 cases, prosecuting 16 cases, and convicting seven traffickers. In 2017, the government did not adequately prosecute and did not convict any perpetrators of internal sex trafficking or forced labor, despite the presence of trafficking within the country. The government admitted difficulty prosecuting and convicting trafficking offenders due to a lack of investigative and prosecutorial anti-trafficking knowledge, extensive trafficking networks, and lack of victim testimony. Unlike previous years, the government held a complicit official accountable for trafficking offenses, sentencing a former Rwandan National Police (RNP) officer to five years imprisonment for participating in the trafficking of women to Oman. During the reporting period, there were no reports that

government officials were complicit in trafficking from refugee camps; however, there were reports that refugee whistleblowers from 2015 experienced reprisal from the government for reporting protection concerns in camps. Following previous years' concerns with complicit officials at the refugee camps, an NGO, in partnership with the government, trained all Ministry of Refugee Affairs and Disaster Management (MIDIMAR) officials on anti-trafficking.

As in the previous reporting period, the RNP continued to operate a 15-officer anti-trafficking unit in its Criminal Investigations Division. The RNP directorate for anti-gender-based violence (GBV) had three officers in each of the country's 78 police stations who served as points of contact for domestic trafficking victims. The government continued to provide anti-trafficking training as a part of standard training and professional development for immigration officers, police, labor inspectors, judicial officials, and social workers. The RNP continued to convene quarterly meetings of provincial and district police, investigators, prosecutors, and immigration officials to provide ongoing training on Rwanda's regional anti-trafficking laws, trafficking recognition and investigation techniques, which reached an additional 39 investigators. The government did not report provision of training to law enforcement personnel on a victim-centered approach and victim-witness support mechanisms. The government also held joint exercises with Ugandan and Tanzanian officials for the purpose of bolstering cross-border security, including cooperation to combat trafficking.

## PROTECTION

The government modestly increased protection efforts, but proactive victim identification efforts remained inadequate. Law enforcement and immigration officials identified approximately 56 transnational trafficking victims and four internal trafficking victims in 2017; officials referred all 60 victims for assistance at one-stop centers. The government also identified four potential victims who were intercepted en route to Uganda. This compared to 60 transnational victims identified and assisted in 2016. However, the government did not report efforts to identify or assist internal trafficking victims during the reporting period. Law enforcement and immigration officials and social workers in victim centers had victim identification guidelines; however, implementation appeared limited and officials still noted difficulty in screening specifically for trafficking victims among the broader population of victims of GBV assisted at the centers. The government did not adequately collaborate with civil society to identify and assist trafficking victims and did not provide protection services specifically catered to the needs of trafficking victims as distinct from victims of other crimes. The government did not adequately protect vulnerable populations from punishment for crimes committed as a result of being subjected to trafficking. Following 2015 NGO reports of abuse at government transit centers, including Gikondo in Kigali, the government adopted guidelines for improving conditions at the centers. However, the government reportedly continued to detain vulnerable persons, including persons in prostitution, destitute individuals, and street children, and advocacy groups continued to report that the transit centers operated without judicial oversight and functioned as de facto detention facilities in which individuals were not adequately screened for trafficking and were held for arbitrary periods of time.

The government expanded its network of Isange One-Stop Centers to assist GBV and trafficking victims from 29 to 44 centers. The government's one-stop centers, located in hospitals

and district capitals, provided short-term care and various psycho-social, medical, legal, and law enforcement services to victims. One-stop centers typically have “safe rooms” available that victims may use as temporary shelter for a few days. The government acknowledged that the extent and quality of services varied between locations, particularly regarding the provision of adequate psycho-social counseling, and that trafficking victims were not always screened and identified as distinct from GBV victims. NGOs highlighted gaps in communication between investigators in rural areas and police at one-stop centers, which may have impeded investigation and prosecution of crimes. The government provided long-term assistance to a limited number of victims on an ad hoc basis; in one case, the government provided a house to a female victim pregnant as a result of being trafficked and consequently rejected by her family. In 2017, the government assisted approximately 10 children, a decrease from the previous year, in a rehabilitation center for former child combatants associated with armed groups in the Democratic Republic of the Congo (DRC), which provided psycho-social support, education, and reintegration services. However, in general, the government lacked long-term care facilities for the vast majority of trafficking victims. The NPPA continued to operate two safe houses for witnesses in criminal cases, which could include trafficking victims; however, for the fourth consecutive year, the government did not report whether the safe houses were used specifically for trafficking victims. The government reportedly encouraged victims to testify against perpetrators, but officials noted that participation of victims in the investigation and prosecution of traffickers continued to be a challenge. An NGO reported that seven of the one-stop centers are equipped with video recording equipment to help encourage the cooperation of witnesses in prosecutions via recorded testimony. Rwandan law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution; however, in practice, the government made efforts not to deport foreign victims who faced retribution in their home country.

## PREVENTION

The government maintained efforts to prevent trafficking. The government reestablished the interagency anti-trafficking working group. International organizations and NGOs reported that insufficient coordination among government agencies and resource constraints continued to hinder the government’s anti-trafficking efforts. The government continued to implement its 2014-2017 NAP; an international organization worked with the interagency anti-trafficking working group to initiate development of an updated NAP. Throughout the reporting period, the government continued to conduct multiple national and local awareness raising anti-trafficking campaigns in schools and at community events, as well as on television and radio. These campaigns focused primarily on transnational trafficking and did not adequately address internal trafficking. RNP continued to operate a national GBV hotline, which was staffed by social workers trained to identify and refer trafficking cases, which reportedly identified an unspecified number of victims in 2017. The government had policies to regulate labor recruitment companies, which required their registration with the Rwandan Development Board, licensing from the Ministry of Labor, and submission of monthly reports to the government. The government reportedly prosecuted fraudulent companies in the past; however, there were no reports of prosecutions during the reporting period.

The government made efforts to reduce demand for forced labor and commercial sex through awareness raising campaigns. The

government continued to train labor inspectors on identifying and handling child labor cases, including forced child labor. The government provided training to all Rwandan troops on gender sensitivity, human rights, and trafficking prior to their deployment abroad as part of international peacekeeping missions.

## TRAFFICKING PROFILE

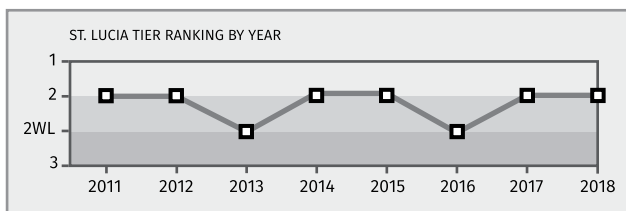
As reported over the past five years, Rwanda is a source, transit, and to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. Rwandan girls and some boys, some of whom are secondary school students between the ages of 13 to 18, are exploited in commercial sex in hotels, at times with the cooperation of hotel owners. Local human rights groups reported in 2017 that some Rwandan girls in domestic work who were terminated by their employers after becoming pregnant, and were therefore unable to return to their home villages, were subsequently exploited in prostitution. Some Rwandan men, women, and children are subjected to sex trafficking and forced labor in domestic work and agricultural and industrial sectors in destinations around the world; the primary destinations for Rwandan victims are Uganda, the DRC, and other parts of East Africa. Rwandan victims are also reportedly exploited in domestic servitude in the Middle East and sex trafficking in China. In 2016, some Rwandan girls were forced into marriages with men in Tanzania and may have experienced commercial sexual exploitation through these marriages. Reporting in 2013 indicated that Kampala- and Nairobi-based labor recruiters and brokers recruited Rwandan workers through fraudulent offers of employment abroad and subjected them to sex trafficking and forced labor in agriculture and domestic work, and the government indicated that foreign-based labor recruiters continued to pose a risk to vulnerable Rwandans during the reporting period.

Refugees fleeing conflict and political violence in Burundi and the DRC remain highly vulnerable to trafficking in Rwanda or are subjected to exploitation in third countries after transiting Rwanda. According to an international organization, there has been an increase in sex trafficking of Burundian male and female teenagers through Rwanda to third countries since 2015. In 2015, Burundian refugee girls transited through Rwanda and were exploited in sex trafficking in Uganda; some of these girls may also be subjected to domestic servitude in Uganda. Separately, female child refugees in a Congolese refugee camp in Rwanda were reportedly subjected to sex trafficking in nearby towns in 2015, allegedly facilitated by one civilian and three Rwandan Defense Forces soldiers assigned to the camp.

Between May and September 2015, Burundian refugees residing in Mahama refugee camp in Rwanda were recruited into non-state armed groups supporting the Burundian opposition; Rwandan security forces charged to protect the camp population reportedly facilitated or tolerated the recruitment activity. Whistleblower refugees in 2015 alleged that recruiters—including both Rwandan officials and other refugees—threatened, intimidated, harassed, and physically assaulted those who refused recruitment attempts. Most recruits were adult males, but in three verified cases in 2015, Burundian refugee children were also identified as recruits from Mahama refugee camp. Refugees reported that Rwandan military personnel trained Burundian recruits, including women and children, in weaponry at a training camp in southwestern Rwanda. There were no reports of forcible or coerced recruitment out of Mahama refugee camp by Rwandan government officials in 2017.

## ST. LUCIA: TIER 2

The Government of St. Lucia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore St. Lucia remained on Tier 2. The government demonstrated increasing efforts by cooperating with Caribbean countries to exchange trafficking reports, conducting a series of public awareness campaigns, and training its personnel in measures to combat trafficking. The government sought international funding to build prevention and detection capacity. However, the government did not meet the minimum standards in several key areas. The government did not conduct any investigations, had yet to have a successful prosecution, had yet to convict a trafficker, and had not identified victims for the past two years. The government's anti-trafficking law included sentencing provisions that allow fines in lieu of imprisonment, which was not commensurate with penalties for other serious crimes. Since 2014, the government had not completed standardized written procedures to identify victims, and did not have sufficiently trained personnel to identify victims. The government did not provide adequate resources to implement its national action plan.



### RECOMMENDATIONS FOR ST. LUCIA

Increase efforts to identify victims; investigate, prosecute, convict, and punish perpetrators of forced labor and sex trafficking; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; provide sufficient resources to fully implement the 2015-2018 national action plan; develop a national action for the period beyond 2018; finalize and adopt standard operating procedures on a victim-centered approach to guide police, immigration, labor, child protection, judicial, and social welfare officials on victim identification and referral; continue to train government officials to implement procedures to proactively identify labor and sex trafficking victims among vulnerable populations, such as children exploited in sex trafficking and migrant workers in domestic service, and refer them to appropriate services; develop and implement labor recruitment policies to prevent trafficking; provide legal mechanisms for victims to work and receive formal residency status; and increase efforts to reduce the demand for commercial sex and forced labor.

### PROSECUTION

The government maintained minimal law enforcement efforts. The 2010 Counter-Trafficking Act criminalized sex and labor trafficking and prescribed penalties of up to five years imprisonment or fines up to 100,000 Eastern Caribbean dollars (\$37,040). This penalty was 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. The government did not conduct any investigations during the reporting period; this

compared to three in 2016 and one in 2015. The police reported monitoring suspicious establishments. The police lacked a dedicated budget for anti-trafficking efforts and sufficient personnel trained to identify trafficking.

The government did not initiate any prosecutions in the reporting period, compared to none in 2016, four in 2015, and none since 2011. In December 2017, the magistrate court dismissed the human trafficking charges against four defendants (three men from India and one from Bangladesh) in the labor trafficking case initiated in March 2015 involving 70 students from Nepal, India, and the Philippines for want of prosecution. The government had yet to convict a trafficker.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The police, judges, lawyers, and immigration officials participated in training conducted by Interpol-trained local trainers on investigation, victim identification, referral, and assistance; this included working on a plan for a raid at a potential trafficking hotspot. With technical assistance from an international organization, the government was developing a proposal for a database to manage and process trafficking cases. The government reported it cooperated regularly with other Caribbean countries to exchange trafficking information.

### PROTECTION

The government decreased protection efforts. The government did not identify any trafficking victims in the reporting period, compared with zero in 2016 and 10 in 2015. The government did not have written procedures to guide officials on the proactive identification and referral of victims. The anti-trafficking task force was working to finalize standard operating procedures (SOPs) for victim identification and referral, but was unable to complete them due to a lack of technical expertise. At the end of the reporting period, the government sought out, collaborated with, and provided partial assistance to an international organization (along with financial assistance of a foreign government) to obtain the necessary technical expertise to finish the SOPs in 2018. The government did not spend funds on victim care or services because it did not identify any victims, compared with 1 million Eastern Caribbean dollars (\$370,370) for care in 2016 for 20 victims and witnesses related to a 2015 labor trafficking prosecution. Although there was no dedicated shelter for trafficking victims, the government had six different facilities available to house victims. Through the Office of Gender Relations, trafficking victims could be referred to various organizations to provide legal, health, advocacy, and crisis services. Adult victims were able to leave at will, but were not allowed to work or receive formal residency status because the government considered victims wards of the state. The 2010 anti-trafficking act contained victim protection provisions, such as privacy and witness protection, to encourage victims to participate in the investigation and prosecution of traffickers.

### PREVENTION

The government maintained efforts to prevent trafficking. The home affairs, justice, and national security ministry led an anti-trafficking task force, consisting of relevant agencies and NGOs, in implementing the national action plan for 2015-2018. The government, however, did not provide sufficient financial resources to the task force to fully implement the plan. The government planned to debate a new budget, which would include funds for anti-trafficking efforts in April 2018. The task force provided some resources and worked with an



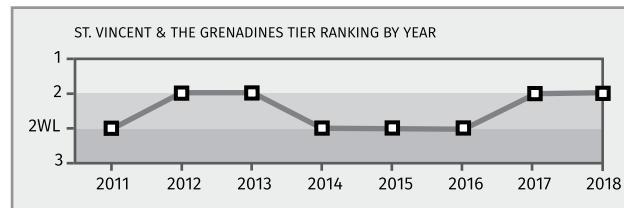
NGO to design brochures and the government printed and distributed them in post offices and airports. The gender office worked with youth-related organizations to conduct awareness campaigns in secondary schools; the government also worked with an international organization to hold focus groups in secondary schools to raise awareness. The government hired a media specialist to design and implement a 10-week prevention campaign. The government was in the planning stages to execute a more comprehensive prevention campaign with an international organization. There was no current policy in place to prevent trafficking in labor recruitment. The government-funded an NGO to run a crisis hotline for victims of violence, including trafficking victims, but it received zero trafficking calls during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel, although the Ministry of External Affairs was expected to do so in April 2018; the task force planned the curriculum for the anti-trafficking training. The government did not conduct research or monitoring during the reporting period. The government did not take measures to reduce the demand for commercial sex or forced labor.

### TRAFFICKING PROFILE

As reported over the past five years, St. Lucia is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Local adolescents are the groups most vulnerable to trafficking. Documented and undocumented migrants from the Caribbean and South Asia, including domestic workers, are also vulnerable to trafficking. Local children are subjected to sex trafficking. Government officials, civil society, and educators reported St. Lucian children from economically disadvantaged families are vulnerable to unorganized commercial sexual exploitation often encouraged or forced by caretakers in exchange for goods or services. Foreign women who work in strip clubs and in prostitution are also vulnerable to sex trafficking. NGOs report disadvantaged young women from rural areas are vulnerable to sex trafficking. According to the government, business owners from St. Lucia, India, China, Cuba, and Russia are the most likely trafficking perpetrators in the country. Civil society has also reported women, or in some cases older teenagers, recruiting younger adolescents to provide transactional sex with adults at street parties.

## ST. VINCENT AND THE GRENADINES: TIER 2

The Government of St. Vincent and the Grenadines does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore St. Vincent and the Grenadines remained on Tier 2. The government demonstrated increasing efforts by investigating more suspected cases, increasing training to relevant government officials and NGOs; increasing its cooperation with foreign governments to combat trafficking; and improving its public awareness campaigns. However, the government did not meet the minimum standards in several key areas. The government's anti-trafficking law, which allowed for fines in lieu of imprisonment, was not commensurate with penalties for other serious crimes. Government agencies cited a lack of resources for anti-trafficking efforts.



### RECOMMENDATIONS FOR ST. VINCENT AND THE GRENADINES

Amend the trafficking law to remove sentencing provisions allowing fines in lieu of imprisonment; increase government funding across all relevant agencies to combat trafficking; implement the 2016-2020 national action plan; increase investigations of suspected sex and labor trafficking cases; prosecute and convict traffickers; improve the quality and specialization of victim services; raise awareness about forced labor and sex trafficking and the need for public cooperation in law enforcement investigations; increase training for law enforcement on trafficking at all levels; and create new bilateral agreements with relevant source countries to better coordinate and combat trafficking.

### PROSECUTION

The government increased law enforcement efforts. The Prevention of Trafficking in Persons Act of 2011 criminalized sex trafficking and forced labor and prescribed punishments of 15 years imprisonment, a fine of 250,000 Eastern Caribbean dollars (\$92,590), or both. These penalties were sufficiently stringent. However, by allowing for a fine in lieu of imprisonment, the penalties were not commensurate with those for other serious crimes, such as rape. The government investigated seven suspected cases of trafficking; this compared with three cases each year in 2014, 2015, and 2016. Of the seven cases, none resulted in arrest or prosecution due to a lack of evidence. The government requested and received technical assistance from an NGO, with partial foreign government funding, to improve law enforcement's capacity to conduct victim-centered investigations. The government continued to cooperate with Trinidadian law enforcement to investigate a 2016 sex trafficking case involving a Vincentian national. With assistance from an EU grant, the police created a new survey tool that enabled new data collection on trafficking in the country; implementation was ongoing at the end of the reporting period. The police conducted several spot investigations at local bars and nightclubs throughout the country to surveil for trafficking. Authorities indicated the police need additional personnel and resources to more effectively investigate cases of trafficking.

There were no prosecutions during the reporting period (none in 2016), and the government has never convicted a trafficker. The government did not report any investigations of government employees complicit in trafficking offenses. The government provided funding for three investigators from the police department's Anti-Trafficking in Persons Unit (ATIPU) to participate in training in Guyana and Jamaica. The ATIPU conducted specialized anti-trafficking training for 69 new police recruits. The government signed a new bilateral agreement with Taiwan to increase training and coordination to combat trafficking.

### PROTECTION

The government improved victim protection efforts. The government identified four potential labor trafficking victims

from Saint Vincent and the Grenadines in 2017, compared to three victims in 2016; no victims were identified by NGOs. Procedures existed to guide the ATIPU, immigration department, and labor department in identifying and referring potential victims of trafficking; some observers noted the referral process could be strengthened. With technical assistance from an NGO, the government provided in-kind resources for training on victim identification guidelines for 37 personnel from 15 organizations covering law enforcement, relevant government ministries, and NGOs. The government's domestic violence shelter could accommodate adult women and child trafficking victims. Three faith-based NGOs could house children subjected to trafficking. Some observers noted the quality of care for victims was insufficient. There were provisions in the trafficking act that offered protections to victims before, during, and after a trial, such as keeping the names of victims and their families confidential. There were provisions for witness protection programs and facilities for the victims to testify via video. The anti-trafficking law provided foreign victims with the possibility of temporary and permanent residence permits and protected victims from immediate deportation; benefits were not linked to cooperation in investigations or trials. Foreign victims who remained in country were allowed to work. Victims could obtain restitution via civil suits from traffickers; however, there were no reported cases of restitution during the reporting period.

## PREVENTION

The government increased efforts to prevent trafficking. The national task force, led by the prime minister, coordinated the anti-trafficking efforts of various government agencies. The government revised its 2016-2018 national action plan to include more specific strategic inputs, outcomes, and lead agencies involved and extended the plan to 2020. In 2016, an EU-funded technical assistance program on capacity building and institutional strengthening to combat trafficking was completed. The government signed an MOU between nine government agencies that assigned tasks and responsibilities to combat trafficking. Government agencies cited a lack of financial resources towards anti-trafficking efforts.

The government conducted a two-day training for law enforcement, government officials, civil society actors, and NGOs. The ATIPU conducted sensitization training to more than 400 nurses and teachers and 426 students in summer camps about trafficking, participated in two national radio appearances to sensitize the public on trafficking, and created a special exhibition in Kingstown to educate the public. The ATIPU also published information in print and online media highlighting recent trends in trafficking and ways to identify trafficking. The government reported regulating the licensing and recruitment of foreign workers. The government monitored its anti-trafficking efforts through quarterly and annual reports submitted to its national task force on trafficking and to the minister of national security. The annual report was submitted to the House of Assembly and made available to the public. There was a 24-hour hotline available to which citizens could report crimes, to include trafficking. The government made modest efforts to reduce the demand for commercial sex acts and forced labor.

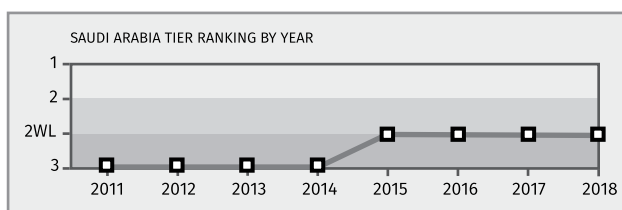
## TRAFFICKING PROFILE

As reported over the past five years, St. Vincent and the Grenadines is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Foreign women engaged in prostitution may have

been subjected to sex trafficking in the country and foreign workers from South America and the Caribbean may have been subjected to trafficking for forced labor both in the country and while in transit. Foreign workers employed by small, foreign-owned companies may be vulnerable to labor trafficking. Men, women, and children are vulnerable to forced labor, primarily in agriculture; government officials and civil society suspect drug traffickers subject workers to forced labor in the production of marijuana. NGOs and government officials have reported Vincentians are subjected to both forced labor and sex trafficking in foreign countries. There are reports indicating child sex trafficking, facilitated by parents and caregivers, to be a problem in the country.

## SAUDI ARABIA: TIER 2 WATCH LIST

The Government of Saudi Arabia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts by identifying and referring more victims to protective services, enhancing its regulatory enforcement of labor protections for expatriates, launching the second phase of the Wage Protection System (WPS) to better safeguard domestic workers' contracts, and expanding a pilot program to provide free phone cards and informational materials to all domestic workers and laborers arriving in Riyadh, Jeddah, and Dammam. The government-funded and commenced implementation of its four-year national action plan and continued to improve shelter services through a privatization program. It also prosecuted four Saudi nationals for passport retention. However, the government did not demonstrate increasing efforts compared to the previous reporting period. It continued to arrest and/or deport undocumented migrant workers, some of whom were potentially unidentified trafficking victims. The government prosecuted and convicted fewer traffickers and did not explicitly report the penalties imposed or other sentencing details it administered. Because the government has devoted sufficient resources to a written plan, that, if implemented, would constitute significant efforts to meet the minimum standards, Saudi Arabia was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Saudi Arabia remained on Tier 2 Watch List for the fourth consecutive year.



## RECOMMENDATIONS FOR SAUDI ARABIA

Strengthen efforts to prosecute, convict, and stringently sentence trafficking offenders, including abusive employers, under the anti-trafficking law; reform the sponsorship system and ensure trafficking victims are able to pursue criminal cases against their employers in practice; vigorously investigate for potential trafficking crimes employers who withhold workers' passports and wages and restrict workers' movement, and adequately punish these employers under the anti-trafficking law; continue to improve efforts to ensure victims among

vulnerable populations, including domestic workers, illegal foreign migrants, male victims, and persons in prostitution, are not punished for acts committed as a direct result of being subjected to human trafficking to include proactive screening for trafficking indicators when arresting and before deporting individuals among vulnerable populations; continue to expand the formal victim identification mechanism to proactively identify trafficking victims among vulnerable populations; continue to train government officials on identifying cases of sex trafficking; and, expand country-wide public awareness campaigns on all forms of trafficking.

### PROSECUTION

The government increased its law enforcement efforts but demonstrated an uneven ability to capture and share data on trafficking-related cases. The 2009 anti-trafficking law criminalized labor and sex trafficking and prescribed punishments of up to 15 years imprisonment and financial penalties of up to 1 million Saudi Arabian riyal (SAR) (\$266,670), which were increased under aggravating circumstances, including trafficking committed by an organized criminal group or against a woman, child, or person with disabilities. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Council of Ministers' Decision 166 prohibited withholding workers' passports as a lesser criminal offense punishable by fines.

During the reporting period, the government reported investigating and prosecuting 177 trafficking cases, as compared to 264 in 2016. Of these, it convicted 20 traffickers under the anti-trafficking law and, due to insufficient information to prosecute as trafficking crimes, acquitted 31 defendants; 133 cases remained pending in the court system at the close of the reporting period. In 2016, the government achieved 254 prosecutions and convictions; however, this higher number was due to an amalgamation of trafficking and trafficking-related crimes, in addition to multiple laws under which they were criminally pursued. The 2017 convictions were for forced and bonded labor, involuntary domestic servitude, and forced begging. The government did not explicitly report the specific penalties imposed on the convicted traffickers or how many received prison sentences, although it reportedly handed down severe sentences to each convicted trafficker to include lengthy imprisonment, fines, and confiscation of gains from the trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. In December 2017, the Human Rights Commission (HRC) sponsored a train-the-trainer workshop provided by an international organization on general trafficking issues for 171 officials, including 42 judges and representatives of the Ministry of Labor and Social Development (MOLSD), border guard and police personnel, the interior ministry, recruitment companies, and foreign embassies. The HRC also developed and produced multiple anti-trafficking public awareness campaigns that also reached an unknown number of government officials.

### PROTECTION

The government maintained efforts to protect trafficking victims and reported details on its protection efforts for the first time. The government widely disseminated victim identification and referral criteria to relevant official stakeholders and provided regular training on their implementation. During the reporting period, officials identified and referred to government-run

shelters 121 trafficking victims—of which 20 were victims of forced labor—out of 164 individuals proactively identified as potential victims; during the previous year, it did not provide aggregate information on victims identified, but reported 264 potential victims discovered over the course of investigations. The government allocated—and reported for the first time—10 million SAR (\$2.7 million) to the MOLSD, which operated shelters across the country for vulnerable populations and abuse victims, some of whom were likely trafficking victims. These include shelters for child beggars in Mecca, Jeddah, Dammam, Medina, Qassim, and Abha, in addition to welfare centers for female domestic workers in at least ten locations throughout the Kingdom and for male domestic workers in Riyadh. Each shelter provided accommodation, social services, health care, psychological counseling, education, and legal assistance, and all 121 government-identified victims received these services from the government during the reporting period; the government did not report what types of protection services, if any, it provided to identified victims during the previous reporting period. Diplomats from labor-sending countries had regular access to their nationals residing in government-run shelters and reported conditions and quality of services in the shelters varied slightly across the Kingdom, but were overall satisfactory and safe. Some embassies and consulates—including those of the Philippines, India, Indonesia, and Sri Lanka—also operated shelters for their respective nationals. Various diplomatic missions reported complaints by their citizens of unpaid wages, passport retention, physical or sexual abuse, or substandard working conditions. The Saudi Arabian government and foreign missions reported the large majority of foreign workers in Saudi Arabia did not experience problems with their employers. During the reporting period, officials extended a 90-day amnesty program, which commenced in March 2017, for five additional months for undocumented migrant workers, those who worked for an unofficial sponsor, and those who were declared absconders by employers, to depart the Kingdom without punishment by granting emergency exit certificates. The amnesty program also permitted undocumented expatriates to reverse their illegal status, fully exempt from any associated consequences. After the expiration of the amnesty period, the government detained approximately 250,000 people reportedly in violation of its residency laws and deported some 50,000, the majority of whom were of Ethiopian descent, according to press reports. There were no reports of confirmed trafficking victims being punished for unlawful acts committed as a direct result of their being subjected to trafficking; however, despite efforts to improve screening there were claims by human rights organizations that the government did not always screen all deportees for potential trafficking victimization and police frequently arrested and/or deported undocumented migrant workers, some of whom experienced abuses indicative of forced labor and were potentially unidentified trafficking victims.

