did not provide adequate resources for victims with children. Identified child victims received care outside of the MOI's program through publicly funded NGOs that provided shelter, food, clothing, and medical and psychological counseling. Police also employed child psychologists to assist in cases involving children. The Ministry of Labor and Social Affairs provided 6,072,000 koruna ($250,880) in 2015 to NGOs providing care for trafficking victims, a 14 percent increase from 2014.

Foreign victims who cooperated with investigators could receive temporary residence and work visas for the duration of the relevant legal proceedings; however, no foreign victims received temporary residency or other relief from deportation during the reporting period. Upon conclusion of court proceedings, victims could apply for permanent residency; no victims received permanent residency in 2015, compared with one in 2014. Victims were eligible to seek court-ordered compensation from their traffickers, although such restitution was rare, as victims often feared retribution from their traffickers during criminal cases and could not afford attorney fees for a civil suit. In one 2015 case, a court ordered a convicted trafficker to pay 360,000 koruna ($14,870) to a victim. The government does not maintain a compensation fund for victims subjected to trafficking within the country. There were no reports the government penalized identified victims for unlawful acts committed as a direct result of being subjected to trafficking.

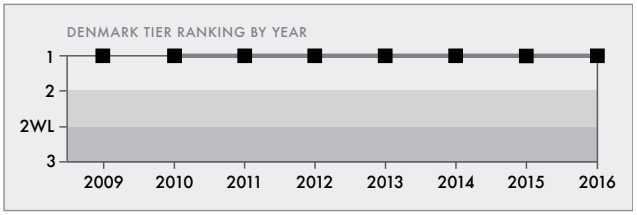
PREVENTION

The government maintained modest prevention efforts. The interior minister chaired an inter-ministerial body that coordinated national efforts and worked to implement the 2012-2015 national action plan; the draft 2016-2019 strategy remained pending approval at the close of the reporting period. A unit in the MOI served as the national rapporteur and prepared a comprehensive annual report on patterns and programs, which it released publicly. The government continued to fund an NGO-run hotline to identify victims of trafficking and domestic violence, which received over 700 calls in 2015. The hotline offered translation for foreign victims, but was only operational during business hours. Czech law did not criminalize confiscation of workers' passports. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

DENMARK: Tier 1

Denmark is primarily a destination and transit country for men, women, and children subjected to forced labor and sex trafficking from Eastern Europe, Africa, Southeast Asia, and Latin America. Migrants are subjected to labor trafficking in agriculture, domestic service, restaurants, hotels, and factories through debt bondage, withheld wages, abuse, and threats of deportation. Unaccompanied migrant children are vulnerable to sex trafficking and forced labor, including theft and other forced criminality. Since 2009, 25 children have been identified as victims of trafficking in Denmark, nine forced into pickpocketing, three into cleaning restaurants, five into forced criminal activity, and eight into selling sex. Copenhagen's relatively small red-light district represents only a portion of the country's larger commercial sex trade, which includes sex trafficking in brothels, bars, strip clubs, and private apartments. The rise in migrants, asylum seekers, and refugees entering and transiting Denmark increases the size of the population vulnerable to human trafficking.

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



RECOMMENDATIONS FOR DENMARK:

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

PROSECUTION

The government made progress in law enforcement efforts, although inadequate efforts to incentivize victims to assist in investigations and prosecutions impeded these efforts. Denmark prohibits all forms of trafficking through section 262(a) of its criminal code, which prescribes punishments of up to 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

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

increase from 15 in 2014. First-level courts had 12 trafficking case convictions in 2015, compared to nine cases in 2014. Sentences ranged from 24 months' to 36 months' imprisonment for the convicted traffickers. In addition, in a forced labor case begun in 2014, where 12 migrants were forced to live in a garage and work up to 20 hours a day, charges were changed on appeal from labor trafficking to usury and fraud, and two men were sentenced to 24 and 36 months' imprisonment. Experts reported that few trafficking cases were brought to trial in Denmark because of the lack of incentives for victims to participate in the investigation of their traffickers. Although a 2013 amendment to the Aliens Act allowed authorities to request trafficking victims without legal status in Denmark be provided with temporary residency to assist law enforcement and testify in a trial, authorities did not use this provision in 2013, 2014, or 2015. There remain difficulties in securing the participation of victims in the prosecution of their traffickers; a government report issued during the year acknowledged authorities did not systematically offer advice and support to foreign citizens in prostitution or others potentially vulnerable to trafficking. Police received instruction on trafficking at the police academy and again after their first year on the job. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

PROTECTION

Government efforts to protect victims were mixed. The government identified victims and funded care providers, but its emphasis on repatriating victims without legal status impeded victim protection efforts. While the government reported asylum or humanitarian residence permits could be used as alternatives to removal for victims who lacked legal status in Denmark, trafficking victims could not qualify for these provisions or receive these protections solely on the basis of being subjected to trafficking crimes in Denmark. The government required victims to prove they were persecuted in their home countries on the basis of Refugee Convention grounds. The government did not grant asylum to any of the 10 trafficking victims who applied.