The government extended all identified trafficking victims the option of remaining in the country—either in a shelter or via transfer to a new employer—during judicial proceedings or an immediate exit visa; these benefits did not require a successful prosecution or cooperation with law enforcement personnel. Victims who wanted to repatriate immediately could assign a power-of-attorney and pursue their legal case from abroad. During the reporting period, the anti-trafficking secretariat worked with interior ministry officials to extend the residency permits—without employers' consent—of an unknown number of identified trafficking victims on an ad hoc basis. The government reportedly encouraged victims to assist in the investigation and prosecution of trafficking offenders, and the law entitled trafficking victims to legal



assistance, security protection, translation services, and the right to immediate repatriation or continued residence in-country until resolution of the case, in addition to medical and psychological care, shelter, and recovery; it did not report how many victims accessed these provisions during the reporting year. The government reportedly provided protection to witnesses involved in trafficking cases, but the government did not report any cases in 2017. Officials permitted victims to obtain restitution from the government and file civil suits against trafficking offenders; however, such restitution generally occurred outside of civil court proceedings, and the government typically and informally reimbursed workers for back wages and/or assisted in their repatriation.

## PREVENTION

The government increased its efforts to prevent trafficking. The Saudi Arabian government reiterated its commitment to combat human trafficking through initiatives undertaken as part of the Vision 2030 socioeconomic reform program. The government allocated a budget of 36 million SAR (\$9.6 million) for its interagency anti-trafficking secretariat, which commenced implementation of its 2017-2020 national action plan to combat trafficking that focused on monitoring, prevention, building government capacity, inter-ministerial coordination, effective law enforcement, and provision of protective services for victims. The government-controlled media frequently aired discussions of forced labor, visa scams, forced begging, and other trafficking-related topics throughout the reporting period to raise awareness among the Saudi public. Officials operated a 24-hour call center that received calls in nine major labor-sending country languages including Urdu, Hindi, Bengali, Tagalog, Indonesian, Malay, and Amharic, in addition to Arabic and English. During the reporting period, the call center received approximately 1.3 million general inquiries and requests, labor disputes, employment complaints, and tips, which helped authorities identify four trafficking cases. MOLSD continued to receive workplace-related grievances via its website, a smartphone application, and social media. Expanding on a 2016 pilot program that provided pre-paid SIM cards to domestic workers and laborers arriving at Riyadh's international airport, the government launched this initiative in Jeddah and Dammam in 2018 to educate workers on their rights through complementary calls and text messages to the call center and local embassies.

In February 2018, the government implemented a new phase of the WPS, requiring employers to pay foreign workers by electronic transfer via a Saudi bank, thereby permitting the MOLSD to track disbursements. This requirement applied to all employees who worked for companies with 11 or more employees and covered the vast majority of expatriate workers in Saudi Arabia. In addition, it mandated individual employers of domestic labor to issue prepaid payroll or salary cards as soon as the domestic worker arrived in the Kingdom to ensure a legal working relationship between employer and employee and safeguard employees' prescribed wages. During the reporting period, the WPS covered a total of 6.4 million workers; more than 95 percent of Saudi companies were compliant with the system requirements, and the five percent in noncompliance were penalized, including an unknown number whose services the government suspended, either temporarily or permanently. The government made efforts to reduce the demand for commercial sex and forced labor. MOLSD conducted investigations of 17 cases of passport retention and imposed upon each defendant 1,000 SAR (\$270) per passport withheld without consent; during the previous reporting period

the government did not report investigating any such crimes that contained trafficking indicators. In addition, the prosecutor general investigated four Saudi business owners who retained their workers' passports without their employees' consent and referred all four to the judiciary; authorities fined each Saudi employer 2,000 SAR (\$530) in accordance with the ministerial decree. The government did not report investigating or referring for criminal prosecution any passport retention crimes during the previous reporting period. MOLSD continued to employ nearly 1,000 labor inspectors, and during the reporting period, it ordered the closure of 14 recruitment offices and the suspension of operations of 40 others that contravened Saudi Arabia's labor laws. There were anecdotal accounts of employers prosecuted for these violations. Additionally, MOLSD imposed fines on 227 work places violating the government's mid-day work ban during the summer months. During the reporting period, the government concluded bilateral labor agreements with the governments of Uganda, Kenya, Ethiopia, and the Philippines, which aimed to protect workers' contracts with their employers. There were no reported cases of Saudis prosecuted or convicted for sex tourism outside the Kingdom. The government provided anti-trafficking training for its diplomatic personnel.

## TRAFFICKING PROFILE

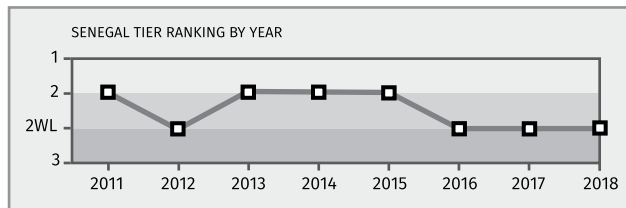
As reported over the past five years, Saudi Arabia is a destination country for men and women subjected to forced labor and, to a lesser extent, forced prostitution. Men and women—primarily from South and Southeast Asia and Africa—voluntarily migrate to Saudi Arabia to work in a variety of sectors, including construction and domestic service, and some are low-skilled laborers; many of these workers are vulnerable to forced labor. Some migrants are illegally recruited to work in Saudi Arabia and subsequently forced into domestic servitude and debt bondage. The Kingdom's migrant laborer population continued to be the largest group at risk of human trafficking, particularly female domestic workers due to their isolation inside private residences and subjection to severe employer abuse. According to a regional news source, there are approximately 11 million foreign workers in Saudi Arabia, and the largest populations during the reporting period hailed from India, Pakistan, Egypt, Indonesia, Syria, Yemen, Bangladesh, the Palestinian Territories, Sudan, the Philippines, and Sri Lanka. In previous years, some foreign citizens who have experienced indicators of trafficking were prosecuted for crimes and sentenced to death. Non-payment of wages is the prominent complaint from foreign workers in the Kingdom, while employers withholding workers' passports remains a significant problem. Trafficking perpetrators include businesses of all sizes, private families, recruitment companies in both Saudi Arabia and labor-sending countries, gangs, and organized criminal elements.

Due to Saudi Arabia's requirement under its *de facto* sponsorship—*kafala*—system that foreign workers obtain permission from their employers for an exit visa to be able to legally depart the country, some are forced to work well beyond their contract term because their employers do not grant such permission. Although most migrant workers sign contracts delineating their rights, some report work conditions substantially different from those previously prescribed, while others never see work contracts at all, rendering them vulnerable to forced labor and debt bondage. Additionally, some migrant workers voluntarily enter into illegal arrangements where they seek freelance work while concurrently paying a Saudi national to sponsor their initial residency permit, thereby becoming vulnerable to extortion by their sponsors. Some migrants from Yemen and the Horn of Africa who enter Saudi Arabia

illegally—involuntarily or through smuggling—via the Yemeni border may be trafficking victims. Previous reports allege some Saudi citizens engaged in sex tourism abroad, where they engaged in temporary or seasonal marriages, which included payment for short-term sexual access to children and others who the purchaser then abandons.

## SENEGAL: TIER 2 WATCH LIST

The Government of Senegal does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by convicting five traffickers, including one for forced begging; collecting data from more regions; training officials on the 2005 anti-trafficking law; restarting a lapsed campaign to remove children from the streets; and finalizing and committing to fund a 2018-2020 anti-trafficking national action plan. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Police rarely investigated suspected trafficking cases brought to their attention, especially forced begging cases, which effectively prevented such cases from moving forward in the law enforcement system. In some cases, officials obstructed justice by pressuring the judiciary to drop cases against allegedly exploitative Quranic school teachers (*marabouts*). In addition, the only trafficker convicted for forced begging received a fine, which was inconsistent with the penalties prescribed in the 2005 law, and victim services remained inadequate. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Senegal was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Senegal remained on Tier 2 Watch List for the third consecutive year.



### RECOMMENDATIONS FOR SENEGAL

Explicitly direct law enforcement and encourage judicial officials to significantly increase efforts to investigate and prosecute trafficking offenses brought to their attention and convict and punish traffickers, including those who exploit children in forced begging, with sufficiently stringent sentences; ensure prosecutors and investigative judges operate in full independence and pursue forced begging cases without interference or consequences; establish a legal framework to regulate *daaras* (Quranic schools) and allocate adequate inspectors to enforce implementation; implement the 2018-2020 anti-trafficking national action plan, including by allocating sufficient funding to the anti-trafficking task force; expand funding or in-kind support to government- and NGO-run shelters to increase care options for victims; train law enforcement, labor, and social welfare officials to adequately identify trafficking victims, including among child beggars, investigate cases, refer victims to services, and prevent their penalization; expand workplace regulations

to include labor inspections in the informal sector; continue the *daara* mapping project; and broaden efforts to raise public awareness of trafficking.

### PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. Senegal's 2005 Law to Combat Trafficking in Persons and Related Practices and to Protect Victims criminalized labor and sex trafficking. The law prescribed penalties of five to 10 years imprisonment and a fine for sex trafficking and labor trafficking—except forced begging—and prescribed lesser penalties of two to five years imprisonment and a fine for forced begging. These penalties were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

In data collected from five of Senegal's 14 regions, the government reported investigating 20 cases of alleged trafficking, prosecuting 10 alleged traffickers, and convicting five, compared to 16 investigations, eight prosecutions, and five convictions the previous reporting period, with data from three regions. At least four investigations involved sex trafficking and seven involved forced labor; the type of trafficking in the other investigations was unknown. Nine investigations and five prosecutions were ongoing at the end of the reporting period. Four traffickers—one adult sex trafficker and three child sex traffickers—received two years imprisonment. One trafficker received a fine for forced begging. Officials rarely used the 2005 anti-trafficking law to prosecute alleged traffickers, and all sentences imposed during the reporting period were below the minimum penalties prescribed in the law. Despite allegations of government complicity—either by refusing to investigate trafficking offenses or pressuring the judiciary to drop cases—the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Authorities from the then-Ministry of Women, Families, and Childhood and the government-run Ginddi Center for trafficking victims noted in mid-2017 that they routinely reported individuals suspected of involvement in forced child begging to the *gendarmerie* criminal research brigade. To date, however, there has not been a single investigation or prosecution in response to the referrals. Most trafficking prosecutions and convictions have focused on sex trafficking; the government has only convicted three individuals for forced begging under the 2005 law in the last five years, which is inadequate compared to the scale of the problem. In addition, judiciary and social services officials reported that some government officials, including within the Ministry of Interior (MOI), have used their positions and influence to prevent law enforcement and the judiciary from pursuing cases against individuals who force children to beg.

As in past years, the anti-trafficking task force (CNLTP) co-financed five trainings led by international organizations on identifying, investigating, and prosecuting human trafficking. These trainings reached more than 200 judges, prosecutors, and police officers, as compared to reaching 124 officials the previous year. In addition, the Ministry of Justice conducted several training sessions for law enforcement and judiciary officials on the 2005 law, investigation practices, and the national trafficking database. However, many law enforcement and judicial personnel remained unaware of the provisions of the 2005 law, which, coupled with limited institutional capacity, inhibited efforts to prosecute and convict traffickers under the law and collect data on such efforts. Although the government began to roll out a national trafficking database

in key regions of the country and trained law enforcement on its usage, the government did not fully implement it during the reporting period.

## PROTECTION

The government maintained efforts to identify and provide services to trafficking victims. Law enforcement, immigration, and social services personnel had formal written procedures to proactively identify trafficking victims among high-risk populations; however, they made limited efforts to implement those procedures, especially among gold-mining communities and children in begging. The government, at times in collaboration with NGOs, identified and referred to services approximately 1,381 trafficking victims during the reporting period—including three Nigerian sex trafficking victims and a significant number of child forced begging victims. This was compared to identifying and providing services to 1,547 potential child trafficking victims the previous reporting period, when the government led a campaign to identify children in forced begging. One NGO repatriated and reunited 249 of the trafficking victims with their families, with the government providing travel documents for foreign victims and transportation for internal returns. A second NGO identified and cared for an additional 565 trafficking victims without government support.

The government created a new ministry with a special emphasis on child protection—the Ministry of Good Governance and Child Protection (MGGCP). The MGGCP took the lead for child trafficking victim protection. The Ginddi Center, under the aegis of the MGGCP, provided temporary shelter and basic care to both foreign and domestic victims. The Ginddi Center cared for approximately 1,278 victims during the reporting period, and authorities referred at least 20 other trafficking victims to NGOs for care. Nearly all victims identified were child forced begging victims from Senegal, Guinea, Guinea-Bissau, The Gambia, and Mali. In a positive step, authorities stopped their previous practice of returning child forced begging victims to exploitative *marabouts*. However, Ginddi Center officials reported that even when victims were returned to their families, recidivism occurred. The government provided 90.6 million West African CFA francs (FCFA) (\$161,120) to the center in 2017, an increase from 85.7 million FCFA (\$152,400) allocated to the center in the previous year. The center provided basic meals and shelter for victims. The center could also provide clothing, basic psychological services, and legal counseling, but only when such resources were available; it was unknown how many victims received these services during the reporting period. The center lacked sufficient staff, resources, and specialized training for social workers and volunteers, and it only had one volunteer doctor to provide basic medical treatment. The center lacked space to accommodate all victims identified, which limited the number of victims authorities could remove from exploitation and how long victims could remain at the center. In order to address the lack of space at the Ginddi Center, in March 2018 the MGGCP began sending some trafficking victims identified during the second phase of the anti-forced begging campaign to the center for immediate services, and then on to partner *daaras*—which the government had certified met capacity, hygiene, and security standards and did not engage in forced begging—that provided children with follow-on support until family reunification. Seventy-five trafficking victims identified in late March 2018 were sent to one such *daara*. The Ministry of Justice operated three shelters (CPAs) for child victims of crime, witnesses, and children in emergency situations, which trafficking victims could access.

It was unclear how much funding the CPAs received in 2017, but the government allocated 20 million FCFA (\$35,570) to the centers in early 2018. Several NGOs operated trafficking victim shelters throughout the country. Outside of Dakar, international observers reported NGOs sometimes had to provide critical shelter and trafficking victim services due to a lack of government involvement.

Authorities inconsistently applied the victim referral system, and it was not available in all regions of the country. Authorities referred victims identified along Senegal's borders to an international organization and government center for questioning before referring them to NGOs or government centers for protective services. In Dakar and rural areas, law enforcement, civil society, and community protection groups generally referred children to the government or NGOs for social services and repatriation; however, members were not always aware of the shelters and services available, especially for adults, which at times caused delays in the provision of services. The law provided alternatives to the removal of foreign victims who may face hardship or retribution upon return, including the option to apply for temporary or permanent residency; the government did not report offering this relief to any victims during the reporting period. Victims could legally obtain restitution and file civil suits against their traffickers, although the government did not report that any did so during the reporting period.

## PREVENTION

The government increased efforts to prevent human trafficking. The CNLTP continued to implement the 2015-2017 anti-trafficking national action plan. The government allocated 80 million FCFA (\$142,270) to the CNLTP in 2017, a significant increase from 50 million FCFA (\$88,920) allocated in 2016. With wide input from a variety of civil society and religious leaders, the government developed and adopted a 2018-2020 anti-trafficking national action plan, and it committed to funding the CNLTP for implementation of the plan. While funding for the CNLTP increased, it remained insufficient, and the CNLTP had to seek additional donor funds to support many of its activities. In collaboration with NGOs, the CNLTP continued awareness-raising programs on child forced begging and sex trafficking. The Ginddi Center continued to run a hotline for child trafficking in three languages. The hotline received 3,409 calls during the reporting period, leading to the identification of 1,077 vulnerable children, many of whom were trafficking victims. Staff responded to each call, despite the fact that the Ginddi Center did not have a vehicle, forcing it to rent one each time it followed up on a trafficking report. Due to limited funding, the hotline only operated from 7:30am-10:00pm.

In 2016, the government allocated 100 million FCFA (\$177,830) to the then-Ministry of Women, Families, and Childhood to implement the president's June 2016 campaign to remove children from the streets of Dakar, including child trafficking victims. The ministry used some of that funding to assist families vulnerable to trafficking and *daaras* who committed to ending the practice of forcing children to beg. The MGGCP continued to provide in-kind support during the reporting period to vulnerable families and *daaras* that did not engage in forced begging. The government ceased all other activities under the 2016 campaign for the majority of the reporting period because the funding ran out. At the close of the reporting period, the MGGCP began the second phase of the campaign with increased roles for the Ministries of Interior, Justice, and Health, as well as local officials. The second phase began to address earlier



complaints about a lack of government coordination during the first phase of the campaign. While the lack of interagency coordination on trafficking among government structures remained a problem, reports indicated the MGGCP's efforts began to improve coordination during the reporting period. For example, MOI officials and MGGCP social workers conducted joint operations to identify and remove child trafficking victims from situations of exploitation.

Four local governments partnered with an international donor to provide funding and in-kind support to local communities in order to close *daaras* that practiced forced begging, repatriate child forced beggars to their homes, and decrease the incidence of forced begging; the local governments reported a drastic decrease in the incidence of forced begging in their communities as a result of this effort. To better understand the scope of child forced begging around the country, the MGGCP, with the support of a foreign NGO, continued the *daara* mapping project. Government and religious leaders finalized the draft decree to operationalize the draft bill to modernize *daaras*; if passed, the bill would outline requirements that *daaras* must meet in order to be eligible for government subsidies. The bill and operational decree remained in draft form at the end of the reporting period. According to the law's drafters, *daaras* that used forced begging would not be eligible to receive subsidies; participation in the program would be voluntary, however, so it was unclear if the draft bill, once passed, would adequately address child forced begging. Approximately 60 percent of Senegal's economy operated in the informal sector, where most forced child labor occurred, yet the government did not improve regulation of this sector or provide adequate protections for workers. The government made efforts to reduce the demand for forced labor and commercial sex acts. The task force's tourism police forces continued to monitor the resort areas of Saly and Cap Skirring for indicators of child sex tourism and other abuses, although they did not report identifying any cases of child sex trafficking. The government, in cooperation with international partners, provided anti-trafficking training to Senegalese troops before their deployment abroad as part of international peacekeeping missions.

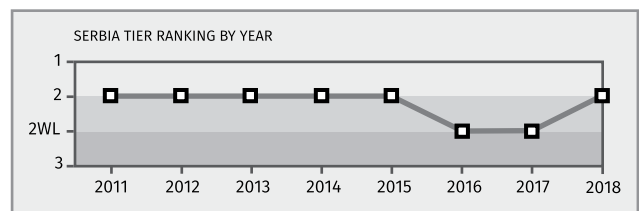
### TRAFFICKING PROFILE

As reported over the past five years, Senegal is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Forced begging is the most prevalent form of trafficking; some *marabouts* and men who claim to be *marabouts* force children to beg in Dakar and other major cities in Senegal. A 2014 government study reported *marabouts* or men pretending to be *marabouts* force approximately 30,000 children to beg in Dakar alone. In addition, a 2017 NGO-led study identified more than 14,800 child forced begging victims in Saint-Louis and reported that 187 of the city's 197 *daaras* send children to beg for at least part of the day. Traffickers subject Senegalese boys and girls to domestic servitude, forced labor in gold mines, and sex trafficking. Internal trafficking is more prevalent than transnational trafficking, although boys from The Gambia, Guinea, Guinea-Bissau, and Mali are victims of forced begging in Senegalese cities as well as forced labor in artisanal gold mines in Senegal. Traffickers exploit Senegalese women and girls in domestic servitude in neighboring countries, Europe, and the Middle East, including Egypt. Reports indicate traffickers exploit most Senegalese sex trafficking victims within Senegal, particularly in the southeastern gold-mining region of Kedougou. Traffickers also subject Nigerians, Guineans, Malians, and Burkinabes to forced labor and sex trafficking in mining communities. West

African women and girls are subjected to domestic servitude and sex trafficking in Senegal, including for child sex tourism for tourists from France, Belgium, Germany, and other countries. During the reporting period, an international organization identified more than 1,100 Senegalese migrants in Libya who were vulnerable to trafficking. The majority of migrants reported traveling through Mali, Burkina Faso, and Niger to reach Libya, with the intent to reach Europe.

## SERBIA: TIER 2

The Government of Serbia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Serbia was upgraded to Tier 2. The government demonstrated increasing efforts by consolidating the jurisdiction for trafficking crimes under one authority to improve investigations, and by creating a stand-alone Office of the National Coordinator that effectively elevated the national trafficking coordinator to a full-time position. The government adopted an anti-trafficking strategy and action plan, allocated 8 million dinars (\$79,950) to its implementation, and mandated the reconstituted national anti-trafficking council to meet at least twice a year to coordinate anti-trafficking efforts. However, the government did not meet the minimum standards in several key areas. The government continued to lack formal victim identification procedures and the national referral mechanism lacked established roles and responsibilities for referring victims to support services. The urgent reception center, designed to provide safe shelter and services, was not functional for the fifth consecutive year. Judges did not consistently assign the status of "especially vulnerable witness" to trafficking victims and the government did not uniformly apply non-penalization principles for trafficking victims. The number of trafficking convictions fell for the fifth consecutive year.



### RECOMMENDATIONS FOR SERBIA

Vigorously investigate, prosecute, and convict traffickers and sentence them to stringent penalties; formalize victim identification procedures and ensure their implementation; update the national referral mechanism, including formalizing cooperation with NGOs to provide all victims necessary support services and adopting specific procedures for children; provide victims testifying in court protection to diminish intimidation and re-traumatization; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases; fully implement written guidance to prevent penalization of trafficking victims for acts committed as a direct result of being subjected to human trafficking and amend the law to mandate non-penalization of victims; increase efforts to identify victims, including among migrants, refugees and asylum-seekers, and unaccompanied children engaged in street begging; allocate sufficient resources to enable the Center for the Protection of Trafficking Victims to implement victim protection efforts and allocate resources for the completion of

the urgent reception center; improve training for government personnel on victim assistance and referral; and provide labor inspectors and market inspectors the resources and training necessary to regulate recruitment agencies and investigate cases of fraudulent recruitment.

## PROSECUTION

The government maintained law enforcement efforts. Article 388 of the criminal code criminalized sex and labor trafficking and prescribed penalties ranging from two to 12 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated 13 suspects (14 in 2016). The government initiated prosecutions against 24 defendants (23 in 2016). The government continued ongoing prosecutions for 14 defendants from previous years. Courts convicted 13 traffickers (22 in 2016 and 20 in 2015). Traffickers received sentences between one year and eight years imprisonment.

The government consolidated the jurisdiction to investigate trafficking under the Criminal Police Directorate (CPD); in previous years, the border police and Foreigners Office split this responsibility, which hindered investigations because of unclear jurisdiction and the implication that a trafficking crime needed a transnational element. Observers reported the need to increase the capabilities and capacity of the CPD to investigate trafficking. Each police directorate had both a standalone anti-trafficking unit and officers within the organized crime police and border police that specialized in investigating trafficking. The government also continued to operate a standing migrant smuggling and trafficking task force that coordinated efforts to proactively investigate trafficking. The Public Prosecutor's Office (PPO) designated specialized prosecutors for trafficking cases, who also acted as single points of contact for investigators and care providers and provided operational guidance. Experts reported strengthened cooperation with the PPO but noted prosecutors faced difficulties in distinguishing the differences between labor rights violations and forced labor. The government trained police, immigration officials, border police, and labor inspectors on anti-trafficking issues, including 60 police officers on the structural change for investigative jurisdiction. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government maintained efforts in victim protection. The government identified 40 trafficking victims (49 in 2016). Of these, 21 were victims of sex trafficking, four of forced labor, four of forced begging, one of forced criminality, and 10 of multiple types of exploitation. Eighteen victims were children (21 in 2016). First responders referred 142 potential victims (150 in 2016) to the government's Center for Protection of Trafficking Victims (CPTV); the government referred 44, social welfare organizations referred 57, and 41 were referred by civil society or other means. Seventeen police directorates also had multi-disciplinary anti-trafficking teams that included prosecutors, social workers, and health officials intended to identify and refer victims in their localities; however, observers reported most teams did not meet and had minimal activities in 2017.

The government continued to lack formal victim identification procedures. The Ministry of Labor, Employment, Veteran and Social Affairs implemented the use of trafficking indicators

produced by CPTV but the use of these indicators was ad hoc in other government entities, such as law enforcement and schools. Observers reported law enforcement in charge of investigating prostitution-related offenses, particularly outside of Belgrade, continued to operate with limited or no training on victim identification. CPTV trained first responders on proactive identification of victims, including within migrant and refugee populations. The government used an outdated national referral mechanism that lacked established roles and responsibilities for referring victims to support services. CPTV assessed and officially recognized victims referred by first responders and developed a protection and assistance plan for each victim. GRETA reported CPTV lacked the staff to review cases in a timely manner and resources to travel to the location of potential victims and interview them in person. Experts also reported concern about the lack of control and transparency over the official victim assessment.

The government did not provide information on funds allocated for victim protection in 2016 or 2017. The government did not provide funding to NGOs despite relying on their victim support and reintegration services. The government and NGOs provided psycho-social, legal, educational, medical, financial, and reintegration support; however, the government had limited procedures outlining cooperation with NGOs on victim services. CPTV had two units, the protection agency and the urgent reception center, but for the fifth consecutive year the urgent reception center, designed to provide safe shelter and services, was not functional. An NGO-run shelter remained the only specialized shelter for female trafficking victims; local centers for social work (LCSW) operated shelters for domestic violence victims that also accommodated female trafficking victims. GRETA visited a LCSW-run shelter in Sremska Mitrovica and reported "good living conditions" but these shelters generally lacked the specialized programs and trained staff necessary for working with trafficking victims. Experts reported CPTV referred fewer victims to NGOs for support and assistance in 2017. The government reported authorities returned child victims to their families, referred them to foster care, or placed them in one of the two Centers for Children without Parental Care; however, observers reported CPTV lacked specific procedures for child trafficking victims. For example, the questionnaire used in the identification process was not adapted to children and children often did not understand the questions. Observers reported there were no child-friendly premises for interviews and the majority of social workers did not receive specific training on working with children. The government did not provide specialized support for male victims; an NGO rented accommodation for male victims as needed and male victims could access all other rehabilitation services offered to female victims. CPTV signed a protocol with the National Employment Service (NES) to assist victims in finding employment; NES assisted 36 victims in 2017.

Victims' ability to access support services and assistance was not contingent on cooperating with law enforcement investigations; however, once a case was reported to police, authorities required victims to cooperate with investigations and testify during prosecution, including children. Observers reported Serbian authorities threatened some victims with prosecution for non-cooperation. Authorities did not adequately protect victims' rights during lengthy court proceedings and victims frequently had to appear in front of their traffickers. Observers reported CPTV consistently appointed lawyers to represent victims but the length of trials and assistance provided to victims depended on the individual prosecutor or judge. Judges did not consistently assign the status of "especially vulnerable witness" to trafficking

victims; this status allowed witnesses to testify without the defendant present and allowed testimony via video link. The government inappropriately prosecuted trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, particularly forced criminality; however, NGOs reported CPTV successfully intervened to suspend known prosecutions of trafficking victims. The law entitled victims to file criminal and civil suits against their traffickers for restitution, but judges continued to encourage victims to seek restitution solely by filing civil suits. One victim received 2.2 million dinars (\$21,710) in compensation from a civil suit in 2017; however, civil suits were lengthy, expensive, and required the victim to face the abuser numerous times. Only two victims received compensation to date. The government provided foreign victims temporary residence permits renewable up to one year; two victims received residence permits in 2017. Observers reported the government provided inadequate repatriation support for Serbian forced labor victims in Slovakia.