The government continued to offer trafficking victims a 120-day "extended time limit for departure" as part of its prepared return program for trafficking victims ordered to leave Denmark; the prepared return gave victims a specified period of time to receive services before their eventual deportation. Regional anti-trafficking experts, including the Council of Europe, emphasized this period does not refer to a period of reflection and recovery necessary to determine whether or not victims will cooperate in the investigation of their cases; rather it is a period of time the victims have to cooperate in their repatriation. In 2015, 43 of the 93 identified trafficking victims accepted a prepared return, compared with eight of 71 in 2014. Victims in Denmark without legal residency who did not accept a prepared return were deported unless they were assisting in the prosecution of a trafficker. Some victims chose not to participate in the program, reportedly based on the perception it was merely a preparation for deportation. Victims' lack of protection in their home countries and debt bondage to their traffickers served as significant deterrents from accepting the prepared return. The effective lack of alternatives to removal impeded the ability of law enforcement to pursue traffickers and left victims vulnerable to re-trafficking.

In 2015, the government identified 93 victims, compared with 71 in 2014. These victims included one victim of forced labor, 49 victims of sex trafficking, and 43 victims forced to commit crimes (such as theft and the production and sale of illicit substances) or exploited in trafficking-related crimes (such as holding migrants against their will for the purpose of stealing social benefits); six victims were children (one victim of sex trafficking and five victims of forced criminal activity). Authorities did not identify any Danish victims of trafficking in 2015, though authorities reported having done so in the past and acknowledged other cases may have gone undetected. When police suspected they had a victim in custody, they called government anti-trafficking experts to join the police questioning and explain the victim's rights. A trafficking subject matter expert has been appointed in each police district. NGOs noted the onus of victim identification remained on trafficking victims rather than officials' proactive identification. The government funded NGOs to provide victim care services, including medical, psychological, and legal assistance. Funding increased from approximately $1.9 million during the previous 2011-2014 National Action Plan to approximately 18 million Danish Krones ($2.8 million) set aside in the 2015-2018 National Action Plan that NGOs and other civil society organizations can apply for to perform tasks covered under the scope of the national action plan. Victims could apply for compensation through a state fund and through a civil suit against their traffickers; however, no victims pursued these in 2015. To help prevent trafficking victims from being penalized for crimes committed as a result of being subjected to trafficking, in May 2015 the director of public prosecutions published guidelines on the identification of victims and the withdrawal of charges against them; these guidelines were distributed to the police and prosecution service. Some observers reported increased willingness by prosecutors to drop charges against victims of trafficking and the Ministry of Justice did not report any cases where victims of trafficking were prosecuted in 2015. The government did not implement efforts to provide alternatives to victims' removal, resulting in few protections for victims of trafficking.

PREVENTION

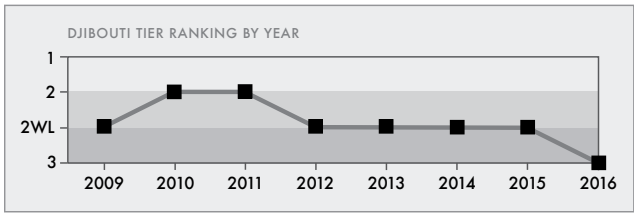
The government maintained efforts to prevent trafficking. As part of the 2015-2018 National Action Plan, the government continued to provide training to police, diplomats, and other government personnel. Denmark's Center Against Human Trafficking worked closely with police, and provides training for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

DJIBOUTI: Tier 3

Djibouti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Over 90,000 men, women, and children from

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

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



RECOMMENDATIONS FOR DJIBOUTI:

Amend the new anti-trafficking law to more closely conform with international standards, specifically add language that no means such as force, fraud or coercion are required when the victim is a child, and repeal contrary provisions of existing laws; enforce anti-trafficking legislation through investigations and prosecutions of trafficking offenders, in particular those involved in child sex trafficking, domestic servitude, and other forced labor offenses; compile and publicize data on convictions and sentences of trafficking offenders; establish policies and procedures for government personnel to proactively identify potential victims and transfer them to care; expand protective provisions for victims, through partnerships with NGOs or international organizations, as appropriate; train judges, prosecutors, and police on the distinctions between trafficking and alien smuggling; implement the extended national action plan; institute a module on human trafficking as a standard component of the mandatory training program for new police and border guards; and develop and launch a nationwide anti-trafficking awareness campaign.