### PREVENTION

The government increased prevention efforts. The government adopted the anti-trafficking strategy and action plan for 2017-2022. The government allocated 8 million dinars (\$79,950) to implement the action plan for the first two years. The government created a stand-alone Office of the National Coordinator, elevating the national coordinator to a full-time position, and allocated five employees and office space. The government replaced the anti-trafficking council with the Council to Combat Trafficking (CCT) and mandated it to meet twice year; the council met in December 2017. CCT founded an interagency working group to strengthen cooperation and a separate multi-disciplinary group to monitor the implementation of the national strategy. The government organized educational and outreach activities, but efforts were on an ad hoc basis. The government operated a hotline to collect human trafficking-related tips, published anti-trafficking efforts on its website, provided information on trafficking via social media and incorporated trafficking issues into grade school curriculums. Police continued to enforce laws against purchasing commercial sex. The government did not make efforts to reduce demand for forced labor. The government licensed and regulated private employment agencies; however, observers reported in practice, tourist agencies also performed labor recruitment and were largely unregulated. GRETA reported the Market Inspectorate may take up to two months to react to reports of fraudulent employment offers. Serbian troops participated in anti-trafficking training prior to their deployment on international peacekeeping missions.

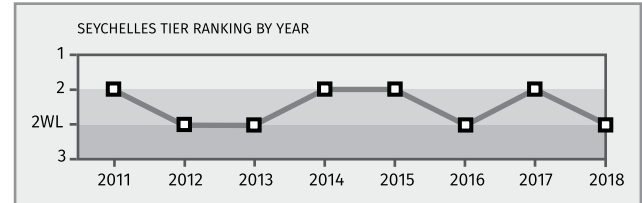
### TRAFFICKING PROFILE

As reported over the past five years, Serbia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor, including domestic servitude and forced begging. Serbian women are subjected to sex trafficking both in Serbia and in neighboring countries and throughout Europe, particularly Austria, Germany, Turkey, and Italy. Serbian nationals, primarily men, are subjected to forced labor in labor-intensive sectors, such as the construction industry, in European countries (including Azerbaijan, Slovenia, and Russia) and the United Arab Emirates. Serbian children, particularly Roma, are subjected within the country to sex trafficking, forced labor, forced begging, and petty crime. Thousands of migrants and refugees from Afghanistan, Iraq, Syria, and neighboring countries transiting through or stranded in Serbia are vulnerable to trafficking within Serbia. Alleged

traffickers reportedly influenced some trafficking cases through bribery of the victim or judge.

## SEYCHELLES: TIER 2 WATCH LIST

The Government of Seychelles does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by continuing to prosecute a suspected trafficker, providing assistance to four trafficking victims from a 2016 case, and collaborating with an international organization to develop implementing regulations for the Prohibition of Trafficking in Persons Act of 2014. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not report allocating funds for victim services, did not have any comprehensive shelters or care facilities available for trafficking victims, and did not implement its standard operating procedures or victim assistance mechanism, resulting in the government not identifying any trafficking victims during the year. The government also did not initiate any new investigations or prosecutions, or convict any traffickers, and did not provide adequate anti-trafficking training for its personnel. The government did not inspect employers of, or screen for indicators of trafficking among, potential labor trafficking victims within the Seychelles International Trade Zone (SITZ) despite vulnerability to trafficking among migrant labor in the country. The government did not have an active anti-trafficking committee that drove national anti-trafficking efforts. Therefore Seychelles was downgraded to Tier 2 Watch List.



### RECOMMENDATIONS FOR SEYCHELLES

Increase efforts to investigate and prosecute trafficking under the anti-trafficking law, and convict and punish traffickers; implement standard operating procedures to systematically identify and refer trafficking victims to services; provide specialized training to government officials, including members of the National Coordinating Committee of Trafficking in Persons, law enforcement officials, social workers, immigration officials, and labor inspectors, on victim identification and referral procedures; allocate adequate funding for victim services; increase effectiveness of the National Coordinating Committee; adopt a law prohibiting the retention of passports by employers of migrant workers; provide adequate oversight of laborers working in the SITZ, and require labor inspectors to conduct regular and comprehensive inspections of migrant workers' work sites; draft a national action plan to drive national efforts to combat all forms of trafficking; remove the required fee for a migrant worker to file a complaint with the Labor Tribunal; screen for potential trafficking offenses among complaints before the Labor Tribunal; implement labor laws in all of Seychelles, including the international trade zone, and authorize officials to monitor domestic workers' employment; conduct anti-trafficking awareness campaigns to increase the understanding of the crime among the local population and the large number of



foreign tourists and migrant workers entering the country; and utilize the national centralized anti-trafficking data collection and reporting tool.

## PROSECUTION

The government decreased law enforcement efforts to combat trafficking. The Prohibition of Trafficking in Persons Act of 2014 criminalized sex and labor trafficking in adults and children. The law prescribed penalties of up to 14 years imprisonment and a fine up to 500,000 Seychelles Rupees (\$37,370), and in cases involving children, a maximum of 25 years imprisonment and a fine up to 800,000 Seychelles Rupees (\$59,790); these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. Elements of human trafficking were also criminalized in provisions of the penal code, including Section 250 that prohibited slavery, and Section 251 that prohibited forced labor. Although child sex trafficking was criminalized under the anti-trafficking law, unclear and conflicting statutes in the penal code did not clearly define the ages of consent, causing confusion between the traditionally understood age of consent (15 years of age) and the legal age of majority (18 years of age). The government, in collaboration with an international organization, began development of implementing regulations for the 2014 anti-trafficking law to more effectively address protective measures for trafficking victims.

During the reporting period, the government did not investigate or prosecute any new trafficking crimes and it has never convicted any traffickers. The government initiated its first investigation and prosecution under the anti-trafficking law in the previous reporting period and that case remained pending in court at the end of the reporting period. Unlike the prior reporting period, the National Coordinating Committee did not continue its case conferencing group, which was established to provide a cohesive approach to the investigation and prosecution of trafficking cases. The government did not conduct any training sessions for front-line officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, there were some allegations of corruption among immigration officials at the international airport. During the reporting period, immigration officers reported a lack of communication between immigration officers and possible high-level corruption, which allowed wealthy citizens from Gulf countries to coordinate the travel of young women aboard private planes, some of whom may have been trafficking victims. The government also reported that evidence collection remained a challenge. With support from an international organization, the government has had access to a national centralized anti-trafficking data collection and reporting tool since 2015; however, the government has never utilized this tool, despite receiving training from an international organization during the reporting period.

## PROTECTION

The government made negligible efforts to identify and assist trafficking victims. The government did not identify any victims during the reporting period or report efforts to implement the standard operating procedures or victim assistance mechanism in order to systematically undertake such efforts; in comparison, the government proactively identified four Bangladeshi victims of forced labor and assisted 16 potential Malagasy victims following their interception during the previous reporting period. The government continued to provide accommodation,

food, and travel costs, and permitted the temporary stay and employment of four Bangladeshi forced labor victims identified last reporting period. The government did not assist in or facilitate the repatriation of any trafficking victims during the reporting period, compared with the repatriation of 16 potential victims in coordination with the Government of Madagascar during the previous reporting period. There were no shelters specifically for trafficking victims or comprehensive care facilities in the country; however, in prior years, the Social Affairs Department of the Ministry of Health and Social Affairs provided victims with accommodations in private guesthouses, per diem, access to a social worker and translator, and new work permits. The government did not report providing training to social workers on implementing the victim identification and assistance tool during the reporting period, as it had done in the previous reporting period.

The 2014 anti-trafficking law allowed for limited legal alternatives to victim removal to countries in which they would face hardship; the law permitted the minister of home affairs to decide whether to allow a foreign victim to stay in the country for 30 days, issue a permit letting the victim to stay in the country for a period until the completion of legal proceedings, or deport the foreign victim. The law protected trafficking victims from being detained or prosecuted for the illegal entry into Seychelles, but it did not protect the victim from being inappropriately prosecuted for other unlawful acts committed as a direct result of being subjected to human trafficking. The government reportedly detained some potential victims entering the country through the international airport; however, there were no reports that the government inappropriately detained or penalized trafficking victims during the reporting period. Moreover, because officials did not use standard victim identification procedures, victims likely remained unidentified in the law enforcement system and as a result may have been inappropriately penalized. The anti-trafficking law allowed the government to provide compensation to victims from the fine imposed on the accused or from the Trafficking in Persons Fund; however, the government has never awarded compensation to victims or funded the Trafficking in Persons Fund. The 2014 anti-trafficking law provided for the government to place witnesses under protection and, if the court found it necessary, for trafficking trials to be held in private for the sake of the victim or witness' confidentiality and privacy. The anti-trafficking law also ensured victims could testify through closed circuit television and courtroom accommodations could be made for the psychological comfort of the victim.

## PREVENTION

The government decreased prevention efforts. The National Coordinating Committee on Trafficking in Persons, established to coordinate anti-trafficking efforts across government agencies and drive national efforts, significantly decreased its efforts during the reporting period. Despite requirements in the anti-trafficking law to meet at least twice a year, the committee did not meet during the reporting period. The government did not report progress in implementing the 2014-2015 national action plan or undertaking efforts to draft an updated plan. Unlike last year, the government did not conduct annual awareness campaigns, other than distributing the national helpline number to the public. The Ministry of Employment, Entrepreneurship Development and Business Innovation (MOE) reported that, in partnership with the Government of the Philippines, it had developed new brochures detailing migrant worker rights, but did not report whether the brochures were disseminated

to any workers during the reporting period. The government maintained a police helpline for reporting crimes, including trafficking, but the government did not report whether it received any calls.

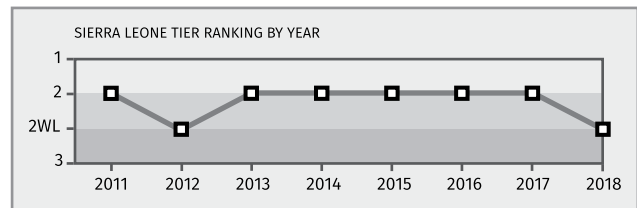
The government does not have effective policies or laws regulating labor recruiters. Trafficking vulnerabilities in labor recruitment and monitoring persisted throughout the country during the reporting period. Despite the known vulnerability, seizure and retention of passports by employers is legal under Seychellois law, unless it was specifically for the purpose of further trafficking a person. The MOE employed labor inspectors that were responsible for conducting inspections of all workplaces in the country and informing all migrant workers of their employment rights. The MOE continued to lack authority to conduct inspections in the SITZ, where many migrant laborers work, as it was considered extraterritorial and was managed by the Financial Services Authority (FSA). The FSA did not provide adequate oversight of laborers working in the SITZ, nor conduct any inspections during the reporting period. The MOE did not have authority to enter private homes to monitor employers of domestic workers, limiting the government's ability to identify and investigate indicators of trafficking among this community. The Ministry of Health had authority to inspect migrant worker dwellings but did not have the mandate to investigate labor violations or potential trafficking crimes. The MOE reported an increase in the demand for expatriate domestic workers. The government provided all citizens and foreign workers with national identity cards and employment permits. The government did not make efforts to decrease the demand for commercial sex acts or forced labor during the reporting period, despite the prevalence.

### TRAFFICKING PROFILE

As reported over the last five years, Seychelles is a destination country for foreign men and women subjected to labor trafficking and sex trafficking and a source country for children subjected to sex trafficking. Seychellois girls and, according to some sources, boys are subject to child sex trafficking, particularly on the main island of Mahe; they are exploited by peers, family members, and pimps in bars, guest houses, hotels, brothels, private homes, and on the street. Young drug addicts are vulnerable to forced prostitution and traffickers have subjected Eastern European women to forced prostitution in hotels. Migrant workers—including from Bangladesh, India, China, Kenya, Madagascar, and countries in South Asia—make up 20 percent of the working population in Seychelles and are primarily employed in fishing, farming, and construction; some workers are subjected to forced labor in the construction sector. Malagasy women who transit the Seychelles may be subjected to forced labor in the Middle East. NGOs report migrant workers face exploitative conditions in fish processing plants, and fishermen aboard foreign-flagged fishing vessels in Seychelles' territorial waters and ports are subjected to abuses indicative of forced labor, including non-payment of wages and physical abuse. Migrant workers sign their employment contracts upon arrival in the Seychelles and frequently do not speak the language, which increases their vulnerability to fraudulent recruitment tactics. There were reports of employers routinely retaining migrant workers' passports to prevent them from changing jobs prior to the expiration of their two-year contracts.

## SIERRA LEONE: TIER 2 WATCH LIST

The Government of Sierra Leone does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by investigating trafficking cases and initiating prosecutions, identifying and referring victims to services, and funding temporary shelter and services for 16 Sierra Leonean trafficking victims exploited abroad. However, the government did not demonstrate increasing efforts compared to the previous reporting period. For the seventh consecutive year, the government did not convict a trafficker. Judicial inefficiency, general corruption, and procedural delays continued to prevent traffickers from being held accountable and contributed to judges dismissing many trafficking cases during the reporting period. The government continued to rely on NGOs to provide nearly all victim assistance, and uneven implementation of the national referral mechanism resulted in delayed assistance for some victims. For the fourth consecutive year, the government did not provide funding for the anti-trafficking task force to adequately fulfill its mandate or implement the 2015-2020 national action plan. Therefore Sierra Leone was downgraded to Tier 2 Watch List.



### RECOMMENDATIONS FOR SIERRA LEONE

Increase efforts to prosecute and convict traffickers with sufficiently stringent sentences that include imprisonment; institute witness protection and support measures to encourage greater victim participation in the criminal justice process; train police, prosecutors and judges to investigate and prosecute trafficking cases, including those at Freetown Court Number One; address procedural delays, including by allowing regional courts to try trafficking cases, and address judicial corruption so victims can participate in trials and judges cease dismissing cases against alleged traffickers; train all actors on the national referral mechanism to ensure trafficking victims receive timely services; increase financial or in-kind support to NGOs that support trafficking victims; follow the licensing procedures for recruitment agencies, and investigate agencies suspected of fraudulent recruitment; improve coordination among government agencies responsible for combating trafficking in persons; train law enforcement officers and social workers to identify trafficking victims among vulnerable populations, including children in sex trafficking and domestic servitude; sufficiently fund anti-trafficking activities in the national budget and allocate funds to the anti-trafficking task force; in collaboration with civil society organizations, increase efforts to raise public awareness of trafficking; amend the 2005 anti-trafficking law to remove sentencing provisions that allow for a fine in lieu of imprisonment; and continue to improve data collection on anti-trafficking law enforcement and victim assistance efforts.

## PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. The 2005 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of up to 10 years imprisonment and/or a fine; these penalties were sufficiently stringent. The Sexual Offences Act criminalized forced prostitution and child prostitution with penalties of up to 15 years imprisonment, which were sufficiently stringent and commensurate with penalties for rape. The anti-trafficking task force continued to review the 2005 law with the aim to align the penalties for sex trafficking with the penalties for forced prostitution prescribed in the Sexual Offences Act.

The government reported 33 investigations, prosecution of seven suspects, and no convictions, compared to 34 investigations, prosecution of four suspects, and no convictions in the previous reporting period. All seven prosecutions were ongoing at the close of the reporting period; at least one of the prosecutions had been initiated in a previous reporting period. The government did not report how many investigations remained ongoing at the end of the reporting period, and it did not report how many, if any, investigations it had continued from the previous year. Among the 33 investigations, there were three for sex trafficking and 30 for forced labor. Due to lengthy investigations required for trafficking cases, prosecutors sometimes pursued trafficking cases under charges in the Domestic and Gender Abuse Act or the Child Rights Act because they required less evidentiary rigor and could more often result in conviction. However, the government did not report any data on trafficking cases prosecuted under these acts during the reporting period. The government last convicted an individual for trafficking or trafficking-related offenses in 2011. Judicial inefficiencies, general corruption, and procedural delays prevented traffickers from being held accountable and diminished faith in the judicial system. As a result, victims' families often accepted payments from traffickers rather than pursue cases in court and families sometimes exerted pressure on victims to not participate in investigations and prosecutions against their alleged traffickers due to security concerns, community ties to alleged traffickers, and the high cost and travel required to participate in such cases. In many cases, victims either did not agree to testify against their traffickers and prosecutors dropped the charges, or victims could not meet the travel requirements for court appearances and judges dismissed their cases. In an effort to better prosecute these crimes, the judiciary designated Freetown Court Number One as the dedicated court to hear all human trafficking cases.

Inadequate training of law enforcement and judges on human trafficking remained a key problem. The Sierra Leone Police Family Support Units trained 75 police officers from other units on trafficking in persons and human rights issues broadly. In practice, however, the police's Transnational Organized Crime Unit (TOCU) and the Ministry of Labor Social Services (MLSS) investigated most trafficking cases, and neither entity received anti-trafficking training during the reporting period. Two NGOs trained border guards and police on identifying human trafficking. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, corruption, particularly within the judiciary, remained a serious problem and affected the provision of justice to trafficking victims. Traffickers bribed prosecutors not to prosecute cases and bribed judges to dismiss cases. The government continued regular border security meetings with the Governments of Guinea and Liberia, which included trafficking, but reported its non-ratification of the ECOWAS Convention on Mutual Assistance in the Fight against Trafficking compounded the difficulties in cross-border investigations.

## PROTECTION

The government maintained uneven protection efforts. The government identified 46 trafficking victims in Sierra Leone and abroad, compared to 34 victims identified in the previous reporting period. Among the victims identified, authorities reported males and females, adults and children, and victims of sex trafficking, domestic servitude, and internal labor trafficking. The majority of victims were Sierra Leoneans exploited in labor trafficking in a foreign country. The government relied on NGOs to care for the majority of trafficking victims. The government referred 33 of the 46 victims it identified to NGOs for care. The Ministry of Social Welfare, Gender, and Children's Affairs (MSWGCA) operated a temporary shelter for victims of gender-based violence that trafficking victims could access, and it referred two trafficking victims to the shelter during the reporting period. It was unclear how much funding the shelter received. The government did not report if the other 11 victims identified received government or NGO services; at times, family members provided intra-familial care. In the previous reporting period, the government had committed to devoting approximately 119 million Leones (\$15,570) quarterly to an NGO shelter that cared for the majority of trafficking victims; however, it disbursed only one payment of approximately \$3,940 to the NGO during the reporting period, and did not provide any other financial support to NGOs that delivered nearly all victim care. NGOs reported identifying and providing services to seven additional victims. One NGO operated a shelter specifically for trafficking victims and offered medical, psycho-social, legal, and reintegration support. The center cared for both foreign and domestic victims; however, staff did not permit victims to leave unchaperoned. Two additional NGOs operated shelters that cared for vulnerable children, including trafficking victims. The government had standard measures to identify trafficking victims, including victims among vulnerable populations. The government had a national mechanism to refer trafficking victims to services; however, a lack of training on the mechanism caused delays in provision of services to victims. In one case, a victim slept at a police station for three weeks because authorities did not request appropriate housing, and in several other cases, MSWGCA officials disregarded the standard protocols for referring victims to NGOs for specialized care. In one case, police intercepted a suspected trafficker and suspected trafficking victims at the border. When alerted to this case, MSWGCA did not follow the established procedures to refer trafficking victims to care, and instead drew up fostering paperwork to allow the children to travel with the alleged trafficker a second time; police intercepted the suspected trafficker a second time and released her after investigation, while an NGO cared for the children.

The Sierra Leonean embassy in Kuwait temporarily housed several trafficking victims and referred others to a shelter for care; the government-funded repatriation for five victims, and an international organization repatriated an additional 10 trafficking victims. In addition, the embassy in Guinea housed and provided food, clothing, and repatriation for 11 trafficking victims; however, the government continued to hold the victims' passports at the close of the reporting period. This was comparable to Sierra Leonean embassies supporting and repatriating at least 25 trafficking victims from Kuwait and Guinea the previous reporting period. The Ministry of Foreign Affairs engaged with the Government of Kuwait to advocate for humane treatment of Sierra Leonean domestic workers. The government provided a brochure to migrants returning from Libya with information on social services trafficking victims could access.

The government did not provide sufficient protection or support



to victims who participated in trials against their traffickers; as a result, many victims could not meet the travel requirements for court appearances and judges dismissed their cases. Two trafficking victims participated in trials against their traffickers during the reporting period. The anti-trafficking law did not provide for restitution, and while victims could file civil suits against their traffickers, none did so during the reporting period. The Sexual Offenses Act provided for restitution, which sex trafficking victims could access; however, restitution could only be pursued after conviction, and there were no convictions during the reporting period. The law provided alternatives to removal to countries in which victims would face retribution or hardship, including temporary residency; the government did not report providing these services to any victims 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, but inadequate screening for trafficking may have resulted in some victims remaining unidentified in the law enforcement system.

### PREVENTION

The government made minimal efforts to prevent trafficking. The anti-trafficking task force had a 2015-2020 national action plan and met regularly, but the government did not provide an operational budget for the task force or funding for implementation of the plan, which limited activities and impeded law enforcement efforts. While MLSS had strict licensing procedures for new recruitment agencies to prevent exploitation of intending migrant workers, it continued to issue business registration certificates before TOCU had finished vetting the prospective agencies. The government did not report any tangible efforts to correct this issue. After continued reports of Sierra Leonean women fraudulently recruited to Kuwait for domestic work and forced prostitution, TOCU and MLSS investigated alleged fraudulent recruitment networks for suspected trafficking, and some of these investigations led to prosecution. MSWGCA and police participated in several radio programs to raise awareness of human rights, including the dangers of human trafficking. The government did not make discernible efforts to reduce the demand for commercial sex acts or forced labor. After identifying Sierra Leonean forced labor victims abroad, Sierra Leonean embassies in Kuwait and Guinea contacted other migrant workers in the country to inform them of the dangers of human trafficking and provide them with information on their rights as workers and assistance available. In addition, the government provided 5 million leones (\$650) to some trafficking victims upon repatriation to educate their communities about trafficking. The government did not provide anti-trafficking training to its diplomatic personnel.

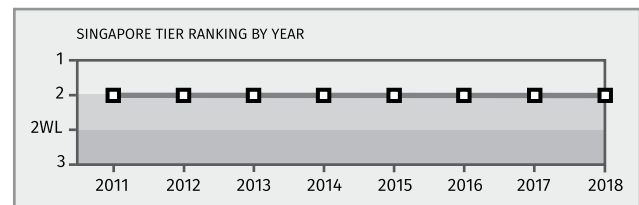
### TRAFFICKING PROFILE

As reported over the past five years, Sierra Leone is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Traffickers recruit victims largely from rural provinces to urban and mining centers for exploitation in sex trafficking and forced labor in domestic service, artisanal diamond and granite mining, petty trading, portering, making ceramics, rock breaking, quarrying, street crime, and begging. Traffickers exploit victims in fishing and agriculture, and sex trafficking or forced labor through customary practices, such as forced marriages. The government reported child sex trafficking—especially of children from poor homes—was a serious problem, including at beaches and in nightclubs. Local demand fueled the majority of child sex trafficking, although foreign tourists were also clients at beaches and

nightclubs. Traffickers typically operate individually, convincing parents to hand over their children and promising to provide an education or better life but instead exploiting the children in trafficking. Children from neighboring West African countries have been exploited in forced begging, forced labor, and sex trafficking in Sierra Leone, and Sierra Leonean children are taken to Mali, Niger, and increasingly Guinea for forced labor and sex trafficking. During the reporting period, traffickers exploited Lebanese and Indian men in forced labor in Sierra Leone; in previous years, Chinese, Indian, Kenyan, and Sri Lankan men have been forced labor victims in Sierra Leone. Traffickers have exploited boys and girls from Sierra Leone reportedly as “cultural dancers”—and possibly also for sexual exploitation—in The Gambia. During the reporting period, an increasing number of traffickers, including family members, tried to sell Sierra Leonean children for domestic servitude. Sierra Leonean adults voluntarily migrate to other West African countries, including Mauritania and Guinea, as well as to the Middle East and Europe, where some are subjected to forced labor and forced prostitution. Sierra Leonean-Kuwaiti trafficking networks increasingly fraudulently recruit Sierra Leonean for education in Europe and the United States but subject them to domestic servitude in Kuwait. During the reporting period, authorities identified traffickers moving women through Guinea en route to exploitation in Kuwait. Traffickers also exploit Sierra Leonean women in domestic servitude in Egypt and Lebanon. During the reporting period, an international organization repatriated at least 186 Sierra Leoneans from Libya, some of whom were victims of slavery and sex trafficking. It also reported that some Libyan soldiers sold stranded Sierra Leonean migrants in their custody to Libyan and Middle Eastern traffickers.

## SINGAPORE: TIER 2

The Government of Singapore does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Singapore remained on Tier 2. The government demonstrated increasing efforts by imposing strong sentences against convicted traffickers, improving freedom of movement for adult victims by funding the return to their country of origin prior to court proceedings, and increasing new migrant workers’ awareness of their rights. However, the government did not meet the minimum standards in several key areas. Large numbers of migrant workers experienced conditions indicative of labor trafficking in Singapore, and, although the government continued to prosecute labor trafficking cases, it had yet to secure the conviction of a labor trafficker under the trafficking law. Authorities did not effectively identify victims compelled into service through psychological coercion or debt bondage, leaving some victims unidentified and subject to punishment or deportation.



## RECOMMENDATIONS FOR SINGAPORE

Using the 2015 anti-trafficking law, increase investigations and prosecutions of sex and labor trafficking offenses, including debt bondage, and convict and stringently sentence traffickers; increase resources for investigative and prosecutorial training on human trafficking for Ministry of Manpower officials who handle labor violations; strengthen efforts to identify trafficking victims, including by conducting training for front-line law enforcement officials with a focus on screening for psychological coercion among women in prostitution and individuals in debt bondage; strengthen the legal framework to enhance protection for victims from punishment for acts committed as a result of being subjected to trafficking; develop formal policies to provide all victims the right to robust protective services, regardless of their individual circumstances; and strengthen cooperation with NGOs for developing and implementing anti-trafficking policies and assisting victims.

## PROSECUTION

The government maintained efforts to prosecute and convict traffickers. The Prevention of Human Trafficking Act (PHTA) criminalized sex and labor trafficking and prescribed penalties of up to 10 years imprisonment and fines up to 100,000 Singapore dollars (\$74,850), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes such as rape. The government investigated most suspected labor trafficking cases as labor law offenses under the Employment of Foreign Manpower Act (EFMA) or the Employment Act; these laws carried significantly lower penalties than the anti-trafficking law and excluded domestic workers and fishing crews.

In 2017, authorities investigated 34 trafficking cases, compared to 33 in 2016. Of these, 22 were cases of suspected sex trafficking, compared to 20 cases in 2016. The Ministry of Manpower investigated 12 suspected labor trafficking cases involving four suspects under the anti-trafficking law, compared with 13 cases involving three suspects in 2016; however, the government determined that none of the cases in 2017 violated trafficking laws. The government prosecuted 10 suspected traffickers (one labor trafficking suspect and nine sex trafficking suspects) and convicted four persons, compared to 13 prosecutions (10 sex trafficking and three labor trafficking suspects) and three convictions in 2016. One convicted trafficker received a sentence of six years and eight months imprisonment and a fine of 2,000 Singapore dollars (\$1,500). In a previously reported case involving two defendants convicted in 2016 for starving a domestic worker, the government reported the appeal resulted in an increased sentence of 10 months for both. Through appeals by prosecutors, two similar cases involving abuse of domestic workers received increased sentences in 2017; however, the government had yet to obtain a labor trafficking conviction under the trafficking law, nor had it ever prosecuted any cases of domestic servitude under the trafficking law.

Law enforcement partnered with a local NGO to create a video to train officers on psychological trauma of sex crime survivors so officers can employ more appropriate interviewing techniques. The Ministry of Manpower collaborated with a foreign government to develop a course for its labor investigators to build their capacity, including the investigation of human trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. The

government continued to work closely with international counterparts, including continuing to investigate a cross-border case initiated in February 2017 that alleged a foreign national resident of Singapore was promoting commercial sex tours involving minors.

## PROTECTION

The government increased protection efforts. The government reported identifying 25 alleged victims (eight sex trafficking victims and 17 labor trafficking victims), compared to 33 alleged victims (20 sex trafficking and 13 labor trafficking victims) in 2016. The government identified two child victims in 2016 and eight in 2017. Police, labor, and immigration officials had standard operating procedures for identifying victims, and the government had a victim referral process among government officials, civil society organizations, and foreign embassies. Immigration officials referred suspected victims to lead investigative agencies. All police officers received basic training in victim identification; however, several NGOs reported officials failed to recognize key indicators of trafficking when interviewing potential victims, particularly in cases involving sex or labor exploitation through various forms of psychological coercion or debt bondage, and among migrant workers. NGOs reported authorities' opaque victim identification and referral standards sometimes complicated effective use of the government's referral mechanism.

The government provided 80 percent of the cost of some services, including funding for shelters to accommodate adult and child victims. The government designated one shelter exclusively for adult female trafficking victims. Authorities permitted freedom of movement outside of the shelter for most residents, but restricted movement for any residents deemed to be under physical threat or in need of psychological care. Although the government did not identify any male victims during the year, it designated one shelter for male victims. The government allocated funding for an NGO that provided trauma recovery services including counseling and medical care for female victims. The government provided a range of additional support measures, including interpreters, medical services, temporary work permits, and resettlement assistance. However, absent a formal policy mandating the provision of these services to all victims, and due to front-line officers' incomplete understanding of psychological coercion, some victims likely did not benefit from these services. NGOs reported police did not consistently screen for trafficking indicators among women apprehended in law enforcement operations; the government may have prosecuted and punished unidentified sex trafficking victims for immigration violations or soliciting.

To provide freedom of movement, the government implemented a new policy initiative in 2017 permitting victims who were material witnesses in court cases against their former employers to leave the country, at the government's expense, pending trial procedures. Four victims benefited from this policy during the year. The government offered assistance such as shelter and food for victims participating in investigations and prosecutions of trafficking offenses. The government granted six victims short-term work permits, available for the duration of their legal processes, compared to 12 in 2016. NGOs reported that the government facilitated pro bono legal assistance for victims of trafficking to pursue civil court claims for restitution; most declined the offer, but one victim received five years of unpaid wages in a civil claim. The government did not provide long-term alternatives

to removal to countries where victims may face hardship or retribution.

## PREVENTION

The government increased efforts to prevent trafficking. The interagency task force continued coordination of anti-trafficking efforts outlined in Singapore's "National Approach against Trafficking in Persons," which launched in 2016. The task force conducted campaigns through social media, news outlets, and other outreach materials to educate workers on their rights, raise public awareness of trafficking, and publicize efforts to punish employers for trafficking-related violations. NGOs received public grants totaling 80,000 Singapore dollars (\$59,880) to assist with conducting awareness raising campaigns. The government launched new initiatives in 2017 to improve communication with vulnerable foreign workers, including a new mobile phone app and a one-day mandatory course to inform new arrivals of their rights. The government provided a pre-departure video at overseas testing centers to educate foreign workers on regulations prior to migrating to Singapore. The government prosecuted two unlicensed employment agents illegally collecting fees from migrant workers in Singapore. The government also conducted ongoing campaigns to inform employers of the consequences for withholding passports or salaries. The government made some efforts to reduce the demand for commercial sex acts and forced labor.

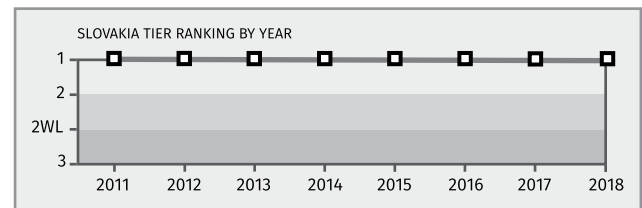
## TRAFFICKING PROFILE

As reported over the past five years, Singapore is a destination country for men, women, and girls from other Asian countries subjected to sex trafficking and forced labor, a source country for Singaporean women and children subjected to sex trafficking, and a transit country for Asian men subjected to forced labor on fishing vessels that transit through Singapore or its territorial waters. Some of the 965,000 foreign work permit holders that comprise more than one-quarter of Singapore's total labor force are vulnerable to trafficking; most victims migrate willingly for work in construction, domestic service, performing arts, manufacturing, the service industry, or commercial sex. Traffickers compel victims into sex or labor exploitation through illegal withholding of their pay, threats of forced repatriation without pay, restrictions on movement, and physical and sexual abuse. Withholding travel documents, such as passports, is illegal in Singapore; however, it remains a common practice for some employers. Although Singaporean law limits agency fees and mandates prosecution for those who exceed them, many foreign workers assume large debts to recruitment agencies or individual recruiters in their home countries and sometimes in Singapore, making them vulnerable to forced labor, including debt bondage. Some recruitment agencies illegally engage in contract switching and charge workers fees over the legal limit. Foreign workers have credible fears of losing their work visas and deportation, since employers have the ability to repatriate workers legally at any time during their contracts with minimal notice. Unscrupulous employers exploit the non-transferability of low-skilled work visas to control or manipulate workers. Some employers rely on repatriation companies to seize, confine, and escort foreign workers to the airport for departure from Singapore, including through the use of assaults, threats, and coercion, to prevent them from complaining about abuses to authorities.

Foreign women sometimes arrive in Singapore with the intention of engaging in prostitution, but under the threat of serious harm or other forms of coercion, they become victims of sex trafficking. A small number of Singapore residents facilitate and engage in child sex tourism abroad. Some captains used physical abuse to force men to perform labor on long-haul fishing vessels that transit or dock at Singaporean ports, and some agencies in Singapore use deceptive tactics to recruit Asian men for this work.

## SLOVAKIA: TIER 1

The Government of the Slovak Republic, or Slovakia, fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Slovakia remained on Tier 1. The government demonstrated serious and sustained efforts by increasing investigations, indictments, and convictions of traffickers. The government identified more victims and increased funding for victim services. Although the government meets the minimum standards, the high number of suspended sentences for trafficking convictions undercut efforts to hold traffickers accountable. In contrast to past years, only one-fifth of identified victims benefited from the victim assistance program. Authorities did not adequately identify foreign or domestic trafficking victims within the country, screen migrants for trafficking indicators, or identify child victims. Legal support to victims was not always adequate, and victims who cooperated with prosecution were at risk of re-traumatization. Slovak law does not protect victims of trafficking from prosecution for all crimes which they committed as a result of their being subjected to trafficking.



## RECOMMENDATIONS FOR SLOVAKIA

Vigorously investigate, prosecute, and convict traffickers, and sentence those convicted to effective prison terms; improve sentencing norms and regulations by limiting the plea bargain procedure for trafficking offenses and sensitizing judges to the severity of trafficking crimes; protect victims from potential retaliation and intimidation in the course of law enforcement and judicial proceedings, including by implementing the new exemption from direct confrontation and increasing training and capacity building for investigators, prosecutors, and judges on a victim-centered approach to law enforcement efforts; improve law enforcement efforts to identify domestic and foreign victims within the country, including by training government officials, particularly border police, on proactive victim identification among vulnerable groups; improve identification of child victims; update formal written procedures for victim referral and outline roles for officials and all stakeholders in order to improve victims' access to and the quality of legal assistance; and streamline definitions and methodologies for gathering law enforcement and victim data.



## PROSECUTION

The government maintained law enforcement efforts. Section 179 of the criminal code criminalized sex and labor trafficking and prescribed penalties of four to 10 years imprisonment for trafficking offenses. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2017, government officials initiated 37 new investigations (25 in 2016, eight in 2015). Prosecutors newly indicted 25 alleged traffickers under section 179 of the criminal code (10 in 2016, 22 in 2015, and 18 in 2014). Prosecutors entered plea bargains with an additional three individuals. Courts closed six trafficking cases (two cases from 2017, one from 2016, two from 2015, and one from 2014). Prosecutors obtained convictions of 14 Slovak citizens under the trafficking law (four in 2016, 21 in 2015, and 19 in 2014). Courts sentenced five convicted traffickers to effective prison terms ranging four to 10 years, but courts fully suspended nine convicted traffickers' prison sentences and instead issued probation. Over the past five years, a large number of trafficking convictions resulted in short, reduced, or fully suspended sentences; authorities reported courts tended to reduce sentences for first-time offenders, when the parties reached a plea bargain or when the defendant pled guilty, or because a victim's testimony may not have been strong enough to prove aggravating circumstances warranting a higher sentence. National police cooperated with United Kingdom (UK) police, EUROPOL, and INTERPOL. The national police cooperated with the financial intelligence unit of the national criminal agency to establish a set of indicators for identifying suspicious financial transactions potentially related to trafficking. During 2017, the government extradited one individual on trafficking charges to Austria.

The Irregular Migration Unit within the Bureau of Border and Alien Police (BBAP) coordinated law enforcement efforts. NGOs commended the head of the trafficking unit within BBAP for promptly and proactively investigating suspected trafficking and for facilitating improved referral of cases to specialized police officers. Differences in how various institutions gathered law enforcement statistics hindered the effective comparison and monitoring of trafficking-related efforts. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. The judicial academy and the Ministry of Interior (MOI) conducted one seminar on identifying trafficking victims for judges, prosecutors, and police officers. The government trained 35 members of the national police unit, and the police academy trained approximately 60 members of the foreign police unit. The MOI did not launch a previously reported trafficking curriculum for police high schools in Bratislava and Kosice, but continued seeking accreditation. The MOI and labor inspectorate conducted more than 340 joint inspections of workplace entities, screening more than 3,200 individuals; the government did not identify any victims of trafficking in these inspections.

## PROTECTION

The government maintained efforts to protect victims. In 2017, the government identified 75 victims (32 in 2016 and 25 in 2015). NGOs identified an additional 13 victims. Of the 88 total victims identified, 58 were female (including 11 underage girls), 30 were male, and two were foreign citizens. Sexual exploitation remained the most common form of trafficking, with 38 cases reported by the police, followed by forced begging (16 victims), forced labor (15 victims), forced marriage (seven victims), forced engagement in criminal activities (three victims), and unknown (one victim); some cases included multiple forms of

exploitation. The national police reported 60 of the 75 victims formally identified by law enforcement involved Slovak victims exploited in other countries, mainly the UK and Germany. GRETA's critique remained relevant that the identification of foreign national, unaccompanied minor, and Slovak national victims within the country remained a challenge, and the statistics on identified victims did not reflect the actual scale of this phenomenon in the country.

The MOI state secretary acted as the national coordinator on anti-trafficking efforts and approved the official identification of victims and their enrollment into the victim assistance program. Some NGOs continued to criticize the government's victim assistance program for placing too high a burden of proof on the victim, impeding access to care services, and allowing too much discretion by law enforcement to decide whether a potential victim could enroll in the program. Of the 88 victims, 19 entered the government-funded victim care program in 2017 (21 of 45 total victims in 2016 and 25 of 28 total victims in 2015). The government reported a lower percentage of victims entered the program in 2017 because they did not require the full range of services. In 2017, the government provided €275,000 (\$330,130) to two NGOs for the victim assistance program, compared to €221,600 (\$266,030) in 2016, and €213,000 (\$255,700) in 2015. This funding covered the support and care of victims, voluntary return of victims, and the national trafficking hotline. The MOI allocated €19,000 (\$22,810) in grants for anti-trafficking projects.

NGOs provided victims shelter and care services, including financial support, repatriation to Slovakia, health care, psycho-social support, and legal and interpretation services. Shelters for domestic violence victims housed trafficking victims separately. There were limited accommodations for victims with families. The government did not fund a specialized victim care provider dedicated to child victims. Child trafficking victims could be accommodated in government-run children's homes or an NGO-run crisis home for children; no children entered the care program in 2017 (six in 2016). While law enforcement and social workers had procedures to refer victims to the national coordinator or care facilities, other officials lacked such procedures, including health care specialists, employees of foster homes, and counselors of offices of labor, social affairs, and family. The MOI began outlining procedures for these professionals.

The government did not adequately identify foreign trafficking victims; NGOs reported authorities did not properly identify potential victims among migrants or refer them to services because it encouraged them to take advantage of assisted voluntary return. Experts criticized government screening, outreach, and prevention efforts among foreign workers as insufficient, especially among Serbian and Ukrainian temporary workers employed in the manufacturing and construction sectors. Border police did not always proactively screen migrants for indicators of trafficking, despite having received numerous victim identification trainings. NGOs under MOI contract conducted 10 screening visits to asylum-seeker facilities and irregular migrant detention facilities to provide victim services. The Slovak Embassy in London did not report the number of Slovak victims identified (11 in 2016, none in 2015, and 151 in 2014), but it assisted five Slovak victims with voluntary return in 2017. A government-funded NGO assisted seven Slovaks subjected to trafficking abroad with voluntary returns. The government offered repatriation services for foreign victims, and assisted one national of Ukraine in the reporting period.

All potential victims were eligible for at least 30 days of crisis care; victims enrolled in the assistance program by the national coordinator were eligible for up to 180 days of care without having to participate in an investigation. There were no cases of victims denied entry into the program, but it was unclear what would happen procedurally in such a case. Victims who decided to participate in an investigation were eligible for victim care services for the duration of court proceedings. Unaccompanied minors were automatically eligible for tolerated residency, which allowed a foreigner to temporarily reside in Slovakia with legal status. Migrants suspected of being victims of trafficking were eligible for tolerated residency. Victims of trafficking were eligible for tolerated residency for a period of up to 180 days, during which they had to decide whether to participate in an investigation. Slovak law allowed foreign victims to seek employment, but due to uncertain length of their tolerated residency status while participating in an investigation, employers were reluctant to hire foreign victims. The law authorized the extension of permanent residency to foreign trafficking victims who would face hardship or retribution if returned to their country of origin; however, authorities issued no such residence permits.

All 75 trafficking victims identified by police cooperated with police and prosecutors in investigating and prosecuting trafficking cases. NGOs did not report any cases of coerced cooperation. The pre-trial and trial process, however, was not always adapted, nor law enforcement, prosecutors, or judges sufficiently trained, to avoid re-traumatization of victims. As reported by GRETA in 2015, victims provided testimony multiple times and in close proximity to suspected traffickers during the pre-trial and trial process. The government passed a crime victims protection law, effective January 1, 2018, that provided psychological assistance and legal counsel to victims in pre-trial proceedings and reclassified trafficking victims as “particularly vulnerable victims,” which were not to be subject to direct cross-examination. NGOs reported little clarity regarding practical implications of the law and its application, and skepticism that judges would be willing and able to enforce the new provisions. Witness protection programs existed, but had not been used to protect trafficking victims. The new law also facilitated victims’ claims for compensation from the state during criminal proceedings. Although Slovak law allowed victims to pursue restitution through civil and criminal cases, experts noted judges did not award damages in the majority of cases, whether criminal or civil proceedings, and victims lacked legal and financial support to pursue damage claims in the various stages of extremely lengthy proceedings. The government did not report cases of victims being awarded restitution. Moreover, experts noted lawyers provided by the government might not have had relevant experience and knowledge to handle trafficking cases. There were no reports of the government penalizing victims for unlawful acts committed as a direct result of being subjected to trafficking, however, unidentified foreign victims may have been prosecuted or deported. As reported by GRETA, the law outlined a narrow interpretation of the non-punishment of victims, giving prosecutors discretion to terminate criminal prosecution only for offenses committed by negligence and offenses carrying a maximum sentence of imprisonment of five years; it did not cover administrative offenses.

## PREVENTION

The government increased efforts to prevent trafficking. A national program to fight trafficking, covering 2015-2018, continued to guide all government anti-trafficking efforts, and the MOI published an implementation report on its website

in March 2018. The MOI’s crime prevention office coordinated the government’s anti-trafficking activities, including preparing policy documents, implementing projects with NGO partners, training officials on victim identification, conducting awareness campaigns and trainings, and convening the expert working group, consisting of government and NGO representatives. The crime prevention office housed an information center, which managed the victim care program and functioned as the national rapporteur. The center also collected statistics on the government’s anti-trafficking efforts, but faced challenges reconciling the data from different institutions. In April 2018, the center produced a comprehensive report assessing the trafficking situation in Slovakia and the government’s efforts. The government launched extensive trafficking prevention and public awareness campaigns to engage the general public, students, employers, and at-risk children in orphanages. Experts reported foreign migrants working in Slovakia lacked basic information on trafficking indicators and resources for victim assistance. In December 2017, the labor ministry convened a working group to begin preparing a brochure for Serbian temporary workers on the labor code and the rights and obligations of foreign employees. The government continued a nationwide public awareness campaign to promote the national trafficking hotline. The MOI continued negotiations with major local employers to use their internal communication channels to disseminate trafficking awareness information. The government continued to implement an internet-based computer application that allowed the families of Slovaks traveling abroad to receive alerts should the user cease online activity. A publicly supported anti-trafficking hotline operated by an NGO for 12 hours per day received approximately 400 calls related to trafficking; no victims were identified through the hotline. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training to troops prior to their deployment abroad as part of international peacekeeping missions.

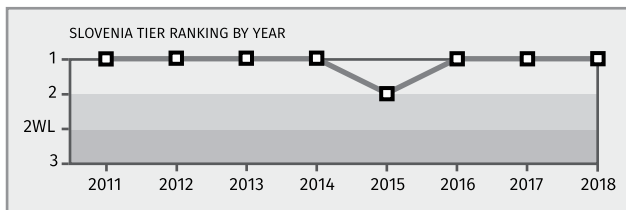
## TRAFFICKING PROFILE

As reported over the past five years, Slovakia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Slovak men and women are subjected to forced labor in agriculture and construction in Western Europe, primarily in the UK. Slovak women are subjected to sex trafficking in the UK, Germany, Denmark, Austria, Switzerland, Belgium, Ireland, Poland, and other European countries, as well as the United States. NGOs report Ukrainian, Moldovan, Bulgarian, Romanian, Serbian, Thai, Filipino, and Vietnamese men and women are subjected to forced labor in Slovakia. Temporary workers from Serbia and Ukraine, recruited to work in the manufacturing and construction industries, are in some cases subject to deplorable conditions that may rise to the level of trafficking, including non-payment of wages. Thai and Filipina women may be subjected to sex trafficking or forced labor in domestic service or massage parlors or spas. Eastern European women are reportedly transported to and through Slovakia and forced into prostitution within the country and throughout Europe. Roma from marginalized communities are disproportionately vulnerable to trafficking. Slovak women of Romani descent are particularly vulnerable to sex trafficking; they are transported to the UK by force or deception for sham marriages for the purpose of sex trafficking or forced labor. Slovak children of Romani descent are subjected to sex trafficking within marginalized communities in the Slovak Republic and forced criminal behavior in the UK. Slovak men, women, and children of Romani descent are subjected to forced begging throughout

Western Europe. Children without family or relevant support structures who leave institutional care facilities are subjected to sex and labor trafficking.

## SLOVENIA: TIER 1

The Government of Slovenia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Slovenia remained on Tier 1. The government demonstrated serious and sustained efforts by convicting more traffickers and sentencing them to more severe sentences than in previous years. The government offered training across a broad range of government personnel and identified more victims. Although the government meets the minimum standards, it did not consistently provide proper facilities to assist child victims of trafficking, and it limited availability of one type of restitution only to victims from EU member states.



### RECOMMENDATIONS FOR SLOVENIA

Provide proper systems and designated facilities to assist child victims of trafficking, particularly unaccompanied children, as well as enhanced training of supervisors and foster care parents; increase efforts to facilitate access to restitution for both EU and non-EU citizen victims alike, including from convicted traffickers; expand efforts to identify victims of both sex and labor trafficking among vulnerable populations, including individuals in prostitution, foreign workers, unaccompanied children, children in begging, and persons transiting Slovenia; increase steps to reduce demand for the services of both sex and labor trafficking victims; continue prevention outreach that targets vulnerable populations, such as Roma; vigorously prosecute sex and labor trafficking offenses, and impose on all traffickers sentences that reflect the severity of their crime; establish and maintain a comprehensive publicly available statistical system on measures taken to protect and promote the rights of victims, and including data on investigations, prosecutions, and judicial determinations; increase efforts to provide potential victims with information about rights and access to services in languages they understand; and expand national awareness activities.

### PROSECUTION

The government increased law enforcement efforts. Article 113 of the criminal code criminalized sex and labor trafficking and prescribed penalties ranging from one to 10 years imprisonment, and up to 15 years if the offense involved a minor or if there were aggravating elements. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2017 police conducted five trafficking investigations, the same number as in 2016. The investigations involved 67 criminal acts, 66 victims, and 15 perpetrators. Authorities initiated or continued seven prosecutions of 19 defendants. The government

convicted 10 defendants of trafficking in 2017, compared with nine in 2016 and three in 2015. The courts sentenced all 10 to prison terms ranging from six months to eight years. Six of the 10 received sentences of greater than two years, and one received an eight-year sentence. In addition to prison terms, eight of the 10 convicted defendants received fines plus confiscation of property in amounts ranging between €3,500 to €36,000 (\$4,200 to \$43,220). In one noteworthy case in January 2018, police raided a fraudulent phone bank facility and identified 32 trafficking victims from Taiwan. These victims had been forced to call private individuals in China under false pretenses to gain access to personal bank account information. Prosecutors charged three Slovenian and 12 Chinese defendants under human trafficking statutes. The telephone fraud operation in Slovenia functioned under a broader international network, and Slovenian police worked closely with Croatian police who concurrently disrupted a similar operation in Croatia. Police followed the victim protection referral process and transferred the victims to shelters and care providers. All the victims returned voluntarily to Taiwan in February after recording statements available to the court for use during the trial of the perpetrators. The 2017-2018 National Action Plan mandated training of all government employees with positions that may encounter trafficking issues, and the government continued to conduct specialized training for investigators, prosecutors, judges, border control officials, and police. Each of the eight police districts had at least one officer specialized in trafficking investigations, together operating as a de facto national coordination network.

### PROTECTION

The government increased victim protection efforts. The government allocated €85,000 (\$102,040) for victim protection in 2017, the same level as in 2016 and 2015. The government identified 98 victims—66 adult sex trafficking victims in 2017 (compared to 27 in 2016 and 47 in 2015) and 32 Taiwan labor trafficking victims in 2017. Authorities trained 80 labor inspectors in April 2017 on identifying trafficking indicators and 181 employees of the Ministry of Public Administration on signs of trafficking in work and residency permit applications. The Chamber of Social Workers and the Ministry of Labor together trained 60 social workers serving migrants and potential victims of trafficking. The Financial Administration trained 35 mobile financial inspectors and 52 other employees on spotting transactions with trafficking indicators. The government continued distribution of the Manual for Identification of Victims of Trafficking in Persons, adopted in 2016, to relevant government officials.

The ministries of interior and labor funded two NGOs for crisis and safe housing for victims, supplemented by private donations and support from the Catholic Church. Child victims of trafficking continued to lack adequate assistance, and there were no designated facilities for unaccompanied child trafficking victims, who instead were provided shelter jointly with unaccompanied migrants and received care through the Center for Social Work. The 2018 GRETA report highlighted the concern of unaccompanied child victims disappearing from public care, underscoring the need for suitable accommodation and fully trained supervisors or foster parents. Foreign victims were allowed a 90-day reflection period to reside in Slovenia while recovering and considering whether to participate in an investigation, although they were not authorized for employment during this period. During this period, they were allowed to remain in temporary accommodations based on their temporary residence permit. Foreign victims willing



to cooperate in criminal proceedings were allowed to extend their stay by 180 days or longer, depending on the duration of trial proceedings. When participating in pre-trial and criminal proceedings, victims were allowed a temporary residency permit and additional services, including accommodation, translation and interpretation services, and a protective escort. The GRETA report noted a need to improve the process of providing comprehensive information to victims in a language they could easily understand to assess their choices, including participation in programs to resist re-victimization. The government-funded two NGO hotlines offering help to both domestic violence and trafficking victims. Only citizens of EU countries were able to apply for restitution from the state fund for crime victims; other victims could seek restitution through the courts.

## PREVENTION

The government maintained prevention efforts. The Ministry of Interior's interdepartmental working group (IWG), led by the National Coordinator for Countering Trafficking in Persons, organized awareness efforts that included producing an annual monitoring report. Slovenia did not have an independent national rapporteur. NGOs participated in the IWG, which met every two months. The IWG allocated approximately €20,000 (\$24,010), an amount similar to 2016, for four awareness projects targeting potential trafficking victims, particularly schoolchildren and migrant workers. The government marked the EU Anti-Trafficking Day with media focused on labor trafficking. A government-funded NGO performed a theatrical production before 1,000 elementary students, expected to reach 10,000 students by June 2018. The government communications office remained underfunded, particularly in light of research on new trends in trafficking methods, and the need to expand related awareness. A government website promoted awareness of forced labor and labor exploitation with international research, information on investigations and prosecutions, and a mechanism for contacting NGOs providing assistance to potential victims. Although the website expanded the amount of information available, there was no public data on measures taken to protect and promote the rights of victims. Slovenia was active in regional cooperation, meeting twice yearly with national anti-trafficking coordinators in Western Balkans countries to review new forms of trafficking in the region, share best practices, and consider joint strategies. Slovenian officials assisted Serbia and Bosnia and Herzegovina in drafting national counter-trafficking strategies. They also trained Serbian police on restructuring investigation procedures. The government did not take significant measures during the reporting period to reduce the demand for commercial sex or forced labor.

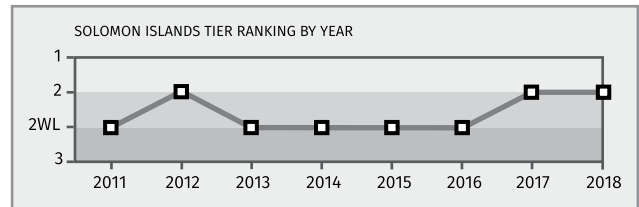
## TRAFFICKING PROFILE

As reported over the past five years, Slovenia is a destination, transit, and, to a lesser extent, a source country for women and children subjected to sex trafficking and for men, women, and children subjected to forced labor and forced begging. Foreign workers and illegal migrants from countries such as Bosnia and Herzegovina, Romania, Serbia, Slovakia, Slovenia, and Ukraine are among the most vulnerable to labor trafficking, and are exploited in the construction sector, or in forced begging. Sometimes these persons are in transit to Western Europe, particularly Italy, Austria, or Germany, where they experience continued vulnerability to forced labor. Women and children from Slovenia, Eastern European and Western Balkan countries, and the Dominican Republic are subjected to sex trafficking within the country, and many also transit to Western Europe

where they may face sexual and labor exploitation. Ethnic Roma are particularly vulnerable to trafficking in Slovenia.

## SOLOMON ISLANDS: TIER 2

The Government of the Solomon Islands does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore the Solomon Islands remained on Tier 2. The government demonstrated increasing efforts by initiating its first two prosecutions of suspected traffickers and investigating the parents of two child victims, further amending its legal framework to provide additional protections for children against all forms of trafficking, and implementing victim identification procedures. However, the government did not meet the minimum standards in several key areas. Victim protection was severely lacking as the government did not provide resources such as shelter and psycho-social support for all victims. Low awareness among government officials and the public hindered progress, yet the government did not conduct any anti-trafficking training.



## RECOMMENDATIONS FOR THE SOLOMON ISLANDS

Investigate and prosecute both sex and labor trafficking offenses and convict and punish traffickers with dissuasive prison sentences; amend anti-trafficking laws to ensure that the penalties for sex trafficking offenses occurring outside Solomon Islands are commensurate with the penalties for other grave crimes, such as rape; increase efforts to identify sex and labor trafficking victims, including in the fishing, logging, and mining industries; provide training on human trafficking laws and victim identification procedures to immigration officials, law enforcement officers, and social service providers, including at the provincial level; increase government support for victim services, including through the allocation of funding; institute a campaign to raise public awareness of human trafficking; allocate funding to relevant ministries to implement the national action plan for combating trafficking in persons; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government increased law enforcement efforts. The penal code, together with provisions in the Immigration Act, criminalized sex and labor trafficking. Article 143 of the penal code criminalized child sex trafficking and prescribed penalties of up to 15 or 20 years imprisonment, based on the child's age. Article 145 of the penal code criminalized sex and labor trafficking when the offense occurred within the country and prescribed penalties of up 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 Immigration Act criminalized other forms of trafficking, including crimes in which the recruitment,

transportation, harboring, or receipt of the trafficking victim occurred outside the Solomon Islands. The Immigration Act prescribed penalties of up to five years imprisonment, a fine of up to 45,000 Solomon Island dollars (\$6,010), or both for the trafficking of adults; it prescribed a penalty of up to 10 years imprisonment, a fine of up to 90,000 Solomon Island dollars (\$12,010), or both for the trafficking of children. These penalties were sufficiently stringent, but with respect to sex trafficking, not commensurate with penalties prescribed for other serious offenses.