PROSECUTION

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

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

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

PROTECTION

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

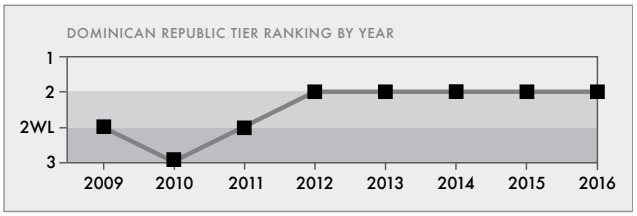
PREVENTION

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

DOMINICAN REPUBLIC: Tier 2

The Dominican Republic is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Large numbers of Dominican women and children are subjected to sex trafficking throughout the Dominican Republic, the Caribbean, Europe, South and Central America, the Middle East, Asia, and the United States. Foreign national victims from the Caribbean, Asia, and South America are subjected to trafficking in the Dominican Republic. Commercial sexual exploitation of local children by foreign tourists and locals persists, particularly in coastal resort areas of the Dominican Republic. NGO research indicates sex trafficking of 15- to 17-year-old girls occurs in streets, in parks, and on beaches. Government officials and NGOs report an increase in Colombian and Venezuelan women brought to the country to dance in strip clubs who are subjected to forced prostitution. Traffickers lure Dominican women to work in night clubs in the Middle East, the Caribbean, and Latin America and subject them to sex trafficking. Dominican officials and NGOs documented cases of children forced into domestic service, street vending, begging, agricultural work, construction, and moving illicit narcotics. There are reports of forced labor of adults in construction, agricultural, and service sectors. Vulnerable populations include working children and street children, migrant workers, and undocumented or stateless persons of Haitian descent. NGOs and people in prostitution report police complicity in the abuse of people in prostitution, including in areas known for child sex trafficking.

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



RECOMMENDATIONS FOR THE DOMINICAN REPUBLIC:

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

agriculture and construction sectors, and refer them to available services; adequately fund specialized services for adult and child trafficking victims; work with NGOs to provide adequate shelter and services to adult and child victims; screen those affected by new migration policies for trafficking indicators; and conduct forced labor and sex trafficking awareness campaigns in Spanish and Creole.

PROSECUTION

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

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

PROTECTION

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

The anti-trafficking law contains victim protection provisions, including restitution; at least one trafficking victim obtained restitution of wages and 45,000 pesos ($1,000) in punitive damages during the reporting period. Authorities assisted one victim to renew her expired temporary Dominican residence permit. The government offered foreign victims identified in cases investigated during the reporting period the same services available to Dominican victims; however, these victims chose to return to their own countries and did not avail themselves of these provisions. While there were no official reports of victims being punished for unlawful acts committed as a direct result of being subjected to trafficking, undocumented Haitian victims faced deportation and other penalties resulting from their irregular immigration status.

PREVENTION

The government sustained prevention efforts. Officials continued to implement the 2009-2014 national anti-trafficking action plan and began drafting an updated plan in 2015, but reported no specific progress on either. NGOs reported uncoordinated and underfunded implementation of the existing plan. In partnership with and with funding from an international organization, the government completed a baseline study of the judicial system's handling of child sex trafficking cases, although results have not been published yet. The government did not have a nationwide anti-trafficking awareness campaign, but did conduct trainings with NGOs. The government operated a national hotline, but did not report how many trafficking calls it received in 2015.

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

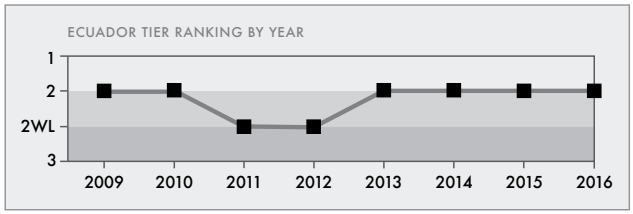
government approved 55,000 birth certificates for documented individuals born in the country to immigrant parents, and reissued 15,000 birth certificates for those individuals. The government planned to offer permanent residency to 8,755 of the individuals who had not obtained birth certificates. These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

ECUADOR: Tier 2

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

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

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



RECOMMENDATIONS FOR ECUADOR:

Finalize, resource, and implement a national anti-trafficking action plan that appropriately defines roles and responsibilities across government agencies and facilitates effective interagency coordination; strengthen the provision of specialized services for trafficking victims, including for adults, in partnership with civil society organizations, and increase funding for services; increase efforts to investigate, prosecute, and convict traffickers, particularly for cases involving adult trafficking victims; hold criminally accountable public officials complicit in trafficking; amend anti-trafficking statutes for consistency with the international definition of trafficking; fully implement the national protocol for protection and assistance to trafficking victims, including identifying trafficking victims among vulnerable populations, such as individuals in prostitution or child and migrant workers; increase anti-trafficking training for police officers, judges, labor inspectors, immigration officials, social workers, and other government officials, particularly to enhance victim identification; issue and implement guidelines to ensure officials consistently offer foreign victims legal alternatives to removal; and enhance data collection and interagency coordination.

PROSECUTION

The government sustained law enforcement efforts. Article 91 of Ecuador's 2014 criminal code prohibits all forms of trafficking in persons and prescribes penalties ranging from 13 to 16 years' imprisonment or 16 years' to 26 years' imprisonment with certain aggravating circumstances. These penalties are sufficiently stringent, but not commensurate with those for other serious crimes, such as rape. However, article 91 is overly broad in that it does not require the means of force, fraud, or coercion for sex trafficking of adults or for forced labor; and includes all labor exploitation, child labor, illegal adoption, servile marriage, and the sale of tissues, fluids, and

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

The criminal code also separately penalizes sexual exploitation (article 100), forced prostitution (article 101), sexual tourism (article 102), and forced labor and other forms of exploitative labor (article 105), including all labor of children younger than 15 years of age. Penalties under articles 101 and 102 are 13 to 16 years' imprisonment, while penalties for forced labor under article 105 are 10 to 13 years' imprisonment—less than the penalties for forced labor under article 91. The definitions used in these laws to prohibit trafficking may cause confusion for officials charging and prosecuting such offenses and may hinder efforts to hold perpetrators accountable. The Children and Adolescents Code contains definitions of child sexual exploitation (article 69), child labor exploitation (article 81), and child smuggling (article 70); however, the latter conflates smuggling and trafficking, which may cause confusion for officials implementing this code. In particular, the definition of child sexual exploitation is not consistent with the definition of sexual exploitation in article 91.

Data collection on anti-trafficking law enforcement efforts was uneven. The anti-trafficking and human smuggling police unit investigated 52 trafficking cases in 2015 and reported conducting 10 anti-trafficking operations in 2015 compared with 19 in 2014, while police dealing with crimes against children investigated 49 cases of child sexual exploitation in 2015 compared with 84 in 2014. Prosecutors reportedly initiated prosecutions of 64 alleged traffickers in 2015 compared with 95 in 2014, and convicted 31 traffickers compared with 20 in 2014. The anti-trafficking and human smuggling police unit in Quito focused on cases involving adult victims, while police units for crimes against children investigated cases of child trafficking, sometimes in coordination with specialized anti-trafficking police. The national organized crime prosecutorial unit in Quito handled trafficking cases in partnership with local prosecutors across the country. Efforts by police and prosecutors were hampered by limited resources, limited presence in parts of the country, inadequate victim services, bureaucratic delays, and the frequent rotation of specialized police. Authorities previously initiated the prosecution of a police officer for sex trafficking, but reported no convictions of complicit officials in 2015. The government reported no progress on the 2013 prosecution of two active and two former police officers for their involvement in sex trafficking or on the 2012 investigation of a judge for trafficking-related complicity. Authorities arrested three civil registry officials for falsifying and altering documents used by international traffickers; their cases are pending. Authorities provided some anti-trafficking training to police, prosecutors, and other officials, but most specialized training was conducted by an international organization with foreign donor funding. Authorities provided mandatory training on trafficking as part of basic training for judicial police. The government undertook joint trafficking investigations with U.S., Colombian, and Peruvian officials.

PROTECTION

The government sustained efforts to protect trafficking victims. The government used the "National Unified Protocol for Integral Protection and Assistance to Victims of Trafficking" to refer victims. In 2015, victims were regularly referred to one of five government ministries responsible for victim assistance and referral, as well as NGOs who worked with the government to provide shelter, protection, and assistance. The government identified and assisted 117 potential child trafficking victims—sexual exploitation (19), labor exploitation (87), and trafficking (11). NGOs identified and assisted an additional 63 potential trafficking victims, with approximately half of these victims being Ecuadorian and half foreign nationals; it is unclear how many were trafficking cases as defined in international law given the overlapping trafficking-related criminal offenses. Police reported challenges in finding shelter for trafficking victims, particularly in the provinces; as a result, police sometimes detained adult victims in local police stations and child victims in juvenile detention centers, or placed them in non-specialized shelters in contrast to Ecuadorian law, which provides that victims may not be punished for offenses directly resulting from being subjected to human trafficking.

The government partnered with NGOs to provide emergency services to trafficking victims, shelter, and legal, psychological, and educational support. NGOs reported a lack of specialized doctors and denial of medical services to undocumented individuals. The Specialized Victim Witness Protection Program (SPAVT) assisted 72 trafficking victims in 2015, compared with 66 victims and six dependents in 2014. NGOs reported victims often sought NGO or private legal assistance due to the public defender providing limited and poor quality legal assistance to victims. The government provided an unspecified amount of funding for shelters and services for trafficking victims; NGOs reported government funding decreased in 2015 compared to the year before. Male victims had limited options for services through care centers providing ambulatory services. Foreign victims were entitled by law to the same services as domestic victims, but in practice NGOs reported the government treated foreign victims as irregular migrants violating immigration law rather than as crime victims. The Ministry of Interior (MOI) reported it had mechanisms to repatriate trafficking and human smuggling victims and that Ecuadorian diplomatic and consular missions had funding to provide food, lodging, and airplane tickets to Ecuadorian victims seeking repatriation; however, the government did not use these mechanisms during the reporting period. During the reporting period, the government granted 42 victims up to 30 days of reflection to allow them to receive SPAVT protection while deciding whether to participate in the penal process against their traffickers. Trafficking victims did not have a means to seek restitution. Many victims chose not to participate in investigations due to fear of threats, inadequate protections in the witness protection program, or lack of faith in the judicial system. There were no specific legal alternatives for foreign victims facing removal to countries in which victims would face hardship or retribution. Authorities reported they could grant temporary or permanent residency to foreign victims, but did not report how many foreign victims received residency in 2015. NGOs reported some eligible victims were not granted residency, and some foreign victims with irregular migratory statuses had difficulties accessing government-provided services.