The government prosecuted its first two alleged sex traffickers (no prosecutions or convictions recorded in previous reporting periods). Authorities prosecuted two suspected sex traffickers accused of exploiting two child victims from the Solomon Islands at logging camps. In each case, law enforcement was also investigating the victims' parents for engaging in and benefiting from child sex trafficking. Due to inadequate funding at enforcement agencies, authorities were slow to respond to reports of trafficking. Law enforcement lacked logistical resources and technical expertise to pursue investigations. The government did not initiate or conduct any training programs. A foreign government conducted training for law enforcement officials on human trafficking investigations with logistical support from the government. Many officials remained unaware of anti-trafficking legislation and an overall lack of awareness of trafficking hindered effective law enforcement activity. The government did not conduct any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government maintained efforts to protect trafficking victims. It continued implementing victim identification guidelines and a screening tool to assess potential cases. The government conducted multi-agency monitoring and inspection operations at logging, mining, and fishing operation sites. The government reported identifying two victims. In comparison, authorities identified 11 trafficking victims in 2016 and 15 victims in 2015. No trafficking-specific services existed in the country; however, one local organization operated a shelter in Honiara for domestic violence victims that could provide shelter to female sex trafficking victims. Police referred one sex trafficking victim to the shelter and trauma counseling through an international NGO. The government provided a total of 700,000 Solomon Islands dollars (\$93,450) to fund the shelter and provide victim services. A lack of long-term protective services left victims vulnerable to re-trafficking after being returned to their home communities. No shelter services existed for victims of labor trafficking.

The Immigration Act granted the government authority to provide temporary residence permits to allow foreign victims to assist police with investigations and provided victims protection from prosecution for immigration-related crimes committed as a result of being subjected to trafficking. The government did not report whether these protections would be extended to victims whose cases were investigated under the penal code. Authorities may have arrested and prosecuted sex trafficking victims for prostitution violations without screening to determine whether they were trafficking victims. Due to lengthy legal processes, fear of retaliation by traffickers or prosecution by police, and a lack of incentives to remain and participate in cases, foreign victims typically opted to return to their home countries, which hindered prosecutions. The government reported trafficking victims were able to seek compensation from their employers

through civil suits, although no trafficking victims had filed such suits.

## PREVENTION

The government maintained limited efforts to prevent trafficking. The Anti-Human Trafficking Advisory Committee (AHTAC), which included members of the government and civil society, met on a quarterly basis. The AHTAC continued implementation of the 2015-2020 national action plan. The government promulgated the Child and Welfare Act in 2017 to strengthen the Solomon Islands penal code, providing protection for children against sexual and trafficking crimes. As a result of increased monitoring by the authorities, logging companies reportedly changed their recruitment policy to increase compliance with foreign employment recruitment laws. The government targeted specific communities for public awareness last year. The government investigated a report of child sex trafficking at one of the logging camps in Temotu Province and met with the local community in the province to conduct public awareness sessions on sex trafficking. The government did not report taking action to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. The Solomon Islands was not a party to the 2000 UN TIP Protocol.

## TRAFFICKING PROFILE

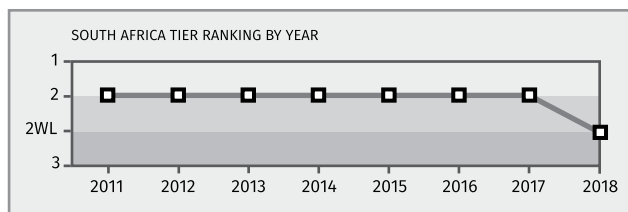
As reported over the past five years, the Solomon Islands is a source, transit, and destination country for local and Southeast Asian men and women subjected to forced labor and forced prostitution, and local children subjected to sex and labor trafficking. Women from China, Indonesia, Malaysia, and the Philippines pay large recruitment fees for jobs and upon arrival are forced into prostitution. Men from Indonesia and Malaysia, recruited to work in logging and mining industries, are subjected to forced labor.

Fishermen from Indonesia, the Philippines, Vietnam, Sri Lanka, the Democratic People's Republic of Korea, and Fiji have reported situations indicative of labor trafficking, including non-payment of wages, severe living conditions, violence, and limited food supply on Taiwan-flagged fishing vessels in the Solomon Islands' territorial waters and ports.

Traffickers subject Solomon Island children to sex trafficking and forced labor within the country, sometimes in exchange for money or goods, particularly near foreign logging camps, on foreign and local commercial fishing vessels, and at hotels and entertainment establishments. Girls and young women are recruited for domestic work and some are subsequently exploited in prostitution at the logging camps. Some parents receive payments for sending young women and girls into forced marriages with foreign workers at logging and mining companies; many of them are exploited in domestic servitude or prostitution. To pay off debts, families may offer their children for "informal adoption," and the adopted family or guardians subject them to forced labor or sexual servitude. Traffickers at logging camps force young males to work as domestic servants and cooks.

## SOUTH AFRICA: TIER 2 WATCH LIST

The Government of South Africa does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by investigating 82 potential trafficking cases, prosecuting 23 potential traffickers, and convicting eight traffickers, two under the Prevention and Combating of Trafficking in Persons Act (PACOTIP). The government also arrested several low level officials for complicity in cross-border trafficking. The South Africa Police Service (SAPS) finalized standard operating procedures (SOPs) for implementation of PACOTIP and the government trained front-line responders on its provisions. The government identified significantly more victims over the previous reporting period and referred them to care, upgrading 12 of 14 shelters to provide comprehensive psycho-social assistance to victims. The government also conducted numerous public awareness raising activities. However, the government did not demonstrate increasing efforts overall compared to the previous reporting period. Although the government convicted eight traffickers, four received suspended sentences, which were inadequate compared to the seriousness of the crime. Official complicity and allegations of official complicity affected the government's prosecution, protection, and prevention efforts and there were significant concerns for victim protection. The implementing regulations for PACOTIP's immigration provisions have not been promulgated since its enactment in 2013, and officials lacked adequate training on identification measures, which occasionally led the government to arrest, detain, and deport victims. The government sometimes denied foreign nationals protective services, especially if they chose not to participate in an investigation. For the second consecutive year, the government's lack of sufficient funding for anti-trafficking efforts prevented front-line responders from fully implementing the anti-trafficking law. Therefore South Africa was downgraded to Tier 2 Watch List.



### RECOMMENDATIONS FOR SOUTH AFRICA

Investigate and prosecute officials suspected of complicity in trafficking crimes; promulgate the immigration provisions in sections 15, 16, and 31(2)(b)(ii) of PACOTIP and cease efforts to deny access to immigration relief, including the asylum process, on the basis of trafficking victimization; fund and increase efforts to fully implement PACOTIP and related regulations; increase efforts and resources to identify trafficking victims, including to screen for trafficking indicators among vulnerable populations, including potential deportees and women in prostitution, and continue to train law enforcement and social service officials on these provisions and victim identification measures; amend anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; increase efforts to investigate, prosecute, and convict traffickers, including employers who

use forced labor, under PACOTIP; ensure victims are issued the appropriate immigration identification documents in order to receive protective services; train law enforcement and social service providers to use a victim-centered approach when interacting with potential victims and recognize initial consent is irrelevant; establish a translator database to expand the capacity to seek justice for foreign trafficking victims; replicate the coordinated anti-trafficking law enforcement and victim referral mechanisms of KwaZulu-Natal (KZN) and Western Cape in all provinces; extend the availability of drug rehabilitation services to trafficking victims; certify or establish additional shelters for male victims; provide anti-trafficking training for diplomatic personnel and troops deployed abroad; and institute formal procedures to compile national statistics on traffickers prosecuted and victims assisted.

### PROSECUTION

The government maintained uneven and inadequate prosecution efforts. Official complicity in trafficking crimes remained a concern. The PACOTIP of 2013 criminalized sex and labor trafficking and prescribed penalties of up to life imprisonment, a fine of up to 100 million South African rand (\$8.1 million), or both. The penalties were sufficiently stringent; however, with regard to sex trafficking, by allowing for a fine in lieu of imprisonment, the prescribed punishment was not commensurate with those for other serious crimes, such as rape. The implementing regulations for PACOTIP's immigration provisions found in sections 15, 16, and 31(2)(b)(ii) have not been promulgated. The Sexual Offenses Act (SOA) also criminalized the sex trafficking of children and adults and prescribed penalties of up to 20 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes, such as rape. The Basic Conditions of Employment Act of 1997 (BCEA), amended in 2014, criminalized forced labor and prescribed maximum penalties of three to six years imprisonment. In addition, the Children's Amendment Act of 2005 prescribed penalties of five years to life imprisonment or fines for the use, procurement, or offer of a child for slavery, commercial sexual exploitation, or to commit crimes. Where relevant, prosecutors sometimes relied on the Prevention of Organized Crime Act of 1998 in combination with SOA, which added additional charges—such as money laundering, racketeering, and criminal gang activity—and increased penalties of convicted defendants.

The Department of Priority Crime Investigation reported it investigated 82 potential trafficking cases and collaborated closely with the National Prosecuting Authority (NPA) to compile evidence and build cases. The government initiated prosecutions of 23 cases compared to six cases in the previous year, and it obtained convictions of eight traffickers, compared to 11 traffickers convicted in 2016. The government sentenced two traffickers to terms of imprisonment; one trafficker received two consecutive life sentences and the other trafficker received 25 years imprisonment. The government convicted six additional traffickers, four of whom received suspended sentences; one case was withdrawn due to the suspect's death, and one case was overturned on appeal and resulted in an acquittal. The government did not report action on pending prosecutions from previous years, some of which have been pending for multiple years. The government has made little progress in prosecution of traffickers connected to international syndicates involving Nigerian, Thai, Chinese, Russian, or Bulgarian traffickers, who dominate the commercial sex industry in several South African cities; NGOs reported police officers received bribes from crime syndicates. The government



did not sufficiently fund agencies responsible for implementing the PACOTIP, leading to uneven enforcement of the law. NGOs reported local police stations often declined to investigate trafficking cases, even when NGOs provided case information, because of inadequate resources and training on PACOTIP. A lack of awareness of PACOTIP among law enforcement officers remained a significant barrier to its implementation; for example, in one training session, a law enforcement officer denied the existence of PACOTIP. However, SAPS did finalize SOPs for the implementation of PACOTIP for the first time.

The government arrested several border guards complicit in assisting smugglers and traffickers to pass through South Africa's borders, but did not prosecute or convict any complicit officials. There were allegations for the second consecutive year that officials within Department of Home Affairs (DHA) produced fraudulent birth certificates, passports, and other identification documents that facilitated trafficking crimes. NGOs reported some police officers solicited commercial sex acts from victims. Immigration officials, private security companies, and airline officials may have been involved in facilitating trafficking operations at international airports.

Although the majority of trafficking victims in South Africa are labor trafficking victims, the government did not comprehensively monitor or investigate forced child labor or the labor trafficking of adults in the agricultural, mining, construction, and fishing sectors. Department of Labor (DOL) inspectors continued to use administrative provisions within the BCEA as their core enforcement mechanism and rarely referred cases for criminal investigation. Although NGOs reported a lack of training across all agencies hindered the government's anti-trafficking efforts as a whole, the government conducted various trainings during the reporting period. In coordination with an international organization, the Department of Justice (DOJ) and NPA conducted two workshops for criminal justice practitioners on trafficking in persons. Department of Social Development (DSD) conducted a training for DHA on victim identification, and reporting and referral mechanisms. DSD also trained 198 social workers, five SAPS officers, three DHA officials, and a DOL representative throughout six training workshops on child exploitation and the roles and responsibilities of stakeholders in the implementation of PACOTIP. The NPA conducted four anti-trafficking training sessions for 53 prosecutors, covering PACOTIP, other relevant legislation used to try trafficking crimes, prosecutorial approaches, and trafficking case law. DOJ convened a two-day workshop at which representatives from all relevant agencies for every province came together to learn from South African and international anti-trafficking experts. Eighty high-level, empowered, passionate officials learned about best practices and protocols for fighting trafficking, from front-line responders to prosecutors.

## PROTECTION

The government had mixed protection efforts. The government identified 399 victims and referred them to care, compared to 220 victims in 2016. In six cases, the government's response was cause for concern; four victims reportedly disappeared, one was reported missing from the police station and may have been returned to her traffickers, and the government incarcerated the sixth victim for holding a fraudulent visa. Of the 399 victims identified, 305 were victims of forced labor, 66 were victims of sex trafficking, 19 were exploited in domestic servitude. The overwhelming majority of victims were from South Africa; other victims were from Thailand, Lesotho, Ethiopia, Mozambique, Ghana, Nigeria, Eswatini,

Bulgaria, and Tanzania. A lack of adequate funding resulted in a lack of training on victim identification, which led to unlawful arrests and detentions of trafficking victims during the reporting period. A government-wide lack of funding for anti-trafficking efforts led to front-line responders occasionally denying cases of trafficking to avoid assuming responsibility for costs of protective service provision. In some cases, victims did not receive protective services for more than two months after a referral was made. This waiting time was tripled in the case of male labor trafficking victims who waited at least six months for care and, when it was ultimately delivered, it was only as a result of an NGO assuming responsibility.

The government continued oversight of and partial funding for 14 accredited NGO-run multipurpose shelters and continued to oversee 17 NGO-run safe houses designed to temporarily shelter victims before transfer to an accredited shelter. The government provided a stipend on a per-person, per-night basis to the safe houses. There was only one shelter, in Gauteng, that could provide care for male trafficking victims. DSD trained 58 officials who comprised site verification teams responsible for formally accrediting shelters that provided protective services for victims. In coordination with an international organization, DSD conducted an assessment of all 14 DSD-accredited shelters; 12 were upgraded to the minimum standards to provide comprehensive psycho-social assistance to victims. The government provided shelters accessible to persons with disabilities that provided limited services for victims with disabilities; however, it is unclear if any victims received these services during the reporting period. Some government-run shelters refused to receive trafficking victims due to security, drug addiction, or cultural concerns.

DSD ran a nine-week rehabilitation program to address the psycho-social well-being of victims and paid for victims to receive residential treatment at rehabilitation centers for overcoming drug addiction. Not all provinces had such centers and it is unclear how many victims participated in the rehabilitation program during the reporting period. The government operated a network of 55 Thuthuzela Care Centers (TCCs)—full service crisis centers to assist victims of rape and sexual violence, including potential trafficking victims; it is unknown if TCCs assisted any victims of trafficking during the reporting period. Per DSD policy, staff prevented both adults and children from leaving shelters unaccompanied. Rapid-response teams comprised of government agencies and NGOs in Gauteng, Mpumalanga, Western Cape, and KZN continued to coordinate protective services, including shelter, for victims. DSD, which is responsible for designating and certifying trafficking victim status, continued to accept victims from law enforcement and coordinate their placement in registered shelters.

SAPS, DSD, NPA, DHA, and DOJ had shared formal procedures to identify and refer trafficking victims to care, in accordance with PACOTIP. Implementation of these procedures varied by department and province; not all officials were aware of referral procedures. SAPS was criticized for not identifying victims. Furthermore, the government occasionally denied foreign nationals protective services, especially if they chose not to participate in an investigation. NGOs reported that front-line officials responsible for receiving referrals were often unreachable and that DSD and SAPS were sometimes not informed of their responsibilities to certify and refer victims, a necessary step before victims could receive care of any kind. Furthermore, some SAPS officers regularly failed to follow referral guidelines. Some officials had difficulty

identifying labor trafficking victims and differentiating between trafficking and smuggling crimes. SAPS did not always screen women and LGBTI persons in prostitution for trafficking indicators; officials sometimes charged them with prostitution and other violations. LGBTI persons, particularly transgendered persons, were especially vulnerable to trafficking due to social stigmatization; however, there was one shelter dedicated solely for victims from the LGBTI community, in the Western Cape. There were multiple reports that victims and potential victims were detained or incarcerated during the reporting period. Male labor trafficking victims remained largely unidentified and were frequently detained, deported, jailed, or fined. One Zimbabwean child trafficking victim who was exploited in forced labor was not given a court appearance for three months until he turned 18, at which point he was detained as an illegal immigrant and handed over to DHA for deportation. In another case, one NGO reported that three potential child victims were identified at a notoriously corrupt border crossing and subsequently detained; no assessment was conducted to determine whether they had endured trafficking or would qualify for asylum. One NGO continued its collaboration with DHA to screen and identify potential trafficking victims prior to deportation. Through this initiative, DHA and the NGO conducted more than 100 screenings and referred an unknown number of victims to care.

Officials encouraged victims to participate in the investigation and prosecution of traffickers and the government provided security and long-term care for an unknown number of victims who did so during the reporting period. However, some hurdles inhibited progress in providing justice and protection for victims. A lack of language interpretation continued to impede the investigation of trafficking cases, prosecution of suspected offenders, and screening of victims. PACOTIP provides trafficking victims relief from deportation; however, regulations to implement this provision were not promulgated. As a result, unless foreign victims actively participated in law enforcement investigations and law enforcement petitioned DHA on their behalf, victims faced the possibility of deportation. DHA often required foreign nationals to renew their immigration paperwork every 30 days, which placed an unnecessary financial and logistical burden on the NGOs providing care for victims. NGOs reported that in some cases DHA doubted trafficking victimization and used this as justification to deny access to immigration documentation and the asylum process. In instances where DHA denied such access, it did not always carry out substantive follow-up to determine if trafficking crimes had been committed, nor did it always coordinate with the appropriate front-line responders to identify potential trafficking victims. Sometimes foreign victims lacking appropriate documentation or residency status were not allowed to study or work for the duration of an investigation or court proceeding, thus sometimes limiting foreign victims' willingness to testify in court. Foreign national victims did not always have the same access to health care as South African victims. DSD policy required evidence of force, fraud, or coercion immediately after victims' rescue and their classification as victims of trafficking to facilitate placement in facilities. There was an insufficient number of psychologists trained on human trafficking who could provide expert testimony in court.

## PREVENTION

The government made inadequate efforts to prevent trafficking. NPA and DOJ oversaw a national task team and six provincial task teams, which met quarterly to discuss counter-trafficking

efforts and worked collaboratively to address challenges. The government conducted national awareness-raising activities during the reporting period. In November, DSD organized marches in multiple provinces at the beginning of its 16 Days Against Sexual and Gender-Based Violence campaign, which included anti-trafficking messages. In partnership with civil society, SAPS organized an anti-trafficking awareness campaign in Mpumalanga province. KZN and Western Cape provincial task teams used an interagency protocol to guide law enforcement interactions with women in prostitution; however, other task teams ceased meeting or functioning altogether. However, a lack of a well-funded, full-time anti-trafficking coordination team within the government limited the effectiveness of these task teams.

The government made efforts to reduce demand for commercial sex. The Cape Town Metro Police Department operated a vice squad that arrested an unknown number of individuals soliciting commercial sex. The government did not provide anti-trafficking training to its peacekeepers prior to their deployment abroad on international peacekeeping missions. In coordination with an international organization, the government provided anti-trafficking training for its diplomatic personnel.

## TRAFFICKING PROFILE

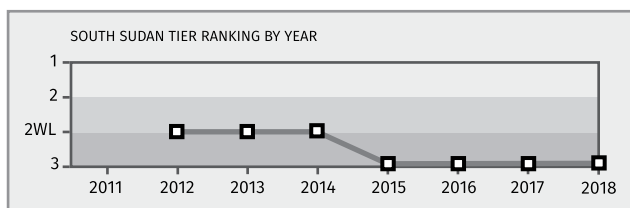
As reported over the past five years, South Africa is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. South African children were recruited from poor, rural areas to urban centers, such as Johannesburg, Cape Town, Durban, and Bloemfontein, where girls were subjected to sex trafficking and domestic servitude and boys are forced to work in street vending, food service, begging, criminal activities, and agriculture. Many children, including those with disabilities, were exploited in forced begging. A non-consensual and illegal form of *ukuthwala*, a traditional faux-abduction of women for marriage, was practiced in some remote villages in Eastern Cape province. Local criminal rings organized child sex trafficking, Russian and Bulgarian crime syndicates facilitated trafficking within the Cape Town commercial sex industry, and Thai and Chinese nationals often organized the sex trafficking of Asian men and women. Nigerian syndicates dominated the commercial sex industry in several provinces. To a lesser extent, syndicates recruited South African women to Europe and Asia, where some are forced into prostitution, domestic servitude, or drug smuggling. Law enforcement reported that traffickers employed forced drug use to coerce sex trafficking victims.

Thai and Chinese women remained the largest group of identified foreign victims. Women and girls from Brazil, Eastern Europe, Asia, and neighboring African countries are recruited for work in South Africa, where some are subjected to sex trafficking, domestic servitude, or forced labor in the service sector, or transported to Europe for similar purposes. An NGO in Western Cape province reported an increased number of Nigerian sex trafficking victims, many coerced through voodoo rituals, and more Nigerians in domestic servitude. Central African women are reportedly subjected to forced labor in hair salons. Foreign and South African LGBTI persons are subjected to sex trafficking. Foreign male forced labor victims have been identified aboard fishing vessels in South Africa's territorial waters; NGOs estimated 10 to 15 victims of labor trafficking disembark each month in Cape Town. Young men and boys from neighboring countries migrate to South Africa for farm work; some are subjected to forced labor and subsequently

arrested and deported as illegal immigrants. Forced labor is reportedly used in fruit and vegetable farms across South Africa and vineyards in Western Cape province. Pakistanis and Bangladeshis are subjected to bonded labor in businesses owned by their co-nationals. Official complicity—including by police—in trafficking crimes remained a serious concern. Some well-known brothels previously identified as locations of sex trafficking continued to operate with officials' tacit approval.

## SOUTH SUDAN: TIER 3

The Government of the Republic of South Sudan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore South Sudan remained on Tier 3. Despite the lack of significant effort, the government took some steps to address trafficking, including cooperating with the National Disarmament, Demobilization and Reintegration Commission (NDDRC) and an international organization to release 311 child soldiers, and passing the 2017 Labor Law, which reportedly will expand the forms of trafficking criminalized in the country. However, the government continued to unlawfully recruit and use child soldiers, at times by force; did not fully implement its existing action plan to demobilize child soldiers; and did not hold any members of the Sudan People's Liberation Army (SPLA) criminally accountable for these unlawful acts. Authorities did not report any investigations or prosecutions of forced labor or sex trafficking crimes and officials generally lacked understanding of existing laws prohibiting human trafficking. The government made negligible efforts to protect trafficking victims and continued to indiscriminately arrest and imprison individuals for prostitution violations, including child sex trafficking victims, without screening for indicators of trafficking.



## RECOMMENDATIONS FOR SOUTH SUDAN

Cease all unlawful recruitment and use of children younger than 18 years of age by the SPLA and its associated militias; pursuant to article 1.10 of the Agreement on the Resolution of the Conflict in South Sudan, immediately release child soldiers under the command or influence of the SPLA and affiliated militias and, in partnership with international organizations, transfer them to appropriate civilian rehabilitation and reintegration programs; use the 2008 Child Act to investigate, prosecute, and convict military officials allegedly complicit in the recruitment, use, and sexual exploitation of children; investigate and prosecute suspected trafficking offenses, and convict and punish traffickers, including complicit government officials; provide financial support to the SPLA's Directorate of Child Protection to facilitate efforts to identify perpetrators and refer cases to civilian courts; establish and implement procedures to prevent penalization of trafficking victims for crimes committed as a direct result of being subjected to trafficking; train law enforcement and judicial officials to recognize trafficking victims, particularly among vulnerable groups such as children, individuals in prostitution, and internally displaced persons; develop an

inventory of service providers and train government officials on procedures to refer victims to these entities to receive care; conduct a public awareness campaign to educate the public on all forms of human trafficking; develop and implement a national anti-trafficking strategy that incorporates government ministries, law enforcement, NGOs, and civil society actors; improve data collection efforts; pass a civil registry bill to provide a framework for the government to register births, adoptions, name changes, marriages, and deaths in South Sudan; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government continued negligible anti-trafficking law enforcement efforts. The 2008 penal code and 2008 Child Act criminalized some forms of labor and sex trafficking. Article 277 of the penal code prohibited forced labor and prescribed a penalty of up to two years imprisonment, or a fine, or both; these penalties were not sufficiently stringent. However, Articles 278 and 279 increased the penalties for forced labor when the offense involved kidnapping, abduction, or the transfer of control over a person to up to seven years imprisonment, or a fine, or both. Article 276 criminalized buying or selling a child for the purpose of prostitution and prescribed a punishment of up to 14 years imprisonment and a fine, which was sufficiently stringent and commensurate with punishment prescribed for other serious crimes, such as rape. Articles 254 and 258 criminalized the procurement of a child for prostitution and the facilitation of the prostitution of a child by the child's parent or guardian and prescribed penalties of up to 10 years imprisonment and a fine; these penalties were also sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The criminal code did not explicitly criminalize adult sex trafficking. Article 282 prohibited and prescribed a sufficiently stringent punishment of up to seven years imprisonment for the sale of a person across international borders. Articles 31 and 32 of South Sudan's 2008 Child Act prohibited the recruitment and use of children for military or paramilitary activities, and prescribed punishments of up to 10 years imprisonment for such crimes. In October 2017, the government adopted the Labor Act of 2017, which prohibited forced labor and prescribed penalties of up to five years imprisonment, a fine, confiscation of property, cancellation of a business license, or closure of business, or a combination of these penalties; these penalties were sufficiently stringent.

The government did not report any investigations, prosecutions, or convictions for trafficking crimes. Despite the ongoing unlawful recruitment and use of child soldiers by the SPLA and its allied militias, the government has never held an offender criminally or administratively accountable for such crimes. Lack of capacity throughout the justice sector impeded law enforcement efforts. Courts lacked lawyers, judges, and defense attorneys knowledgeable of trafficking issues and laws, and resources to investigate and prosecute most crimes, including human trafficking, were scant. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns and impeded law enforcement action during the year.

## PROTECTION

The government increased efforts to protect victims. The government cooperated with the NDDRC and an international organization to release 311 child soldiers—the first such release



since 2015; however, government forces continued to recruit and use child soldiers. Lacking a formal mechanism to identify potential victims, security forces continued to indiscriminately arrest individuals in prostitution without screening, including child sex trafficking victims and others who may have been victims. The Ministry of Women, Child, and Social Welfare ran a transition center in Yambio with support from an international organization. The center provided interim care and support to children and mothers rescued from violent extremist organizations, including potential trafficking victims. There were no specialized services available for trafficking victims.

Social stigma and fear of punitive law enforcement actions discouraged victims—particularly those subjected to sex trafficking—from communicating with law enforcement authorities. There were no laws or policies to protect victims from prosecution for crimes committed as a direct result of being subjected to trafficking. The government did not provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution; nor did it otherwise encourage victims to assist in the investigation and prosecution of trafficking crimes.

### PREVENTION

The government continued negligible efforts to prevent trafficking. The National Aliens Committee—tasked in 2015 to address trafficking issues in the country—met three times during the reporting period, but did not undertake any notable anti-trafficking efforts. The government did not have a national action plan to combat trafficking and trafficking awareness remained low among government officials and the public. Although senior SPLA representatives acknowledged the military's recruitment of children into its ranks, forces continued to actively recruit child soldiers, at times by force, and did not implement its existing action plan to demobilize currently identified child soldiers. Formal enlistment procedures required an age assessment (many South Sudanese people do not have birth certificates); however, implementation was lacking due to poor command and control and ongoing conflict throughout the country. The government continued its annual campaign against sexual exploitation, designed to raise awareness among vulnerable groups and how to identify, prevent, and report gender-based violence crimes, including trafficking. Authorities failed to make efforts to prevent or address the labor exploitation of South Sudanese nationals working abroad or foreign nationals within South Sudan. The government made no discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel. South Sudan is not a party to the 2000 UN TIP Protocol.