PREVENTION

The government sustained prevention efforts. The MOI anti-trafficking sub-directorate coordinated anti-trafficking efforts, although civil society organizations continued to note a lack of coordination among government actors. The government did not finalize a new anti-trafficking action plan or provide adequate funding to conduct anti-trafficking efforts. National authorities conducted awareness campaigns reaching over

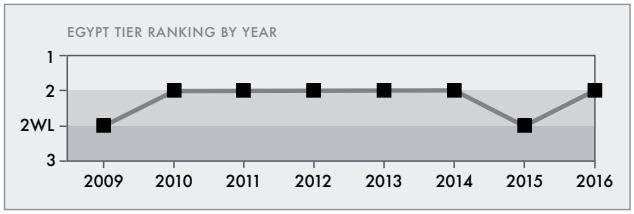
4,000 individuals and 1,450 officials. Two provincial and two municipal governments conducted awareness campaigns. The criminal code prohibits sex tourism, but there were no reports of investigations, prosecutions, or convictions of child sex tourists in 2015. In February 2015, a U.S. citizen received a U.S. prison sentence of almost five years, followed by 20 years of supervised release for attempting to facilitate child sex tourism in Ecuador. The government promulgated regulations for tourist accommodations granting authority to inspect such accommodations for potential trafficking cases, but did not report efforts targeting the demand for forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

EGYPT: Tier 2

Egypt is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Egyptian children are vulnerable to sex trafficking and forced labor in domestic service, street begging, and agricultural work. Individuals from the Persian Gulf, including Saudi Arabia, United Arab Emirates, and Kuwait, purchase Egyptian women and girls for "temporary" or "summer" marriages for the purpose of commercial sex, including cases of sex trafficking, as well as forced labor; these arrangements are often facilitated by the victims' parents and marriage brokers, who profit from the transaction. Child sex tourism occurs primarily in Cairo, Alexandria, and Luxor. Egyptian men are subjected to forced labor in construction, agriculture, and low-paying service jobs in neighboring countries. In 2015, media reported migrant Egyptian children, including unaccompanied minors in Italy observed selling goods in marketplaces and streets, are vulnerable to sexual exploitation and forced labor.

Men and women from South and Southeast Asia and East Africa are subjected to forced labor in domestic service, construction, cleaning, and begging. Foreign domestic workers—who are not covered under Egyptian labor laws—from Indonesia, the Philippines, Sri Lanka, Bangladesh, and Ethiopia are highly vulnerable to forced labor, experiencing excessive working hours, confiscation of passports, withheld wages, denial of food and medical care, and physical and psychological abuse. Women and girls, including refugees and migrants, from Asia, sub-Saharan Africa, and the Middle East suffer sex trafficking in Egypt. Syrian refugees who have settled in Egypt remain increasingly vulnerable to exploitation, including forced child labor, sex trafficking, and transactional marriages of girls—which can lead to sexual exploitation, including sex trafficking, and forced labor. Irregular migrants and asylum-seekers from the Horn of Africa, who transit Egypt en route to Europe, are increasingly vulnerable to exploitation along this migration route. From 2011 to 2013, instances of forced labor and sexual servitude, smuggling, abduction, and extortion of African migrants in the Sinai Peninsula occurred at the hands of criminal groups; however, international organizations observed the flow of these migrants into the Sinai nearly ceased in 2015, due in part to continued Egyptian military operations. Anecdotal reports, however, suggest these criminal groups have relocated from the Sinai to Egypt's border with Libya, where migrants remain vulnerable to the same abuses, including trafficking.

The Government of Egypt does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the government identified a substantially higher number of trafficking victims compared to the previous reporting period, protection services declined. The government's only trafficking-specific shelter permanently closed in May 2015, and it was unclear if identified trafficking victims received adequate protection services at other government-run facilities. Nonetheless, more than 300 identified victims were referred by government officials to and received services at government operated reception centers or NGO-run shelters. Many officials failed to identify victims systematically among vulnerable groups, and the government had no written procedures to do so. As a result, authorities continued to treat unidentified trafficking victims as criminals and punished them for unlawful acts committed as a direct result of being subjected to human trafficking. The government continued to prosecute trafficking offenders and convicted three offenders in 2015; however, many trafficking cases continued to be settled out of court, failing to adequately punish offenders. Although the government made some efforts to prevent trafficking, budget shortfalls impeded the government's efforts to effectively protect victims and combat trafficking, for which it relied on international donor assistance.



RECOMMENDATIONS FOR EGYPT:

Increase investigations, prosecutions, and convictions of all forms of trafficking and adequately punish offenders; allocate adequate resources for the provision of victim services to fund government-run facilities and to support the efforts of NGOs on which the government relies for this purpose; provide a clear legal basis for NGOs to provide victim services; provide adequate legal protections for domestic workers; implement standard operating procedures for officials to use the national victim referral mechanism to identify and refer trafficking victims among vulnerable groups, including individuals arrested for prostitution, street children, and foreign migrants; continue to increase training for all government officials on the anti-trafficking law and victim identification and referral procedures; ensure trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; encourage trafficking victims to assist in investigations and prosecutions of their traffickers; and increase ongoing nationwide awareness campaigns.

PROSECUTION

The government made some progress in anti-trafficking law enforcement efforts. The 2010 anti-trafficking law prohibits all forms of human trafficking and prescribes penalties from three to 15 years' imprisonment and fines, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The child law prohibits sex trafficking and forced labor of children and prescribes sentences of at least five years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. Articles 80 and 89 of the constitution prohibit sex trafficking, compulsory exploitation, and forced labor. The government continued to conduct a nationwide data call to gather information on trafficking cases in 2015. The government reported conducting 13 potential trafficking investigations in

2015, half the number reported in the previous reporting period. The government reported initiating 21 prosecutions under the anti-trafficking law involving sexual exploitation and forced begging crimes. Three of these cases resulted in a conviction with life imprisonment under the anti-trafficking law and one resulted in an acquittal; the rest of the cases remained pending at the end of the reporting period. These efforts represented an increase from the 15 prosecutions and zero convictions in the previous reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Law enforcement and judicial officials lacked understanding of trafficking and how to enforce the anti-trafficking law. Some trafficking cases were settled out of court, resulting in a lack of adequate punishment for trafficking offenders. To assist prosecutors in prosecuting traffickers and obtaining convictions, the Ministry of Justice's Center for Judiciary Studies provided compulsory training on human trafficking for newly appointed prosecutors as a part of its curricula. In 2015, the government provided 141 anti-trafficking trainings for 4,645 law enforcement and judicial officials, social workers, civil society, and the media.

PROTECTION

The government demonstrated increased efforts to identify trafficking victims, but its efforts to provide adequate protection services to victims declined. Through the government's anti-trafficking hotline, it identified more than 300 potential trafficking cases in 2015, some of which included organized begging and sexual exploitation; all of these cases were referred to one of the nine government-run reception and aid centers from which victims were often referred to informal, community-based or NGO-run shelters. The government also identified and referred at least five potential trafficking victims through its child abuse hotline in 2015. Although Ministry of Manpower inspectors are trained to investigate employers suspected of child labor or trafficking crimes, it did not report identifying any potential trafficking cases during routine inspections in 2015. The more than 300 identified victims is a significant increase from the 68 victims the government identified in the previous reporting period. Nevertheless, the government did not adopt written procedures to guide officials in the proactive identification of trafficking victims among vulnerable populations, including domestic workers, street children, foreign migrants, and women and girls in prostitution. The national victim referral mechanism, which included counseling and legal assistance to those who called the national anti-trafficking hotline, continued to lack clear standard operating procedures. The lack of trafficking awareness among police, security, and judicial officials outside urban areas, as well as ineffective victim identification procedures, contributed to punishment of some victims for unlawful acts committed as a direct result of being subjected to human trafficking. Authorities continued to treat and punish some unidentified trafficking victims like criminal offenders, while foreign trafficking victims remained vulnerable to detention and deportation for illegal immigration or employment violations.

The National Council for Childhood and Motherhood (NCCM), the government body leading anti-trafficking efforts, continued to have inadequate funding, which hindered its ability to provide adequate protection services to victims. The government continued to rely on international organizations and civil society to fund victim assistance, but it did not—in turn—provide financial assistance or support to these organizations, which affected their ability to offer continued provision of protective services to trafficking victims. Moreover, the NGO law hindered legal approvals and registrations for NGOs operating in Egypt, thereby impeding their efforts to provide essential services to victims. The government's shelter for female and child trafficking victims—jointly operated with an international organization since 2011—closed in May 2015 due to lack of funding. Prior to its closing, the shelter hosted 38 trafficking victims in 2015; these victims were provided assistance through local communities once the shelter closed. During the reporting period, NCCM worked with local communities and families to host and rehabilitate trafficking victims, but it was unclear how many trafficking victims they assisted in 2015. The government continued to operate numerous facilities that could assist trafficking victims. For example, NCCM operated nine reception centers for abused women, including potential trafficking victims, which provided psycho-social support and referral to NGO-run shelters; however, it was unclear how many trafficking victims received assistance at these centers in 2015. The Ministry of Health—with international assistance—continued to operate a medical recovery unit for foreign and domestic, male and female trafficking victims at a Cairo hospital; however, the government did not report if any trafficking victims received assistance at this unit in 2015. The government-run rehabilitation center for victims of abuse provided at-risk children, including potential child trafficking victims, psycho-social counseling and rehabilitation; however, it was unclear how many trafficking victims the center assisted in 2015. In February 2016, the Ministry of Justice established a 24-hour clinic for female and child victims of sexual and physical abuse, including potential trafficking victims, staffed by female doctors trained in victim protection and evidence collection for potential criminal proceedings; the government did not report how many—if any—trafficking victims received assistance at this clinic since it was established. Despite the availability of services provided by the government and NGOs, some victims sought refuge at their respective embassies. Although the government rarely granted temporary residency to foreign trafficking victims, it reportedly provided this benefit to a Somali trafficking victim during the reporting period. Foreign trafficking victims were not offered legal alternatives to removal to countries in which they faced hardship or retribution. The anti-trafficking law guarantees protection of witnesses of trafficking crimes, but the government did not report if it provided protection to any witnesses during the reporting period.