### TRAFFICKING PROFILE

As reported over the past five years, South Sudan is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. South Sudanese women and girls, particularly those from rural areas or who are internally displaced, are vulnerable to domestic servitude throughout the country. Some of these women and girls are sexually abused by male occupants of the household or forced to engage in commercial sex acts. South Sudanese girls are subjected to sex trafficking in restaurants, hotels, and brothels in urban centers—at times with the involvement of corrupt law enforcement officials. Children working in construction, market vending, shoe shining, car washing, rock breaking, brick making, delivery cart pulling, gold mining, and begging may be victims of forced

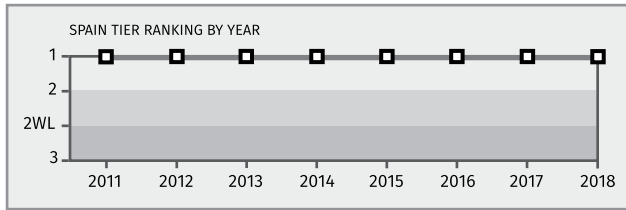
labor. Girls are forced into marriages, at times as compensation for inter-ethnic killings; some may be subsequently subjected to sexual slavery or domestic servitude. South Sudanese and foreign business owners recruit men and women from neighboring countries—especially Eritrea, Ethiopia, Kenya, Uganda, and Somalia—as well as South Sudanese women and children, with fraudulent offers of employment opportunities in hotels, restaurants, and construction; many are forced to work for little or no pay or are subjected to sex trafficking. Some traffickers operate in organized networks within the country and across borders.

Violent conflict continued throughout the year, increasing the number of internally displaced persons to 1.9 million and the number of refugees in neighboring states to nearly 2.43 million as of January 2018. These groups, including orphaned children, are at increased risk of trafficking and other forms of exploitation. Unaccompanied minors in camps for refugees or internally displaced persons are particularly vulnerable to abduction for sex or labor trafficking. Inter-ethnic abductions, as well as abductions by external criminal elements, continue between some communities in South Sudan, especially in legacy Jonglei, Unity, and Upper Nile states. Traffickers subject abductees to forced labor or sex trafficking. An international organization estimated government and opposition-affiliated forces have recruited more than 19,000 child soldiers since the start of the conflict in 2013, and recruitment continues. The use of children in armed forces remains widespread and is on the rise for the fourth consecutive year. Government forces use children to fight and perpetrate violence against other children and civilians, or to serve as scouts, escorts, cooks, and cleaners, or to carry heavy loads while on the move. According to the Agreement on the Resolution of the Conflict in South Sudan, signed by the warring parties in August 2015, SPLA and the SPLA in Opposition (SPLA-IO) committed to the immediate and unconditional release of child soldiers under their command or influence, to be carried out by international organizations. However, throughout the reporting period both groups continued to retain, recruit, and use child soldiers, including on the front-line, and evidence persists of the re-recruitment of numerous children. The majority of cases of recruitment and use of child soldiers were documented in Unity State, and over half of all verified cases are reportedly perpetrated by the SPLA. Child soldiers are also present within groups affiliated with the opposition; international observers verified instances in several of the country's legacy states, including Western Equatoria, Upper Nile, Jonglei, Warrap, Central Equatoria, and Northern Bahr el Ghazal. During the reporting period, international observers noted an increase in the reported use of girls in both governmental and non-governmental opposition armed groups.

## SPAIN: TIER 1

The Government of Spain fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Spain remained on Tier 1. The government demonstrated serious and sustained efforts through increased prosecutions and convictions of traffickers, extensive cooperation with multinational law enforcement efforts, and expanding anti-trafficking training to judges. Authorities improved victim identification within the national health care sector and bolstered regional governments' resources to

coordinate assistance. Although the government meets the minimum standards, it initiated fewer investigations, did not effectively implement victim protection laws during criminal trials, and lacked adequate resources for government-run victim service centers.



## RECOMMENDATIONS FOR SPAIN

Increase investigations, prosecutions and convictions of trafficking offenses, particularly for forced labor; increase training on proactive victim identification, in particular among women in prostitution, irregular migrants, unaccompanied minors, and workers in industries and agricultural regions with high incidences of labor exploitation; extend protections for all victims under the 2015 Law of the Statute of Victims of Crime, including through increased training for judges; increase witness protection resources available to victims; increase resources to victim service centers; increase efforts to reduce demand for forced labor, including in supply chains and government procurement; train all prosecutors and judges on a victim-centered approach to law enforcement; standardize protocols for child victim identification and care; re-issue a new national plan, adding benchmarks and indicators of progress; and provide victims with access to compensation, including from assets seized from traffickers.

## PROSECUTION

The government maintained law enforcement efforts. Article 177 bis of the criminal code criminalized sex and labor trafficking, prescribing penalties from five to eight years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. The Office of the Prosecutor initiated 135 new investigations in 2017, compared to 272 cases in 2016 and 344 cases in 2015. The prosecutor's office stated fewer investigations were initiated due to the government's new focus on organized criminal organizations, rather than individual traffickers. For example, in March 2018, the national police arrested 155 suspects after a three-year investigation of a Chinese-led international trafficking organization. The government initiated prosecutions of 67 defendants (60 for sex trafficking and seven for labor trafficking) in 2017, compared with 54 in 2016 (37 and 17, respectively). Courts convicted 28 traffickers in 2017, of which 26 were for sex trafficking and two for labor trafficking, compared with 24 convictions (22 for sex trafficking and two for labor trafficking) in 2016.

The government reported several cases in which convicted traffickers received significant penalties. In January 2017 the Barcelona provincial court sentenced eight traffickers to one to five years in prison and ordered them to pay each of their five victims €8,000 (\$9,600). In February 2017 the Madrid provincial court sentenced three traffickers to seven years and eight months in prison and ordered them to pay €60,000 (\$72,030) to their victim. In March 2017, the Madrid provincial court sentenced five traffickers to prison terms ranging from five years and one month to 13 years and one month and ordered them to pay €75,000 (\$90,040) in total to their victims. In

July 2017, the Barcelona provincial court sentenced two sex traffickers to five and six years in prison, respectively, and ordered them to pay €6,000 (\$7,200) in total to the victims. In 2017, all convicted traffickers received prison sentences more than one year. Traffickers served an average of 75 percent of their sentence before being eligible for parole, and courts may impose separate sentences on multiple criminal offenses.

The national police trafficking brigade consisted of 120 investigators and, together with the civil guard, conducted 610 operations related to sex trafficking and 339 related to forced labor (510 and 401, respectively, in 2016). Authorities increased already strong collaboration with transnational investigations; several major operations were conducted during the reporting period. In March 2018, in a collaborative operation involving Spanish, Nigerian, and British authorities, the civil guard arrested 89 members of a criminal network and secured the release of 39 Nigerian victims of forced prostitution. Also in March, the national police, working together with security forces from Albania, EUROPOL, and U.S. law enforcement, dismantled a major human trafficking network centered in Albania. Security forces detained 39 people accused of trafficking more than 7,000 individuals from Albania to North America. The government provided anti-trafficking training for new police officers, consular and immigration officials, and, for the first time, judges. Specialized trafficking prosecutors maintained liaisons with the police. The government did not report any new investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government increased protection efforts. Authorities reported identifying 173 victims (114 of sex trafficking and 59 of labor trafficking) in the first eight months of 2017, compared with 85 victims (73 of sex trafficking and 12 of labor trafficking) in the first six months of 2016. Authorities also identified 308 victims of sexual exploitation and 235 victims of labor exploitation, some of whom may be trafficking victims; an increase from 274 and 207 in 2016, respectively. Since 2013, the government has used a victim identification protocol developed with NGO input. NGOs reported good cooperation with law enforcement in the identification and referral of victims for assistance, including NGO participation in inspections of brothels and at locations where victims may have been present. The Intelligence Center against Terrorism and Organized Crime provided victim identification training to national police and civil guard personnel working at ports of entry. Government and civil society reported an increase in port-of-entry victim identification as a direct result from the training. In December 2017, the Ministry of Health, Social Services, and Equality (MSSSI) distributed standardized EU victim identification guidance to public health workers and NGOs and drafted a report on the actions for identification and care of child victims. Civil society reported the need to standardize protocols for child victims across the whole of government.

The government allocated €3.5 million (\$4.2 million), plus an unspecified amount from regional governments, for the protection and support of trafficking victims, including €2 million (\$2.4 million) for NGOs providing temporary shelter and access to legal, medical, and psychological services. The government, through victim service offices, provided free health care, legal assistance, social welfare benefits, and funds for repatriation to victims, and also referred victims to an NGO network running facilities, which received funding from national

and local governments. Government and civil society reported victim service centers were generally overburdened and needed additional training and resources to provide trafficking victims with the assistance prescribed by law. There were specialized centers for child victims of crime and seven trafficking shelters—all NGO-run—to assist child victims. Two multipurpose NGO-run shelters were available for adult male victims. The MSSSI, collaborating with NGOs, continued to update and use a victim resource guide, available in 12 languages, which listed by region 44 NGOs providing services, 82 shelters for victims and their children, and 143 centers that provide services without lodging, including social, psychological, medical, legal, training, housing, and job search tools.

In 2015, the government enacted laws providing additional protections to sex trafficking victims, including more time to appeal the dismissal of cases against alleged traffickers; the ability to appeal decisions made by court officials regarding terms of incarceration, parole, and release; as well as requiring that victims receive updates on the status of cases. The government had not yet reported on implementation of these provisions, but civil society reported the laws lacked effective implementation. The government expanded a regional program that assigned NGO-supplied “social interlocutors” (usually survivors of trafficking themselves) to act as a liaison for victims during legal proceedings and court testimony. In March 2017, social interlocutors received a week of training with judges, prosecutors, NGOs, and labor inspectors. Assets seized from convicted defendants supported a fund used to fight or prevent trafficking or to assist victims, although NGOs reported that seized assets were rarely used for victim compensation. NGOs reported inconsistent application of victim protections by judges and called for legal reform to protect witnesses better, including permitting video testimony in all cases and increased resources to the Office of Witness Protection to provide adequate assistance to victims, as fewer victims were willing to testify against criminal networks in cases where the court allowed release of witness names.

Foreign victims could request a renewable residence permit for up to five years based on their cooperation with law enforcement or, in some cases, on the basis of their personal situation without regard to whether they assisted law enforcement. Victims could also receive assistance to return to their country of origin if they were not participating in a criminal prosecution. The government allowed for reflection periods of a minimum of 90 days—time during which victims from outside the EU could recover while deciding whether to assist law enforcement. The government did not report how many victims received this benefit in 2017. Citizens of EU member states, however, were not limited to the 90-day reflection period and faced no deadline for claiming social services or cooperating with authorities.

## PREVENTION

The government maintained prevention efforts. The national anti-trafficking working group, operationally led by the Ministry of the Interior, and including the ministries of health, justice, and labor, set goals for fighting trafficking, established quarterly reviews, and facilitated data sharing between law enforcement and other agencies. The government continued to implement the 2015-2018 national plan, which focused on protection of women and girls, identification of and provision of services to victims, and multi-sectoral coordination. The government endowed €104 million (\$124.8 million) to implement the plan over its lifespan. In September 2017, congress approved a four-year State Pact against Gender Violence, which included

programming to combat trafficking at the regional level. In 2017, the regional governments of Madrid, Valencia, and Navarra increased prevention efforts by signing their own anti-trafficking protocols to reinforce national laws and promote awareness. The three regions joined the regions of Galicia, Catalonia, and Extremadura, which already had protocols in place. The national rapporteur served as an independent body to monitor, evaluate, and coordinate trafficking efforts. The rapporteur held bi-monthly coordination meetings with representatives from government, NGOs, and law enforcement. NGOs lauded the rapporteur for increasing their inclusion into proceedings.

The government continued to conduct public awareness campaigns, including a television series, traditional media, digital media, roundtable discussions, and social media that reached up to two million people, with extensive press coverage. The government and NGOs operated hotlines for reporting suspected trafficking cases. While the government continued efforts to discourage newspapers from publishing classified ads for sexual services offered by individuals engaged in prostitution, of which NGOs estimated 90 percent might be trafficking victims, most major newspapers continued to publish ads. The government monitored victim assistance efforts, shared its assessments on trafficking with domestic and international organizations, and continued to publish data on the numbers of victims, accused traffickers, prosecutions, and convictions. In the first eight months of 2017, labor inspectors conducted 1,892 inspections in places where prostitution occurred, and 4,124 in centers of labor activity, which resulted in 70 reports of trafficking (52 sex trafficking, 18 labor trafficking). The government conducted joint labor inspections with Romanian police agents. The rapporteur reported that forced labor is not clearly defined in the penal code, and has added its legislative reform as an agenda priority. Spanish troops received anti-trafficking training prior to their deployment on international peacekeeping missions.

## TRAFFICKING PROFILE

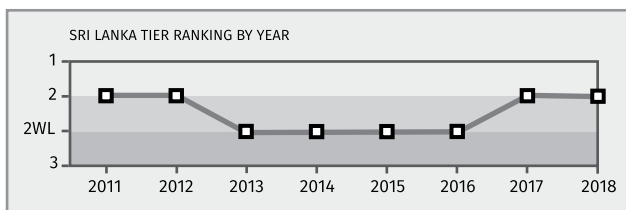
As reported over the past five years, Spain is a destination, source, and transit country for men, women, and children subjected to forced labor and sex trafficking. Women from Eastern Europe (particularly Romania and Bulgaria), South America (particularly Venezuela, Paraguay, Brazil, Colombia, and Ecuador), China, and Nigeria are subjected to sex trafficking in Spain. Men and women from South and East Asia, particularly China and Vietnam, are subjected to forced labor in the textile, agricultural, construction, industrial, and service sectors. Prostitution is allowed under certain conditions in Spain, although NGOs believe a large percentage of individuals in prostitution in Spain are trafficking victims. Spain has seen a rise in trafficking through the Western Mediterranean as traffickers shift routes from Libya to Morocco, where victims are moved by sea into southern Spain. Nigerian criminal networks recruit victims in migrant reception centers in Italy for forced prostitution in Spain. Unaccompanied migrant children continue to be vulnerable to sex trafficking and forced begging. The increased numbers of newly arrived refugees and asylum-seekers are vulnerable to trafficking.

## SRI LANKA: TIER 2

The Government of Sri Lanka does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated



increasing efforts compared to the previous reporting period; therefore Sri Lanka remained on Tier 2. The government demonstrated increasing efforts by identifying more potential trafficking victims and partnering with an international organization to launch a national awareness campaign and train hundreds of local, district, and state officials and civil society members on victim identification and referral procedures. The government also amended legislation to allow diplomatic missions to record evidence and take statements from victims or witnesses overseas, which resulted in the referral of 29 statements related to alleged human trafficking to the Criminal Investigation Department (CID) for further investigation. However, the government did not meet the minimum standards in several key areas. For the fourth consecutive year, the courts did not convict any traffickers under the government's trafficking statute, although they continued to convict potential trafficking cases under the procurement law for obtaining a person to become a prostitute. Only one person convicted for procurement served prison time; two other convictions were suspended. The capacity of local officials to proactively identify victims was low and observers reported authorities did not make adequate efforts to screen for indicators of human trafficking among individuals arrested or charged for prostitution, vagrancy, or immigration offenses. The government provided no specialized services to male victims and maintained specific requirements for migration of female migrant workers and those migrating for domestic work, which observers stated increased the likelihood women would migrate illegally and therefore heightened their vulnerability to human trafficking. Complicity remained a problem; while the government secured a conviction of one official for preparing forged documents and sentenced him to one year in prison, the government did not initiate any new investigations or prosecutions of allegedly complicit officials during the year.



## RECOMMENDATIONS FOR SRI LANKA

While respecting due process, improve efforts to investigate and prosecute suspected traffickers, including complicit officials, and convict and punish offenders with sentences commensurate with other serious crimes; increase efforts to proactively identify trafficking victims and train officials on victim identification and referral procedures, especially to ensure victims are not detained or otherwise penalized for unlawful acts, such as immigration violations or prostitution, committed as a direct result of having been subjected to human trafficking; improve protection services to ensure identified victims, including men and children, receive specialized care services; take steps to eliminate all recruitment fees charged to workers by labor recruiters and instead ensure they are paid by employers; expand the foreign employment bureau's (SLBFE) mandate to include the regulation of sub-agents; promote safe and legal migration and ensure migration regulations do not discriminate on the basis of gender; and increase efforts of the task force to institutionalize sustained government coordination efforts.

## PROSECUTION

The government maintained overall law enforcement efforts

to address human trafficking. Section 360(C) of the penal code criminalized labor and sex trafficking and prescribed penalties of two to 20 years imprisonment and fines, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious offenses, such as rape. The government also frequently used section 360(A), a procurement statute that criminalized obtaining a person to become a prostitute, with or without the consent of the person, to prosecute sex trafficking cases. Procurement crimes carried lesser penalties of two to 10 years imprisonment and fines, and these cases were often brought before magistrate judges who were generally only authorized to issue sentences of up to two years imprisonment.

During the reporting period, CID and the police initiated 15 trafficking investigations, compared with nine investigations in 2016. Of the 15 investigations, 10 were categorized as possible forced labor cases, four as sex trafficking, and one as selling of a child for exploitation. The government initiated 28 prosecutions during the reporting period, four under section 360(C), which included three sex trafficking cases and one case of selling a child for exploitation, and 24 under the procurement statute. This was compared to 35 prosecutions in the previous reporting period and 12 prosecutions in 2015. For the fourth consecutive year, the courts did not convict any traffickers under section 360(C). Courts did, however, convict three persons under the procurement statute compared with seven persons during the previous reporting period and one person in 2015. Courts suspended two of the three imprisonment sentences; instead of imprisonment, the convicted were ordered to pay fines of 1,500 Sri Lanka rupees (LKR) (\$10) and 5,000 LKR (\$33), with default sentences of six months imprisonment and one month respectively imposed if the convicted were unable to pay the fines. In addition, the court ordered one of the convicted to pay restitution to the victim of 50,000 LKR (\$330). The sentences of fines alone were not sufficiently stringent to deter the crime. The court sentenced one person to five years imprisonment and ordered the convicted to pay a fine of 1,000 LKR (\$7) and restitution to the victim of 75,000 LKR (\$490). The government's reliance on procurement charges resulted from police not thoroughly investigating potential human trafficking cases for elements of force, fraud, or coercion and difficulty securing evidence from victims. Prosecutors could pursue procurement cases without the cooperation of the victim.

In November 2017, the government amended the Assistance to and Protection of Victims of Crime and Witnesses Act to authorize Sri Lankan diplomatic missions to record evidence and take statements from a victim or witness outside Sri Lanka. The anti-trafficking unit of the SLBFE, created in the previous reporting period, received 38 complaints regarding possible trafficking crimes during the reporting period; of these complaints, 19 were referred from Sri Lankan embassies. The SLBFE referred 12 of these cases to the CID's anti-trafficking unit for further investigation. Separately, Sri Lankan diplomatic missions referred 29 witness and victim affidavits from abroad to CID for investigation. In two cases, CID coordinated with foreign authorities in Cyprus and Thailand on investigations involving Sri Lankan victims.

Official complicity in trafficking offenses remained a problem. Some sub-agents reportedly worked with officials to procure forged or modified documents, or genuine documents with falsified data, to facilitate travel abroad. In the previous reporting period, the Ministry of Foreign Employment (MFE) referred six cases of officials allegedly creating fraudulent documents to the police for further investigation. At the end

of the current reporting period, the government reported one official had been convicted of preparation of forged documents and sentenced to one year imprisonment, with an additional year of imprisonment suspended, and a fine of 125,000 LKR (\$810); the other five investigations remained ongoing at the end of the reporting period.

## PROTECTION

The government made modest improvements in protection efforts. The government reported identifying 46 potential trafficking victims, an increase compared with 23 potential victims identified in 2016. The government utilized standard operating procedures (SOPs) for the identification and referral of potential victims to protection services and in partnership with an international organization, conducted multiple trainings on victim identification and referral for 875 members of civil society and local, district, and state officials, including health, probation, police, immigration, CID, and National Child Protection Authority (NCPA) officials. However, the government had not issued circulars and directives to relevant agencies to guide staff to follow the SOPs and both the government and members of civil society stated the capacity of local officials to identify trafficking victims was low. Observers reported Sri Lankan authorities jailed and charged individuals, possibly including children, for prostitution, vagrancy, or immigration offenses without adequate efforts to evaluate whether they were victims of trafficking. An NGO reported sex trafficking victims were reluctant to approach law enforcement for help due to perception of police hostility and social stigma associated with being a victim.

The Ministry of Women and Child Affairs continued to operate a shelter for female victims of violence, including trafficking victims, although the shelter did not house any trafficking victims during the reporting period. The government did not have specialized rehabilitation services available for male trafficking victims. The government referred child victims to child-specific rehabilitation centers; however, an NGO reported in the previous reporting period that some children who were not identified as victims and instead arrested for prostitution crimes were held in government detention centers. The government acknowledged the possible arrest and detention of children who may be sex trafficking victims. The government provided training for 100 child probation officers and institutional staff and conducted a survey to identify and refer such victims to rehabilitation services. SLBFE continued to operate 11 short-term shelters for female migrant workers in distress at Sri Lankan diplomatic missions in 10 countries. During the reporting period, the shelters served 2,392 migrant workers; authorities did not report how many were trafficking victims. SLBFE also continued to operate a transit shelter near the Colombo international airport for returning male and female migrant workers who encountered abuse abroad. In 2017, the transit shelter provided medical, counseling, transportation, food, or accommodation, as needed, to 1,692 female and 1,546 male migrant workers, some of whom may have been trafficking victims.

Foreign victims who were officially identified had access to the same rehabilitation services as domestic victims. During the reporting period, the government provided a foreign victim with protection, medical, legal, and translation services. An international organization and NGO provided counseling and shelter and the victim was repatriated with assistance from the government and the international organization. The victim identification SOPs allow foreign victims who cooperate in

prosecutions to receive a visa extension until the end of the trial; however, the government did not provide foreign victims with legal alternatives to deportation to countries where they might face hardship or retribution after trial completion or for victims who did not cooperate with prosecution.

## PREVENTION

The government increased efforts to prevent trafficking. The inter-ministerial anti-trafficking task force increased its coordination through more frequent meetings; during the reporting period the task force met seven times and a separate project steering sub-committee met seven times on prevention activities. The government continued to implement the national action plan to combat human trafficking. In partnership with an international organization, the government launched a public awareness campaign on five national television channels. The campaign featured a hotline number run by an international organization, which received several calls seeking information and assistance, including from overseas, which were referred to the government for investigation. The government also distributed leaflets, posters, and brochures to local officials, NGOs, and the general public. The NCPA held awareness events on child sex tourism in October 2017 in coastal areas with local officials and schools.

SLBFE maintained its ban on migration of male and female domestic workers younger than age 21 and female domestic workers younger than age 25 to Saudi Arabia and younger than age 23 to other parts of the Middle East. SLBFE also required all female migrant workers below age 45 to submit a "family background report" to ensure the woman did not have children younger than age five. Observers reported any ban on migration increased the likelihood of migrating illegally and therefore heightened the vulnerability to human trafficking. During the reporting period, SLBFE's legal division filed 107 cases against licensed and 50 cases against unlicensed recruiters for fraudulent practices, compared with a total of 315 cases in 2016. SLBFE conducted multiple awareness trainings for recruitment agents and potential migrant workers and in February 2018 SLBFE, CID, and officials from the attorney general's office went to Sri Lankan missions in Oman, Saudi Arabia, and United Arab Emirates (UAE) to train mission staff on combating human trafficking. In February 2018, MFE and the Government of UAE signed a memorandum of understanding to produce increased transparency, monitoring, and compliance with migrant worker recruitment systems; reportedly, only recruitment agencies registered with SLBFE will be able to offer overseas employment to domestic workers. The MFE did not have the legal authority to regulate foreign employment recruitment sub-agents under SLBFE, which officials recognized as a problem contributing to trafficking. MFE partnered with an international organization to study foreign employment recruitment intermediaries and stated the government continued to explore an amendment to the Foreign Employment Act to address the oversight of sub-agents and the investigative authority of MFE officials. The government did not report efforts to reduce the demand for forced labor during the reporting period; however, in an attempt to reduce demand for the domestic sex trade, the government's awareness campaign highlighted the negative social consequences of procuring commercial sex. The government provided anti-trafficking training to military personnel prior to their deployments abroad on international peacekeeping missions. The Ministry of Foreign Affairs initiated training for diplomats and other officials who would be deployed to overseas missions, including SLBFE and defense officers, on prevention and identification of trafficking.

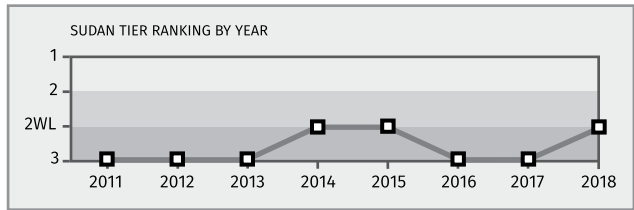
## TRAFFICKING PROFILE

As reported over the last five years, Sri Lanka is primarily a source, destination, and, to a lesser extent, a transit country for men, women, and children subjected to forced labor and sex trafficking. Some of the Sri Lankan men, women, and children who migrate to the Middle East, Southeast Asia, and Afghanistan to work in the construction, garment, and domestic service sectors are subjected to forced labor. Before leaving Sri Lanka, many migrant workers go into debt to pay high recruitment fees imposed by unscrupulous labor recruitment agencies—most of them members of Sri Lanka’s association of licensed foreign employment agencies—and their unlicensed sub-agents. Migrant laborers, especially women, receive a monetary advance as an incentive to move abroad, only to be trapped in debt bondage upon arrival at their destination. Some recruitment agencies commit fraud by changing the agreed upon job, employer, conditions, or salary after the migrant’s arrival. Some Sri Lankan women are subjected to forced prostitution in Cyprus, Maldives, Malaysia, Singapore, Thailand, and elsewhere. Sri Lanka is a transit point for Nepali women subjected to forced labor in the Middle East.

Within the country, women and children are subjected to sex trafficking in brothels. Boys are more likely than girls to be exploited in commercial sex in coastal areas for child sex tourism. Children, individuals with physical deformities, and those from socially vulnerable groups are forced to beg or engage in criminal activity in Sri Lanka’s largest cities. Some child domestic workers in Colombo, generally Tamils from the tea estate region, are subjected to physical, sexual, and mental abuse, non-payment of wages, and restrictions of movement—indicators of labor trafficking. In recent years, a small number of women from other Asian and Central Asian countries have been subjected to forced prostitution in Sri Lanka. Police reportedly accept bribes to permit brothels to operate, some of which exploit trafficking victims. Sub-agents collude with officials to procure fake or falsified travel documents to facilitate travel of Sri Lankans abroad.

## SUDAN: TIER 2 WATCH LIST

The Government of Sudan 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 Sudan was upgraded to Tier 2 Watch List. These achievements included increasing the number of investigations, prosecutions, and arrests of traffickers, including complicit officials; expanding training for law enforcement and judicial officials highlighting the differences between trafficking and migrant smuggling; improving screening processes to prevent government armed forces’ recruitment of child soldiers; and identifying more victims through law enforcement operations. Despite these achievements, the government continued to penalize victims for crimes they committed while subjected to trafficking; did not make efforts to address sex trafficking or identify any sex trafficking victims; did not develop standard operating procedures to identify or refer victims to care; did not report providing assistance to any trafficking victims; and reports of official corruption and complicity in trafficking crimes continued.