PREVENTION

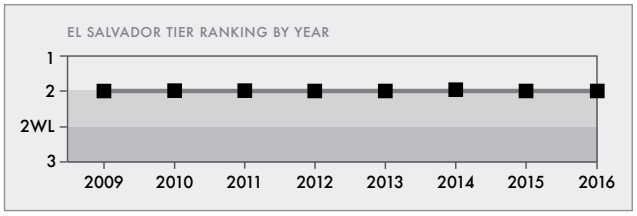
The government made some efforts to prevent human trafficking. The government continued to work on a draft national strategy to combat and prevent trafficking, which was developed to provide a comprehensive national framework to address trafficking issues for 2015-2020, but it was awaiting endorsement by the Cabinet at end of the reporting period. The government continued to operate and publicize a telephone hotline to report trafficking abuses and also created a child abuse hotline in 2015; both of these hotlines included live counseling and legal aid, as well as referrals to law enforcement and NGOs for victim assistance. NCCM conducted online anti-trafficking public awareness campaigns during the reporting period. In 2015, the government assumed an active role as a leader in multiple regional committees and initiatives that addressed migration, smuggling, and human trafficking issues affecting the Horn of Africa and Europe. In December 2015, President Al-Sisi ordered that 500 million Egyptian pounds ($70 million) be directed to addressing street children and their vulnerabilities to abuse, including trafficking; however, it was unclear if the funding was allocated to the relevant ministries by the end of

the reporting period. The government did not make efforts to reduce the demand for commercial sex acts or forced labor, but it raised awareness of the problem of child sex tourism. In 2015, the government held more than 70 symposiums reaching approximately 3,000 people in Cairo, Giza, and Fayoum governorates on the dangers of child marriage and temporary "summer marriage." The government offered anti-trafficking training for Egyptian troops before their deployment on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

EL SALVADOR: Tier 2

El Salvador is a source, transit, and destination country for women, men, and children subjected to sex trafficking and forced labor. Women, men, and children are exploited in sex trafficking within the country; LGBTI persons, especially transgender individuals, are at particular risk. Salvadoran adults and children are subjected to forced begging and forced labor in agriculture, domestic service, and the textile industry. Some men, women, and children from neighboring countries—particularly Nicaragua, Guatemala, and Honduras—are subjected to sex trafficking, domestic servitude, or forced labor in construction or the informal sector. Traffickers use employment agencies and social media to lure victims with promises of lucrative employment; one organization noted traffickers are increasingly targeting regions of the country with high levels of violence and coercing victims and their families through threats of violence. Gangs subject children to forced labor in illicit activities, including selling or transporting drugs. Salvadoran men, women, and children are subjected to sex trafficking and forced labor in Guatemala, Mexico, Belize, and the United States. Media and government officials report organized criminal groups, including transnational criminal organizations, are involved in trafficking crimes. Some Salvadorans who irregularly migrate to the United States are subjected to forced labor, forced criminal activity, or sex trafficking en route to or upon arrival in the country. Some Latin American migrants transit El Salvador to Guatemala and North America, where they are exploited in sex or labor trafficking. Corruption, particularly within the judiciary, remained a significant obstacle to law enforcement efforts. In 2014, media reported several public officials—including legislators, political party officials, and a mayor—purchased commercial sex acts from trafficking victims. Prison guards and justice officials have been investigated for trafficking-related complicity.

The Government of El Salvador does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to investigate and prosecute child sex trafficking crimes and provide services to some girl victims; however, it identified fewer victims, and services for adults, boys, and LGBTI victims were severely lacking. The government drafted a new national action plan to guide its anti-trafficking efforts from 2016-2019 and allocated $24,700 to its interagency anti-trafficking council. It developed an immediate response team to coordinate victim assistance and referral and formulated a protocol on the care of trafficking victims. The government did not investigate, and has never prosecuted, any labor trafficking cases. The government did not investigate public officials suspected of trafficking-related complicity or initiate prosecutions following investigations in previous years, undermining overall efforts to combat trafficking.



RECOMMENDATIONS FOR EL SALVADOR:

Provide comprehensive protection services for all trafficking victims, including adults and boys, and increase funding for specialized services; strengthen efforts to proactively investigate and prosecute trafficking offenses and to convict and sentence traffickers, especially for forced labor; implement procedures to proactively identify victims among vulnerable groups, including children apprehended for illicit gang-related activities, irregular migrants returning to El Salvador, and individuals in the sex trade; conduct thorough and transparent criminal investigations and prosecutions of alleged government complicity in trafficking offenses and convict and punish complicit officials; enforce laws punishing local labor brokers for illegal practices that facilitate trafficking, such as fraudulent recruitment or excessive fees for migration or job placement; increase training for public officials on victim identification and assistance, trafficking investigations, and provisions in the new law; amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law; and strengthen anti-trafficking coordination between government entities and with civil society organizations, particularly outside the capital.

PROSECUTION

The government continued law enforcement efforts to combat child sex trafficking, but did not investigate any cases of forced labor or government complicity; authorities have never prosecuted a labor trafficker. In October 2014, the legislature passed the Special Law Against Trafficking in Persons, which took effect in January 2015. This law replaced article 367B of the penal code and increased penalties for human trafficking crimes from four to eight years' imprisonment to 10 to 14 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Although it prohibits all forms of human trafficking, the law includes a definition of trafficking that is inconsistent with international law, as it treats force, fraud, and coercion as aggravating factors, rather than essential elements, of most trafficking crimes.