## RECOMMENDATIONS FOR SUDAN

Ensure all government security forces maintain vigilance to prevent the use of child soldiers by government forces; implement the anti-trafficking law to increase prosecutions and convictions of traffickers and complicit officials, including those allegedly responsible for sex trafficking and as distinct from migrant smuggling or kidnapping crimes; increase training for law enforcement officials on distinguishing trafficking from other crimes, and establish procedures for authorities to identify and provide protective services to trafficking victims among vulnerable populations, such as domestic workers, women and children in prostitution, refugees and asylum-seekers, and foreign migrants; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; National Council for Child Welfare (NCCW) drafts standard operating procedures (SOPs) for child soldier reintegration, and implements the SOPs in coordination with government ministries and civil society; regularly convene the National Committee to Combat Trafficking; amend the 2014 anti-trafficking law to criminalize sex trafficking of children in the absence of coercion and define exploitation; allow victims full freedom of movement from government safe houses; increase coordination with NGOs and civil society on victim protection; implement and dedicate adequate resources to the national anti-trafficking action plan; provide adequate protective services for all trafficking victims, regardless of their participation in law enforcement or prosecution efforts, and ensure protective services to victim witnesses; institute regular anti-trafficking training for relevant government officials and Sudanese diplomats posted abroad; develop awareness raising campaigns that address all forms of trafficking, including forced labor and sex trafficking.

## PROSECUTION

The government increased law enforcement efforts. The 2014 anti-trafficking law criminalized some forms of trafficking, but failed to define what constituted exploitation. Additionally, inconsistent with international standards, 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 between three and 10 years imprisonment for base offenses involving adult male victims and between five and 20 years imprisonment for offenses involving adult female and child victims or involving additional aggravating circumstances; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as rape. Article 14 of the Sudan Armed Forces Act of 2007 criminalized recruiting children younger than 18 years old by members of the armed forces, enslaving civilians, or coercing civilians into prostitution, and prescribed penalties between three years imprisonment and death.

Unlike in previous years, following increased training by the government and international organizations, senior officials and working level law enforcement and judicial officials demonstrated a clearer understanding of the differences between



migrant smuggling and human trafficking, although some conflation of kidnapping, smuggling, and trafficking still existed at the working level. During the reporting period, the government reported investigating 99 total trafficking cases involving 179 suspected traffickers. These cases included several instances of suspected forced labor, but no alleged sex trafficking cases. The government prosecuted 94 of those cases involving 160 suspects, and convicted seven traffickers under the 2014 anti-trafficking law to sentences ranging from three years to death, compared with 450 investigations of potential traffickers during the previous reporting period; however, previous year's reporting likely included cases of migrant smuggling among other crimes. International organizations alleged that some police officers and local officials in Sudan were complicit in trafficking crimes, especially in the east of the country. The government reported prosecuting and convicting two complicit officials—one police officer and one colonel in the Sudan Armed Forces (SAF)—and sentenced the police officer to 10 years in prison under the 2014 anti-trafficking law, compared with no prosecutions or convictions of complicit officials reported during the previous five years. The government also reported convicting six officials for trafficking and sentencing them to between 10 and 15 years imprisonment in a special court in eastern Sudan.

In 2017, the Ministry of Interior funded and launched the Trafficking Unit under the Organized Crime Directorate, and trained 100 detectives across eight states (Kassala, Gedaref, Red Sea, Blue Nile, Khartoum, Gezira, Nile River, and Northern State) on investigation procedures for trafficking cases during the reporting year. In 2017, the government's Judicial and Legal Sciences Institute, in collaboration with the Ministry of Justice, partnered with an international organization to provide four five-day trainings titled "Strengthening the Capacity of the Criminal Justice System in Sudan to Address Human Trafficking" for 83 male and female law enforcement officers, judges, prosecutors, defense lawyers, and social workers across eight of Sudan's 18 states. In August 2017, 20 representatives from the judiciary, Criminal Prosecution Office, Office of the Attorney General, various law enforcement branches, Ministry of Justice, and social workers assisted in the development of the training curriculum in a trainer-of-trainers model to increase their ability to effectively identify and prosecute human trafficking cases using the 2014 Anti-Trafficking law. In October 2017, the Police Training Authority, under the direction of the Ministry of Interior, provided training to law enforcement personnel on victim identification, care, and protection principles, with a focus on victim-centered approaches. Additionally in 2017, in partnership with the African Union and a multilateral organization, the Ministry of Interior launched the Regional Operational Centre on Trafficking (ROCK), which will help facilitate international trafficking investigations between source, transit, and destination countries along commonly used trafficking routes. International donors have pledged support for the ROCK, but have not yet disbursed funding.

## PROTECTION

The government increased efforts to identify trafficking victims subjected to forced labor but failed to identify victims of sex trafficking and likely penalized some victims for crimes they may have committed while being subjected to trafficking. Although victim protection remained a substantial gap in the government's anti-trafficking efforts, it took significant steps through the trainings listed in the previous section to increase the capacity of law enforcement and other first responders to proactively identify victims and refer them to care, in partnership

with NGOs and international organizations.

In 2017, the government reported identifying 400 potential trafficking victims through the course of law enforcement activities, compared with 142 during the previous year; however, the government did not report referring any victims to care. The government did not have systematic procedures to identify trafficking victims, nor did it consistently use a standard mechanism to refer victims to protective services. The government also lacked a mechanism to screen for trafficking for use by officials engaging with vulnerable populations. As a result, trafficking victims who may have committed unlawful acts as a direct result of being subjected to trafficking were likely detained or deported from Sudan—or prosecuted—without access to protections afforded to them. Vulnerable individuals such as persons in prostitution, migrants, and refugees may not have reported abuses due to fear of retaliation by an employer or arrest by government authorities. Authorities—particularly in eastern Sudan—continued to charge some trafficking victims for immigration violations and held them in custody throughout the duration of court processes, and some victims participating in investigations risked retaliation by traffickers.

During the reporting year, the NCCW and the Ministry for Social Welfare increased efforts to prevent the use of child soldiers within the SAF and its auxiliaries through the implementation of the National Action Plan to Prevent the Recruitment and Use of Children in Armed Conflict. In 2017, the government strengthened its age assessment and screening processes, established disciplinary procedures for those caught engaging in child recruitment, and increased awareness raising campaigns across the military, down to the unit level. The government also coordinated with international organizations to conduct monitoring and verification visits in eight conflict states and through the headquarters of its paramilitary Rapid Support Forces and facilitated the release of 21 child soldiers from non-governmental armed forces in the Darfur region. The NCCW also reported partnering with international organizations to provide temporary shelter and services to 34 victims of trafficking, and 21 child soldiers. Shortcomings remained in the reintegration process following the release of child soldiers due to coordination challenges within government agencies and between the government and social services. International organizations noted that the lack of a centralized process led child soldiers to be treated as prisoners of war and held in prolonged detention.

The government referred victims to international organizations and civil society who provided shelter, medical care, psychosocial support, translation services, and witness protection to some victims of trafficking; however, the government did not report if any potential trafficking victims stayed or received care in either of two safe houses in Kassala state that an international organization operated with funding from a nongovernment body. Although the government did not report providing support to victims of trafficking in safe houses, NGOs indicated that victims did receive support from at least one safe house during the reporting period. Authorities did not permit victims to leave the shelters unchaperoned. The Domestic Workers Act of 2008 provided a legal framework for employing and registering domestic workers with limited labor rights and protections. The government did not report if any domestic workers were registered and protected under the law during the reporting period. Per the Asylum Act, foreign victims of trafficking identified as in need of international protection by police authorities or the judiciary were directed to the Commission for Refugees (COR) and an international

organization where they had the opportunity to receive refugee status and apply for asylum; the government did not report any individuals pursuing or receiving this benefit during the year.

An international organization reported the government installed video and camera equipment in court houses across the country which allowed victims and witnesses to give testimony in separate rooms to prevent re-traumatization as a result of involvement in criminal proceeding. The government set up a mock trial room with this technology at its training center for prosecutors and judges, the government-funded Judicial and Legal Sciences Institute.

## PREVENTION

The government increased efforts to prevent trafficking, but some Sudanese policies may have increased risks of exploitation among vulnerable populations. A 2016 policy required South Sudanese immigrants to register formally within one week of arriving in Sudan. This policy restricted South Sudanese access to legal work and potentially exposed them to exploitative work situations. The government sporadically granted protections—including legal representation and residency—to foreigners who lacked refugee or asylum status, but only registered such applications at original points of entry, which compelled some fleeing persecution in other parts of the country to do so clandestinely.

The National Committee to Combat Trafficking, consisting of 19 government ministries, met three times during the reporting period, drafted and finalized a national action plan with support from an international organization, used multiple media channels to raise awareness of the crime, and in December 2017 met with NGOs to increase coordination on anti-trafficking service provision; however, at the end of the reporting period, the government did not allocate a budget for the national action plan, and only began implementation of its awareness raising programs. The government did not make efforts to reduce the demand for commercial sex acts and forced labor, and did not report providing anti-trafficking training for its diplomatic personnel.

## TRAFFICKING PROFILE

As reported over the past five years, Sudan is a transit, source, and destination country for men, women, and children subjected to forced labor and, to a lesser extent, sex trafficking and child soldiering. For the second consecutive year, traffickers increased their recruitment of male migrants to Sudan for purposes of forced labor or situations indicative of trafficking under false pretenses of employment. Street children in Khartoum—including Sudanese and unaccompanied migrant children from West and Central Africa—who beg in the streets, and work in public transportation and large markets are particularly susceptible to forced labor; some experience sexual abuse and extortion. Human rights groups observe children working in brick-making factories, gold mining, collecting medical waste, street vending, and agriculture; these children are exposed to threats, physical and sexual abuse, and hazardous working conditions, with limited access to education or health services, making them highly vulnerable to trafficking. Sudanese women and girls, particularly internally displaced persons or those from rural areas, and refugee women are vulnerable to domestic servitude; Sudanese girls are also vulnerable to sex trafficking. Sudanese law prohibits the recruitment of children as combatants and provides criminal penalties for perpetrators; however, children remained vulnerable to recruitment and

use as combatants and in support roles by non-governmental armed groups and militias, primarily in Sudan's conflict zones of Darfur, South Kordofan, and Blue Nile. An international organization reported that the non-governmental Sudan Liberation Movement-Minni Minnawi, Sudan Liberation Army-Abdul Wahid, and Sudan Liberation Army-Popular Defense may have recruited and used child soldiers, and verification was ongoing at the end of the reporting period.

Due to regional instability and conflict, Sudan hosts more than 2.9 million people of concern, including refugees, internally displaced persons, and asylum-seekers. These individuals are vulnerable to trafficking due to their lack of economic stability and access to justice. East Sudan hosts over 107,000 refugees, the majority of which are Eritreans. The government's COR partnered with NGOs and international organizations to assist asylum-seekers arriving in three reception areas.

European support for the government's efforts to limit irregular migration routes through Sudan to Europe has forced migration underground and therefore increased the vulnerability of migrants to abuse and exploitation by traffickers, complicit security forces, and criminal networks, primarily in the east of the country. A human rights organization reported that approximately 30,000 Eritrean, Ethiopian, and other African asylum-seekers—a population vulnerable to trafficking due to their economic fragility and lack of access to justice—are temporarily housed in Khartoum waiting to travel to Europe. During the reporting year, Eritreans represented the highest proportion of trafficking victims in Sudan—mainly in the east—due to the consistent flow of refugees and asylum-seekers and their youth demographic. Ethiopian women are particularly vulnerable to domestic servitude in private homes in Khartoum and other urban centers; some Ethiopian women are forced into prostitution in Khartoum and experience debt bondage. Somalis represent a significant portion of smuggled individuals who become, or are at risk of becoming victims of trafficking. Anecdotal reports indicate Syrian refugees, including children, are observed begging on the streets in Khartoum and are vulnerable to exploitation. Analogous to Syrian nationals, some Yemenis fleeing conflict in their homeland sought asylum in Sudan, and their economic vulnerabilities upon arrival likely motivate their onward migration to Europe. Due to the ongoing conflict in South Sudan, there was an increase in South Sudanese refugees across Sudan, many of whom remained vulnerable to exploitation in Sudan. An international organization continued to document cases of West and Central African nationals—primarily from Niger, Mali, and Chad—who arrived in Sudan via irregular migratory routes and were subsequently vulnerable to trafficking. Anecdotal evidence also suggests that Chinese women working for small-scale Chinese companies, such as restaurants and hotels, may be subjected to forced labor or prostitution.

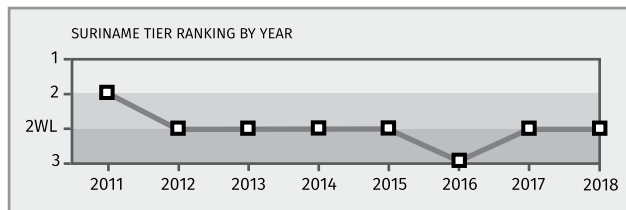
Darfur remained a favored route to Libya, as the porous border and sustained insecurity allow traffickers to operate with impunity across the region. The previously defunct Egyptian route is being used again in connection with the migration influx to Europe; Sudanese citizens and other African nationalities are allegedly utilizing this course. In past years, some Sudanese citizens en route to Europe via Egypt were detained in the Sinai Peninsula where they were vulnerable to exploitation. Eritrean nationals are abducted at border crossings, extorted for ransom, and abused by smugglers linked to the Rashaida and Tabo tribes, although other cross-border tribes also take part in trafficking; some of those abducted are forced to perform domestic or manual labor and experience various types of

abuse, indicative of trafficking. Sudanese police and border guards allegedly facilitate the trafficking of Eritrean nationals and allow potential victims to be transported across security checkpoints or international borders without intervention.

Sudanese citizens are subjected to forced labor, domestic servitude, and sex trafficking abroad. Some Sudanese men who voluntarily migrate to the Middle East as low-skilled laborers are subjected to forced labor. The government reported Sudanese children are exploited in forced begging and street vending in Saudi Arabia, especially during the Hajj season. Sudanese criminal gangs deceptively promise Sudanese nationals employment in Libya, but instead sell them to Libyans who subject them to forced labor in agriculture or mining.

## SURINAME: TIER 2 WATCH LIST

The Government of Suriname 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 increasing investigations, increasing victim identification efforts in the country's interior, and passing two laws to regulate labor recruiters and prevent trafficking related to criminal or fraudulent recruitment. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Convictions and victims identified decreased, courts imposed weak sentences on convicted traffickers, and no victim referral and protection protocols were developed. Therefore Suriname remained on Tier 2 Watch List for the second consecutive year.



### RECOMMENDATIONS FOR SURINAME

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers with sufficiently stringent sentences; increase efforts to identify victims, including forced labor victims in the interior; develop and implement formal procedures for the referral of identified victims to care; hold public officials complicit in trafficking criminally accountable; conduct targeted labor inspections in risk-prone areas, such as the interior of the country; provide additional training to law enforcement, immigration, health care, labor, and judicial officials to better identify and protect victims; provide reintegration support for all trafficking victims, and offer specialized processes for assisting foreign victims; increase collaboration with and support of local civil society; and complete and implement a national anti-trafficking action plan.

### PROSECUTION

The government decreased prosecution efforts. Article 334 of the criminal code criminalized all forms of trafficking and prescribed penalties of up to nine years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Police reported 10 investigations

(seven for sex trafficking, three for labor trafficking), an increase from three in 2016. The prosecutor's office initiated four new prosecutions for sex trafficking involving 11 suspects, compared with four prosecutions involving five suspects initiated in 2016. Prosecutors dropped two of the four cases during the reporting period due to insufficient evidence or a recanted testimony. The government convicted three traffickers, a decrease from five in 2016. Convicted traffickers continued to avoid serious punishment as courts issued weak penalties. The court sentenced two convicted traffickers to 12 months imprisonment with two months suspended and three years probation, and the third trafficker to 16 months imprisonment with nine months suspended and three years probation. In a separate case concluded during the reporting period, the court acquitted all three suspected traffickers. The government did not report any new investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The 2015 investigation of Alien Affairs Department staff who sold residence permits to Hong Kong criminal networks that allegedly used the documents to exploit Chinese workers in forced labor remained open, with the Ministry of Justice and Police stating they did not expect any results from this investigation.

Police operated a specialized 15-person anti-trafficking unit (ATU) responsible for investigating cases. This unit provided training courses on awareness, identification, and management of trafficking cases for several stakeholders in different regions of the country; it also trained other specialized police units on the links between trafficking and other crimes. All incoming police recruits received basic human trafficking training as part of the police curricula. The acting chief of police signed agreements with counterparts from French Guiana and Guyana to intensify cooperation on combating cross-border crime, including human trafficking. The ATU cooperated with two embassies on investigating two separate suspected cases of trafficking; authorities found one case not to be trafficking, while the second case was still ongoing.

### PROTECTION

The government maintained protection efforts. Police identified five victims of sex trafficking and no victims of forced labor, compared with five victims identified in 2016. All five victims received medical assistance, basic services, and the option to use the state-run victim shelter. All five victims opted to return home. The ATU continued oversight of the shelter and services, as NGOs claimed a lack of funding led them to cease their human trafficking work. Two foreign female trafficking victims from prior reporting periods continued to receive services and shelter from the government. The government's inter-departmental working group, responsible for coordinating all anti-trafficking efforts, reached agreement with the Ministry of Social Affairs to add a line item in its budget to finance victim care. The working group reported continued attempts to utilize the state-owned psychiatric hospital for counseling services for trafficking victims.

The ATU assisted military police and immigration officials on identifying and interviewing potential victims, but there were no formal standard operating procedures (SOPs) for victim identification and assistance. In 2017, the ATU continued conducting random checks of international flights approximately three times a week. While brothels were not legal in Suriname, some continued to operate; the ATU performed random inspections of brothels, looking for trafficking indicators. The justice ministry launched a legalization project, aimed to register



persons who entered Suriname legally but whose legal status had expired. The government claims this program serves as a tool to identify populations vulnerable to trafficking, as well as possible perpetrators. Victim identification efforts in the country's interior were limited, but the government secured funding and assistance from an international organization to carry out anti-trafficking operations in the interior and goldmining areas with both police and military forces.

The government did not sponsor any programs to facilitate victims' reintegration, such as a witness-protection program or long-term care. Foreign victims who cooperated with police could remain in Suriname. The government did not have legal alternatives to foreign victims' removal to countries where they would face hardship or retribution, as they could apply to receive work or residency permits on the same basis as any foreign citizen. Victims had the option of pursuing civil suits against their traffickers, but no such cases were reported. Courts implemented a policy of obtaining testimony from victims in the early stages of judicial investigations in case victims were not available during the trial process. The government did not penalize victims for crimes committed as a direct result of being subjected to trafficking.

**PREVENTION**

The government maintained prevention efforts. The working group included representatives from seven government agencies and focused on awareness-raising programs, interagency coordination, and developing protocols for victim care. The working group reported evaluating the existing national strategy and associated action plan, set to expire at the end of 2018, and began redrafting both documents. During the reporting period, the ATU trained a total of 100 government officials on awareness, identification, and management of human trafficking cases in the eastern part of Suriname. The ATU remained active in the press and on social media raising awareness and warning parents about the use of social media as a tool used by traffickers to lure children. The ATU held four awareness sessions for approximately 150 youth in four districts throughout the country. Police included trafficking awareness in its outreach campaign to youth in different districts. While the government's trafficking hotline remained inactive, the government continued to operate a child and youth hotline; investigators did not report any cases resulting from calls during the reporting period. The government did not make efforts to reduce the demand for commercial sex. Suriname passed two laws to regulate recruitment agencies and prevent potential cases of trafficking related to criminal and misleading recruitment. The government did not provide anti-trafficking training to its diplomatic personnel.

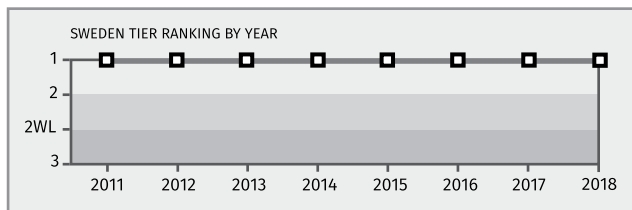
**TRAFFICKING PROFILE**

As reported over the past five years, Suriname is a source, transit, and destination country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Reported cases of trafficking in Suriname's remote jungle interior, which constitutes approximately 80 percent of the country, have increased in recent years; limited government presence in the interior renders the full scope of the problem unknown. Women and girls from Suriname, Brazil, Dominican Republic, Guyana, and Venezuela are subjected to sex trafficking in Suriname, including in remote and illegal gold mining camps in Suriname's interior. Some Surinamese parents subject their daughters to sex trafficking. The influx of migrants from Haiti and Venezuela is vulnerable

to trafficking. Migrant workers in agriculture and on fishing boats off Suriname's coast are highly vulnerable to forced labor, as are children working in gold mines and informal urban sectors. Chinese associations, and allegedly some Hong Kong traffickers, recruit and subject Chinese immigrants to sex and labor trafficking in the mining, service, and construction sectors. Surinamese women in neighboring countries are vulnerable to sex trafficking. Traffickers may transport victims through Suriname's interior to bypass official checkpoints. There are reports of corruption and local official complicity in trafficking crimes that may impede anti-trafficking efforts.

**SWEDEN: TIER 1**

The Government of Sweden fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Sweden remained on Tier 1. The government demonstrated serious and sustained efforts by establishing municipal-level anti-trafficking working groups and action plans to address regional needs and identifying more victims, including potential victims among asylum-seekers. Although the government meets the minimum standards, it did not sufficiently screen migrants for trafficking among an increased volume of migrants and asylum-seekers in the country. The government did not provide funding to NGOs for victim support services. While the government increased the number of prosecutions and convictions, including for forced begging, relatively few investigations resulted in prosecutions for trafficking offenses.



**RECOMMENDATIONS FOR SWEDEN**

Vigorously prosecute and convict labor and sex traffickers using the anti-trafficking statute; improve efforts to conduct sufficient screenings to identify trafficking victims among migrants; allocate funding to sustain the operation of NGO victim support services; finalize and fully implement a comprehensive national action plan, incorporating all forms of trafficking, including forced labor and criminal activity; expand efforts to train officials involved in judicial proceedings, particularly judges on applying anti-trafficking laws; increase efforts to identify and vigorously prosecute Swedish child sex tourism offenders; establish specialized housing for trafficking victims, including for male victims; and increase efforts to raise awareness of labor trafficking and forced begging.

**PROSECUTION**

The government increased law enforcement efforts. The 2002 anti-trafficking law, as amended, criminalized sex and labor trafficking and prescribed penalties of two 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. The government proposed new legislation, broadening trafficking penalties to apply to the exploitation of individuals for the purposes of forced labor and begging. In 2017, police investigated 212 trafficking cases (82

sex trafficking and 130 labor trafficking), compared with 196 cases (82 sex trafficking and 114 labor trafficking) in 2016. Of the cases in 2017, 23 sex trafficking cases involved children and 40 of the labor trafficking cases were forced begging. Authorities prosecuted six traffickers and convicted five, compared with three prosecutions and two convictions in 2016. Sentences ranged from eight months to four years and two months imprisonment. Authorities prosecuted three traffickers for forced begging, convicting two with prison terms of four years and two months and expulsion from Sweden, compared with four prosecutions and convictions in 2016. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Swedish authorities collaborated with foreign governments on transnational investigations.

The national anti-trafficking coordinator and national rapporteur noted law enforcement anti-trafficking efforts were hindered by a reorganization of the Swedish police organization and a shift in focus to other types of cases and crimes, such as gang violence. The national courts offered training for judges and lawyers that included sections on sex trafficking and child victims; however, experts reported some judges lacked sufficient understanding and did not apply current legislation in trafficking cases, which may have resulted in fewer convictions and weak sentences. The national rapporteur conducted training for police and judges, and the prosecutor's office offered online training for prosecutors on working with trafficking victims.

## PROTECTION

The government maintained victim protection efforts; however, it did not provide funding to NGOs for victim support services. Authorities identified 212 victims (82 of sex trafficking and 130 of forced labor and forced begging in 2017, compared with 196 victims in 2016 (82 of sex trafficking and 114 of labor trafficking and forced begging); 60 of these new victims were children. NGOs identified an additional 30 victims. Despite implementation of the referral mechanism, authorities continued to contend with the ongoing effects of the European migration crisis. The migration agency's anti-trafficking coordinator identified 444 suspected trafficking victims among asylum-seekers in 2017 (107 were children), a 30 percent increase from 2016. Although the migration agency identified more potential victims, the high volume of asylum-seekers entering the country inhibited authorities' ability to conduct sufficient screenings for trafficking indicators. Authorities provided training on victim identification to new migration agency staff and police.

Municipalities, in collaboration with NGOs and other government agencies, provided victim services, including medical and psychological care, shelter, and social assistance. In the absence of a national action plan, the government did not allocate funding to NGOs for victim support services. In 2016, however, the government provided 500,000 kronor (\$61,030) to a civil society platform representing 23 NGOs that provided care to victims. Some municipalities ran shelters specifically for trafficking victims. The national coordinator led a network of approximately 40 NGO-run safe houses, and adult female trafficking victims could receive services at women's shelters for victims of domestic and honor-related violence. Shelters assisted non-Swedish victims with immigration issues, medical care, and educational and employment needs, including Swedish language training. The government trained professionals at safe houses and victim support centers. Authorities referred child victims to social services officials, who placed child victims in foster care or group housing.

The government encouraged victims to assist in the investigation and prosecution of their alleged traffickers. The Aliens Act entitled victims to a 30-day reflection period to contemplate cooperation with law enforcement, during which they were eligible for emergency financial aid; however, only an investigating police officer or prosecutor could file the application, limiting availability to victims already in contact with law enforcement. Victims and witnesses in trafficking cases who cooperated with authorities received temporary residence permits, which allowed them to seek employment. Thirteen trafficking victims and 47 witnesses received permits in 2017 (25 and 45, respectively, in 2016). Although only victims who assisted in investigations were eligible for residence permits, the government provided medical care and repatriation assistance for victims not assisting law enforcement. In 2017, the government repatriated 40 victims through a safe return program in conjunction with an international organization. Prosecutors had the power to file applications for permanent residence permits on behalf of victims based on protection needs, such as in cases in which victims would face retribution in their countries of origin; the government did not issue any permanent residence permits in 2016 or 2017. There were no reports the government penalized victims for acts committed as a direct result of being subjected to human trafficking. In past years, however, GRETA referenced reports of authorities deporting irregular migrants who had been subjected to trafficking without identifying them as potential victims, despite the presence of trafficking indicators.

## PREVENTION

The government increased prevention efforts. The government established municipal-level, anti-trafficking working groups and action plans to address regional needs and issues. A national strategy to address men's violence against women came into effect, and the government allocated 1.3 billion kronor (\$158.7 million) for awareness campaigns and to promote violence prevention programs and education, including anti-trafficking. The administrative board developed reports on how children, including unaccompanied minors and asylum-seekers, were vulnerable to exploitation, and how authorities handled their trafficking cases. During the reporting period, the government lacked a national action plan, though it initiated work on a new plan in 2017. The newly created gender equality agency incorporated the office of the national anti-trafficking coordinator; however, most of its employees did not transfer to the new agency, raising concerns over the loss of knowledgeable staff. Experts also expressed concern the new agency would focus on sexual exploitation, neglecting other forms of trafficking. As reports of labor trafficking increased, municipalities funded efforts offering advice on employee rights in the Swedish labor market and on avoiding labor trafficking. Authorities conducted mandatory interviews with foreign workers who were employed in at-risk sectors and seeking to extend their work permits. The migration agency conducted background checks on companies employing foreign workers and occasionally denied work visas in cases where employment contracts did not meet the necessary requirements. The tax authority implemented an action plan to combat illegal labor and organized crime. Authorities conducted or funded awareness training for taxi, hotel, and restaurant staff to detect trafficking at their places of work. The government proposed making the purchase of sexual services abroad a crime to reduce the demand for commercial sex, and the new strategy to address violence against women included measures aimed at demand reduction. Sweden's law prohibiting child sexual offenses had extraterritorial reach, allowing the prosecution of suspected child sex tourists for crimes committed abroad. The government provided anti-trafficking training to troops prior to

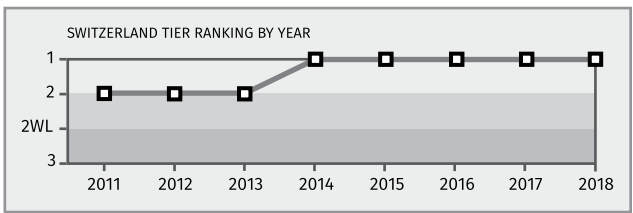
their deployment abroad as part of international peacekeeping missions.

**TRAFFICKING PROFILE**

As reported over the past five years, Sweden is a destination and, to a lesser extent, source and transit country for women and children subjected to sex trafficking, and a destination country for men, women, and children subjected to forced labor, including forced begging and stealing. Sex trafficking victims largely originate from Eastern Europe, Africa, East Asia, and the Middle East, though Swedish women and girls are vulnerable to sex trafficking within the country. Reported cases of labor trafficking and forced begging are increasing. Victims of labor trafficking, who largely originate from Eastern Europe, West Africa, and East Asia, face exploitation in service, cleaning, and construction; cases among seasonal berry pickers have decreased significantly in recent years. Roma, primarily from Romania and Bulgaria, are vulnerable to forced begging and criminality and, to a lesser extent, sex trafficking. Most traffickers are the same nationality as their victims and are often part of criminal networks engaged in multiple criminal activities, although an increasing number of reported cases involve traffickers who are family members or have no ties to organized crime. The approximately 26,000 migrants, who applied for asylum in 2017, primarily from Nigeria, Afghanistan, Iraq, Vietnam, Morocco, and Cuba, as well as a many stateless individuals, are vulnerable to human trafficking. Unaccompanied children are especially vulnerable; a 2015 study found more than half of suspected child trafficking victims identified since 2012 arrived in Sweden as unaccompanied minors, primarily from Africa and Eastern Europe. More than 1,336 unaccompanied foreign children applied for asylum in Sweden in 2017. Street children in Sweden, especially boys from Morocco, are vulnerable to child sex trafficking and forced criminality. Approximately 4,000 and 5,000 Swedes commit child sex tourism offenses abroad annually, primarily in Asia.

**SWITZERLAND: TIER 1**

The Government of Switzerland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Switzerland remained on Tier 1. The government demonstrated serious and sustained efforts by increasing training for police and prosecutors, ratifying the ILO protocol of 2014 to the forced labor convention, and adopting an improved policy to screen newly arrived asylum-seekers for trafficking. Although the government meets the minimum standards, it continued to partially or fully suspend sentences for the majority of convicted traffickers, prosecuted and convicted fewer traffickers, and provided insufficient resources to its trafficking coordinating body.



**RECOMMENDATIONS FOR SWITZERLAND**

Vigorously prosecute, convict, and sentence traffickers with sufficiently stringent prison sentences, including in forced labor cases; strengthen or revise existing criminal code articles, particularly article 182, to better differentiate between sex and labor trafficking; increase victim identification training for labor inspectors; increase funding for the trafficking coordinating body and provide NGOs with fixed funding for annual operating costs; establish a comprehensive referral system and standardize assistance for all victims; increase access to specialized services, especially for asylum-seekers, male, child, and transgender victims; include NGO participation in the early stages of trafficking investigations to ensure victim protection; and improve the process for issuing short- and long-term residency permits for potential victims, especially those in the asylum registration and transition centers.

**PROSECUTION**

The government maintained law enforcement efforts. Articles 180, 181, 182, 195, and 196 of the penal code criminalized sex and labor trafficking with penalties from one to 20 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. As in previous years, the government did not disaggregate data on law enforcement efforts between sex trafficking and forced labor and did not provide annual investigative data. Cantonal authorities prosecuted 143 defendants in 2017, compared with 190 in 2016. In July 2017, in the government’s largest case to date, authorities in Bern launched formal criminal proceedings against a Thai woman, arrested in 2014, accused of forcing at least 80 female and transgender victims into prostitution. The government convicted 13 defendants on trafficking charges in 2016 (the most recent year for which complete data were available), compared to 22 in 2015. Six prison sentences were partially suspended, two were fully suspended with no fines, and one was fully suspended with a fine of 500 Swiss francs (\$510). The highest sentence issued for trafficking crimes was for approximately 3 years in prison. Of the 13 convicted, nine received sentences that resulted in actual jail time and seven of the nine resulted in at least one year imprisonment. Although complete sentencing data was not available for the current reporting period, in 2017, a court in the canton of Fribourg convicted a man for trafficking and child sex abuse and sentenced him to 16 years imprisonment and fines between 40,000 and 50,000 Swiss francs (\$41,030 and \$51,280) to be paid to three victims.

Trafficking investigations and prosecutions fell strictly under the jurisdiction of individual cantons except for cases involving organized criminal networks, which fell under federal police (FedPol) jurisdiction. Several cantons had their own specialized anti-trafficking police units. The government conducted multiple training events for law enforcement. In April 2017, FedPol held a workshop focused on the prevention of labor trafficking for labor inspectors and prosecutors. In May 2017, the Swiss police institute held a three-day trafficking seminar for police and prosecutors. In June 2017, the government held advanced trafficking training for German-speaking police officers. The government continued to hold annual trafficking training for cantonal prosecutors, which focused on victim testimony and assistance during criminal proceedings.

Civil society reported the government’s predominant focus on trafficking for sexual exploitation hampered the identification and prosecution of forced labor. Authorities continued to



prosecute few labor trafficking cases, and civil society reported labor inspectors frequently regarded victims as criminals. An international organization reported labor inspectors often misidentified forced labor victims as illegal workers or victims of wage dumping. During the reporting period, the government assisted in 19 international investigations and criminal trials. According to GRETA, Switzerland had a network of 10 police attachés posted abroad, which provided support to government prosecution authorities in combating trans-border crime, including human trafficking. During the reporting period, the government investigated four Swiss registered sex offenders for child sexual exploitation abroad. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking.

## PROTECTION

The government maintained protection efforts. The federal government continued to lack standard procedures across cantons for victim protection and victim identification. In 2017, cantonal authorities identified 228 victims (197 in 2016), 120 of whom were victims of forced prostitution (107 in 2016). Assistance for victims of violence was available in 24 out of the 26 cantons, but did not always include anti-trafficking services and varied canton to canton. In 2016, the latest year for which assistance data was available, 101 victims and relatives of victims received government-funded trafficking-specific counseling, compared with 71 in 2015. For the second consecutive year, civil society and an international organization reported an increase in the number of trafficking victims among asylum-seekers. The State Secretariat for Migration identified 100 potential victims undergoing the asylum process in 2017. The government's border police adopted a new policy of screening newly arrived asylum-seekers alone in order to eliminate the potential influence of traffickers operating within migrant camps. However, NGOs reported asylum accommodations did not provide adequate assistance and counseling services to possible victims and asylum-seekers remained vulnerable as they could be deported back to their first country of EU entrance without first receiving victim protection.

Under the Swiss Victim Assistance Law, all trafficking victims were entitled to help from the government-funded women's shelters or victim assistance centers for victims of abuse, and enjoyed special safeguards during criminal proceedings. Cantonal authorities maintained jurisdiction on providing protection for victims, and trafficking victims were entitled to free and immediate assistance centers that varied from canton to canton. Some cantons had formal referral systems in place with NGO-operated victim assistance facilities specialized in trafficking. While the provisions of local victim assistance centers varied from canton to canton, they generally provided victims with up to four weeks of emergency lodging and living allowance, several hours of consultations with a lawyer, mental health counseling, medical treatment, transportation, and translation services. If recovery required more time, the government was obligated to assume the additional cost of longer-term care. Through the anti-human trafficking ordinance, the government granted 314,060 Swiss francs (\$322,110) to five NGOs from a total annual allocation of 400,000 Swiss francs (\$410,260). Nine cantonal authorities adopted a new financing model for one Zurich-based NGO linked to the number of victims assisted and no longer allocated funds for fixed operating costs. NGOs reported the new model forced them to be more reliant on the federal government and private donations. The ordinance allowed all organizations involved in implementing anti-trafficking measures to apply for a government grant.

Federal and cantonal government sources financed the vast majority of a leading NGO's 2.6 million Swiss francs (\$2.7 million) operating costs for its trafficking victim protection program. The NGO assisted 228 trafficking victims, 202 of which were women, 19 transgendered, and seven male. Sixty percent were sex trafficking victims, 13 percent were forced labor victims, and the remaining 23 percent fell into other categories. Twenty-three percent of victims were referred by cantonal or federal police and judicial authorities, a decrease from 47 percent in 2016, which was reportedly due to recent pressure from local criminal defense attorneys to exclude the NGO's participation in the early stages of trafficking investigations. Services for child and male victims were limited, especially shelter, counseling, and victim referral resources. The government provided male victims temporary shelter in centers, hotels, or NGO-operated shelters for men, and NGOs that received government support provided limited services to such victims. One of the leading NGOs also assisted male victims and helped four transgendered victims. NGOs reported insufficient resources for male and child trafficking victims. The government also facilitated assistance to foreign victims of trafficking; however, due to strict residency requirements, few were granted long-term residency permits and instead were provided with repatriation assistance to help them return home. In 2017, the government provided repatriation assistance to 16 victims, the majority from Eastern Europe. A leading NGO reported an increase in cases of victims, relatives of victims, and witnesses fined for breaching immigration laws and subsequently deported, despite making official statements to assist ongoing trafficking cases.

Cantonal immigration authorities were required to grant victims a minimum 30-day reflection period to decide participate in judicial proceedings against their traffickers. The government granted 55 individuals reflection periods, 90 short-term residence permits, and 14 hardship-based residence permits (48 reflection periods, 90 short-term residence permits, and 21 hardship-based residence permits in 2016). The government held three workshops in Bern, Lausanne, and Zurich to educate officials on guidelines for issuing residence permits to victims. NGOs expressed concern that it remained difficult for victims to obtain victim protection and hardship residence permits without the assistance of a judge. Twenty-three victims received restitution payments in 2016, compared with 16 in 2015, the most recent year for which data was available for comparison.

## PREVENTION

The government increased prevention efforts. A specialized unit within FedPol, the Swiss Coordination Unit against the Trafficking in Persons and Smuggling of Migrants (KSMM), coordinated national efforts, including anti-trafficking policy, information exchange, cooperation, and training. Members of civil society reported the KSMM continued to be understaffed, underfunded, and needed greater institutional support from the government. In 2017, the government began the implementation of its new national action plan. The plan focused on standardizing the issuance of residency permits and victim identification guidelines for police, as well as minimizing the unintentional punishment of victims. The plan also included the establishment of a national victim assistance program to standardize the varying level of victim assistance across cantons. Again, the government co-hosted and co-funded several awareness events organized by cantonal authorities and NGOs during the national anti-trafficking week in October 2017. In addition, the government provided funding to three Ticino-based NGOs to conduct awareness campaigns within the health care sector. In December 2017, KSMM hosted its

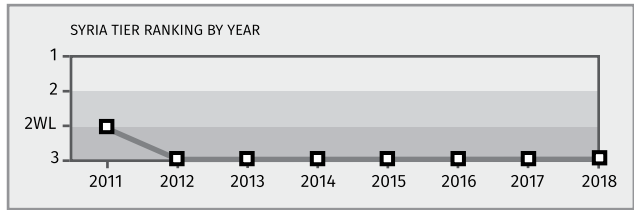
fourth national meeting of the heads of the cantonal anti-trafficking roundtable to exchange information on trafficking issues and anti-trafficking measures. The roundtable focused on the identification and protection of Nigerian and child victims. The government conducted an annual assessment of its anti-trafficking efforts, which it provided to the Council of Europe, OSCE, and UN. Programs to fund Romanian NGOs providing victim assistance and anti-trafficking efforts in Bulgaria continued during the reporting period. The government did not demonstrate efforts to reduce the demand for commercial sex. The government ratified the ILO's 2014 protocol to the forced labor convention in September 2017. The government provided funding to an NGO to operate a national victim hotline and email.

### TRAFFICKING PROFILE

As reported over the past five years, Switzerland is primarily a destination and, to a lesser extent, a transit country for women, children, and transgender people subjected to sex trafficking, as well as men, women, and children subjected to forced labor, including forced begging and forced criminal activity. Foreign trafficking victims originate primarily from Central and Eastern Europe—particularly Romania, Hungary, and Bulgaria, with increasing numbers from Nigeria and Thailand. Victims also come from China, Brazil, Cameroon, and the Dominican Republic. Forced labor exists in the domestic service and health care sectors, and in agriculture, catering, construction, and tourism. The number of victims among asylum-seekers continues to grow. Female victims among asylum-seekers came from Nigeria, Eritrea, and Ethiopia, and were often forced into prostitution and domestic servitude. Male victims among asylum-seekers came primarily from Eritrea and Afghanistan and were exploited both in prostitution and forced labor.

## SYRIA: TIER 3

The Government of Syria does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Syria remained on Tier 3. The government did not demonstrate any efforts to address human trafficking through prosecution, protection, or prevention measures. The government's actions directly contributed to the population's vulnerability to trafficking and it continued to perpetrate human trafficking crimes routinely. The government did not investigate or punish traffickers, including officials complicit in recruiting and using child soldiers, nor did it identify or protect any trafficking victims. The government continued to forcibly recruit and use child soldiers, subjecting children to extreme violence and retaliation by opposition forces; it also did not protect and prevent children from recruitment and use by government and pro-Syrian regime affiliated militias, armed opposition forces, and designated terrorist organizations such as the Islamic State of Iraq and Syria (ISIS). The government continued to arrest, detain, and severely abuse trafficking victims, including child soldiers, and punished them for crimes committed as a direct result of being subjected to human trafficking.



### RECOMMENDATIONS FOR SYRIA

Stop the forcible recruitment and use of child soldiers by government forces, pro-government militias, armed opposition forces, and designated terrorist organizations such as ISIS; proactively identify potential trafficking victims and provide them with appropriate protection services, including appropriate and long-term care for demobilized children; ensure trafficking victims are not punished for crimes committed as a direct result of having been subjected to trafficking; and prosecute and convict perpetrators of trafficking, including officials complicit in the unlawful recruitment and use of child soldiers.

### PROSECUTION

The government made no discernible anti-trafficking law enforcement efforts, and the government and government-affiliated militias remained complicit in child soldiering. The violent civil war continued to directly amplify the magnitude of human trafficking crimes occurring within Syria. Decree No.3 of 2011 appeared to criminalize some forms of labor and sex trafficking, but did not include a clear definition of human trafficking. This decree prescribed a minimum punishment of seven years imprisonment and a fine between 1 million and 3 million Syrian pounds (\$1,940 to \$5,830), a penalty that was sufficiently stringent but, with respect to sex trafficking, not commensurate with those prescribed for other serious crimes, such as rape. Law No.11/2013 criminalized all forms of recruitment and use of children younger than the age of 18 by armed forces and armed groups; however, the government made no efforts to prosecute child soldiering crimes perpetrated by government and pro-regime militias, armed opposition groups, and designated terrorist organizations. The government did not report investigating, prosecuting, or convicting suspected traffickers, nor did it investigate, prosecute, or convict government officials complicit in human trafficking. The government did not provide anti-trafficking training for officials.

### PROTECTION

The government made no protection efforts; instead, it directly punished victims for crimes committed as a direct result of being subjected to human trafficking. The government did not protect children from forcible recruitment and use as soldiers, human shields, and in support roles by government forces and pro-government armed groups, armed opposition groups, and terrorist organizations. The government routinely arrested, detained, raped, tortured, and executed children for alleged association with armed groups; the government made no effort to offer these children any protection services. The government neither encouraged trafficking victims to assist in investigations or prosecutions of their traffickers nor provided foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

### PREVENTION

The government made no effort to prevent human trafficking;

the government's actions continued to amplify the magnitude of human trafficking crimes in the country. The government did not implement measures to prevent children from unlawful recruitment and use as combatants and in support roles by government, pro-regime militias, opposition armed groups, and terrorist organizations. The government did not raise awareness of human trafficking among the general public or officials. The government did not report efforts to reduce the demand for commercial sex acts or forced labor, nor did it prevent child sex tourism by Syrian nationals abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

### TRAFFICKING PROFILE

As reported over the past five years, Syria is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. The situation in Syria continues to deteriorate amid the ongoing civil war with sub-state armed groups of varying ideologies exerting control over wide geographic swathes of the country's territory. Human rights groups and international organizations estimate approximately 400,000 people have been killed since the beginning of protests against the Bashar al-Assad regime in March 2011. More than half of Syria's pre-war population of 23 million has been displaced; as of March 2018, more than five million have fled to neighboring countries and, as of November 2017, approximately 6.1 million are internally displaced. Syrians that remain in the country and refugees in neighboring countries are extremely vulnerable to trafficking. Syrian children are reportedly vulnerable to forced early marriages—which can lead to commercial sexual exploitation and forced labor—and children displaced within the country continue to be subjected to forced labor, particularly by organized begging rings. In March 2016, the media reported that women from Nepal and Bangladesh were forced to work in domestic servitude or the sex industry in Syria.

Incidents of human trafficking continue to increase and trafficking victims remain trapped in Syria, particularly as ISIS consolidated its control of the eastern governorates of Raqqa and Deir al-Zour. In June 2014, ISIS announced the establishment of an Islamic "Caliphate" in Iraq and Syria. In December 2014, ISIS publicly released guidelines on how to capture, forcibly hold, and sexually abuse female slaves. In April 2015, an international organization reported that the system of organized sexual slavery and forced marriage by ISIS militants—which can lead to commercial sexual exploitation and forced labor—is a central element of the terrorist group's ideology. While ISIS has lost the majority of the Syrian territory it once controlled, it continues to force local Syrian girls and women in ISIS-controlled areas into marriages with its fighters and it routinely subjects women and girls from minority groups to forced marriage, domestic servitude, systematic rape, and other forms of sexual violence. ISIS routinely forces Syrian girls to undergo virginity tests before trading them in "slave bazaars" and sending them to various Syrian provinces and other countries for sexual slavery. In 2016, ISIS began moving thousands of abducted women and girls from the Yezidi minority group in Iraq into Syria ahead of Iraqi government forces' push to drive ISIS out of Mosul, Iraq. Additionally, following the February 2015 ISIS incursion into Assyrian villages in the northeastern province of al-Hasaka, it captured as many as 30 Assyrian Christian women and forced them into sexual slavery. While many Yezidi women were rescued in Syria when Coalition and Syrian Democratic Forces (SDF) liberated ISIS-held territory, thousands remain missing.

The recruitment and use of children in combat in Syria has become commonplace. Syrian government forces, pro-regime militias, and armed non-state actors, including the Free Syrian Army (FSA) and FSA-affiliated groups, Kurdish forces, ISIS, and Jabhat al-Nusra—the al-Qa'ida affiliate in Syria—continue to recruit and use boys and girls as soldiers. Jabhat al-Nusra and ISIS have also used children as human shields, suicide bombers, snipers, and executioners. Militants also use children for forced labor and as informants, exposing them to retaliation and extreme punishment. Some armed groups fighting for the Syrian government, such as Hezbollah, and pro-regime militias known as the National Defense Forces (NDF), or "shabiha," forcibly recruit children as young as six years old. In the first documented incident by an international organization of the re-recruitment of children, 15 boys who were recruited and trained by ISIS in 2013 were re-recruited by the FSA in 2014 and subsequently used in combat in 2016. ISIS actively deploys children—some as young as eight years old—in hostilities, including coercing children to behead Syrian government soldiers; the terrorist group has deliberately targeted children for indoctrination and used schools for military purposes, endangering children and preventing their access to education. By forcibly recruiting and using children in combat and support roles on a mass scale, ISIS has engaged in horrific conduct that violated international humanitarian law and may constitute war crimes. Before its liberation in October 2017, ISIS operated at least three child training camps in Raqqa, where it forced children to attend indoctrination seminars and promised children salaries, mobile phones, weapons, a martyr's place in paradise, and the "gift" of a wife upon joining the terrorist group. The Kurdish People's Protection Units (YPG/YPJ) continued to recruit, use, and train boys and girls as young as 12 years old, despite having signed a pledge of commitment with an international organization in June 2014 to demobilize all fighters younger than 18 years old. Sources reported in 2016 and 2017 instances in which Iranian officials and Iran's Islamic Revolutionary Guard Corps (IRGC) actively recruit and use—through threats of arrest and deportation—Afghan immigrant men and children living in Iran to fight in IRGC-organized and commanded militias in Syria. In June 2016, media reports stated Iran recruited some Afghans inside Afghanistan, and Afghans residing in Iran, to fight in Syria in support of the Syrian regime. Some foreigners, including migrants from Central Asia, are reportedly forced, coerced, or fraudulently recruited to join extremist fighters, including ISIS.

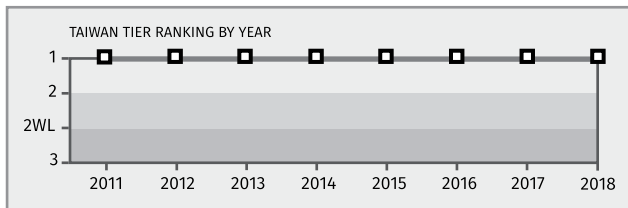
The Syrian refugee population is highly vulnerable to sex trafficking and forced labor in neighboring countries, particularly Jordan, Lebanon, Iraq, and Turkey. In 2015, an international organization reported a high number of child marriages of Syrian girls among refugee populations. Syrian refugee women and girls are vulnerable to forced or "temporary marriages"—for the purpose of prostitution and other forms of exploitation—and sex trafficking in refugee camps, Jordan, and cities in the Iraqi Kurdistan Region (IKR), including Sulaimaniya. In Baghdad, Basrah, and other cities in southern Iraq, reports from 2015 indicated some Syrian refugee women were forced into prostitution by a trafficking network in hotels and brothels after agents of the network promised to resettle them from the IKR; the women's children were forced to beg on the street. In Turkey and Lebanon, Syrian refugee women and girls are exploited by illicit prostitution rings. In Turkey, some female Syrian refugees are reportedly exploited after accepting fraudulent job offers to work in hair salons. In Turkey, Lebanon, and Jordan, Syrian refugee children continue to engage in street begging, some of which may be forced or coerced. Syrian children are also observed working in Turkey's agricultural sector and informally



in textile workshops and the service sector where they experience long working hours, low wages, and poor working conditions; children in these sectors may be vulnerable to forced labor. In Lebanon's Bekaa Valley, Syrian gangs force refugee men, women, and children to work in agriculture, where victims are forced to work under harsh conditions with little to no pay and some are subject to physical abuse. LGBTI persons among the Syrian refugee population in Lebanon are reportedly vulnerable to sex trafficking by Lebanese pimps. Throughout 2016, displaced Syrians continued to seek illegal passage to Europe via the Mediterranean Sea through the use of smugglers; these Syrians may be at risk of trafficking.

## TAIWAN: TIER 1

Taiwan authorities fully meet the minimum standards for the elimination of trafficking. Authorities continued to demonstrate serious and sustained efforts during the reporting period; therefore Taiwan remained on Tier 1. These efforts included a sharp increase in the number of trafficking prosecutions, leading to more convictions—including of officials—and the identification and service provision of a significantly higher number of victims than in prior years. Although Taiwan authorities meet the minimum standards, separation of purview between the Ministry of Labor (MOL) and the Fisheries Agency (FA) continued to impede efforts to address forced labor on Taiwan-flagged and -owned fishing vessels in the highly vulnerable distant water fleet (DWF). Authorities at times did not pursue appropriate legal action against Taiwan individuals reported to have subjected migrant workers to forced labor on fishing vessels. Lack of awareness and dissuasive performance evaluation systems in the judiciary continued to drive lenient sentencing for traffickers, and domestic workers and caregivers remained at elevated risk due to a stalled domestic worker protection bill. Certain provisions of Taiwan's child sexual exploitation laws appeared insufficient to criminalize all forms of the crime.



### RECOMMENDATIONS FOR TAIWAN

Increase efforts to prosecute and convict traffickers under the anti-trafficking law and sentence convicted traffickers to sufficiently stringent punishments; increase oversight of and, where appropriate, prosecute the owners of Taiwan-owned and -flagged fishing vessels suspected of forced labor in the distant water fleet; clearly define roles and responsibilities for the agencies that oversee Taiwan-flagged fishing vessels; enact legislation that would address gaps in basic labor protections for household caregivers and domestic workers; improve the effectiveness of anti-trafficking training and increase prosecutors' and judges' understanding of trafficking crimes; enhance cross-border efforts to prosecute offenders and identify and protect victims; strengthen efforts to screen for forced labor among individuals returned to Taiwan in connection with alleged overseas criminal activity, and refer victims to protective services accordingly; and strengthen efforts to publicize the

foreign worker trafficking hotline number among migrant crewmembers of Taiwan-owned and -flagged fishing vessels.

### PROSECUTION

Authorities increased anti-trafficking law enforcement efforts. The Human Trafficking Prevention and Control Act (HTPCA) criminalized all forms of trafficking and prescribed penalties of up to seven years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Observers noted ambiguities in HTPCA provisions could have complicated implementation in cases where victims received some financial compensation. Other HTPCA provisions protected laborers from having to remit "unreasonable payments of debt" to brokers or supervisors, but did not clarify what would constitute an unreasonable payment of debt; observers expressed concern that these provisions were too vague to prevent debt bondage effectively. Authorities continued to prosecute the majority of trafficking cases under other laws in the criminal code and the Children and Youth Sexual Exploitation Prevention Act (CYSEPA), which prescribed penalties for child sex trafficking that were not sufficiently stringent or commensurate with other grave crimes, such as rape.

Authorities conducted 32 labor trafficking and 93 sex trafficking investigations in 2016—a slight decrease from 134 total investigations in 2016—but initiated a total of 248 prosecutions (compared to 128 in 2016). This figure included 109 individuals tried under the HTPCA (44 in 2016; 30 in 2015), and culminated in 62 convictions (56 in 2016). Authorities convicted eight traffickers under the TIP law (28 in 2016), with the remainder under the CYSEPA and other criminal code provisions. As in prior years, traffickers convicted under the HTPCA received lighter sentences than defendants convicted under the CYSEPA and other sections of the criminal code. Sentences imposed on the majority of convicted traffickers (at least 31) were less than one year imprisonment, which were inadequate to serve as an effective deterrent to the commission of trafficking crimes. Officials ascribed the tendency to impose lenient penalties to Taiwan's judicial evaluation and promotion system, which reportedly penalized judges if courts granted convicted traffickers' appeals to overturn or shorten their sentences.

During the reporting period, authorities concluded separate criminal proceedings begun in 2016 against a prosecutor who engaged in commercial sex with a minor and a city councilor who exploited foreign women in prostitution; courts sentenced them to 22 months and five years imprisonment, respectively. For the second consecutive year, authorities also launched formal trafficking investigations into cases involving fishermen. In one such case, Kaohsiung prosecutors indicted 19 individuals for allegedly subjecting over 80 foreign fishermen to forced labor; the case was ongoing at the end of the reporting period. However, some observers believed authorities were not sufficiently responsive in other cases involving forced labor in the fishing industry. Police cited jurisdictional concerns and lack of evidence in their decision to cease investigation of Taiwan individuals known to have been involved in a high-profile Cambodian labor trafficking case in 2014. Additionally, observers reported that insufficient inspection of fishing vessels in Taiwan's highly vulnerable DWF likely impeded investigation into cases involving forced labor. Authorities continued to train law enforcement officers, prosecutors, and judges through various workshops, seminars, and conferences. Nonetheless, authorities and NGOs cited continued challenges in effective