Similar to previous years, the government exclusively investigated and prosecuted sex trafficking crimes; several cases included women or male victims. In 2015, authorities investigated 43 sex trafficking cases and no cases of labor trafficking. Authorities prosecuted and convicted 19 sex traffickers in eight cases, an increase from seven sex traffickers prosecuted and convicted in 2014. Offenders convicted in 2015 received sentences ranging from four to eight years' imprisonment. The government prosecuted all cases using its previous anti-trafficking law because the crimes occurred before the new law came into effect. Despite evidence of force or coercion used by gangs to compel children to engage in illicit activities, authorities did not investigate or prosecute any such crimes as human trafficking. Some officials, particularly judges, demonstrated a limited understanding of human trafficking, which impeded efforts to hold traffickers accountable. During the year, the government provided anti-trafficking training to 2,473 government

employees, including police, prosecutors, judges, and labor inspectors. Authorities cooperated on trafficking investigations with officials from Guatemala, Honduras, Nicaragua, Costa Rica, Mexico, and the United States. In 2015, the government developed a specialized 30-person anti-trafficking police unit, in compliance with the new anti-trafficking law.

Despite several reports and investigations initiated as early as 2009, in 2015 the government did not investigate, prosecute or convict any government employees complicit in human trafficking offenses. The government did not provide any updates on two investigations from previous years, one involving several officials for the alleged purchase of sex acts from trafficking victims and a second involving a public official suspected of sex trafficking. It did not report any developments in a 2012 case of three prison guards arrested for facilitating sex trafficking or a 2009 investigation of trafficking-related complicity by the former head of the prosecutorial anti-trafficking unit.

PROTECTION

The government maintained efforts to assist girls subjected to sex trafficking but identified fewer victims, and services remained inadequate overall. Immigration officials continued efforts to identify possible trafficking victims in border regions; however, the government lacked formal procedures to identify trafficking victims among vulnerable groups, including individuals in commercial sex. In 2015, the government reported identifying 49 sex trafficking victims, a decrease from 87 victims identified in 2014. Those identified included 21 women, 24 girls, two men, and two boys; 45 were Salvadoran and four were from other Latin American countries. Authorities did not identify any forced labor victims, compared with three in 2014. The government did not provide statistics on the number of LGBTI victims identified, if any. An international organization reported assisting 159 victims, including 40 women, 98 girls, seven men, and 14 boys.

During the year, the government developed an immediate response team to coordinate victim assistance and referral and formulated a protocol on the care of trafficking victims. However, referral of victims to services remained uneven, and it was unclear how many victims received specialized services. The government offered no specialized services or shelter to boys, adults, or LGBTI victims, although NGOs and officials reported these populations needed shelter, rehabilitation, and mental health services. The government shelter for girls subjected to sex trafficking offered psychological and medical care to an unknown number of victims in 2015; as of early 2015, it housed six victims. Throughout the investigation and intake process, residents of the shelter were required to recount their trafficking experience multiple times to various government entities, highlighting a lack of interagency coordination and leading to re-victimization. There were few long-term support or reintegration services available for victims, leaving them vulnerable to re-trafficking. Repatriated Salvadoran victims could be referred to services and the police to investigate their cases, but the government did not report doing so in 2015. Authorities made efforts to screen for trafficking indicators among Salvadorans returned from abroad; however, because returnees were often reluctant to communicate with officials about their experiences, many victims may have remained unidentified.

Although it reported using procedures to protect victims' identities in court and passed legislation allowing for victims to provide testimony via teleconference, the government did not provide sufficient victim and witness protections to guard against reprisal from traffickers—a particular threat to those victimized by criminal groups. Judges in criminal courts could order civil compensation awards in trafficking cases; however, victims had to work through the civil courts to receive payment. In 2015, no convictions included such compensation, compared with three convictions that included compensation in 2014. Identified trafficking victims generally were not charged, jailed, or penalized for unlawful acts committed as a direct result of being subjected to human trafficking. However, due to the lack of a formal mechanism to screen vulnerable populations, some unidentified victims may have been punished for such crimes. Furthermore, civil society organizations reported the government treated as criminals children forced to engage in illicit activity by criminal groups, rather than providing them protection as trafficking victims. The 2014 trafficking law provides foreign trafficking victims the right to seek residency status, which would allow them to work legally, but no victims had received such benefits.

PREVENTION

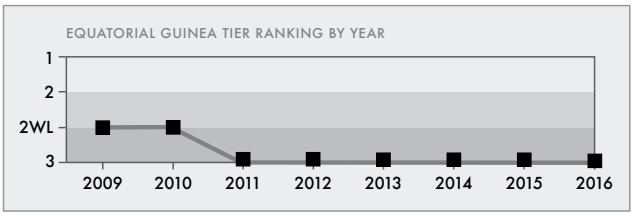
The government maintained modest prevention efforts. It expanded its anti-trafficking council to include more agencies, per provisions in the 2014 law. The council, which received a budget of $24,700, coordinated anti-trafficking activities and developed a national action plan for 2016-2019. However, government entities continued to lack adequate funding to fulfill their responsibilities and interagency cooperation remained weak. Government agencies partnered with NGOs to conduct campaigns using television, radio, and print media to warn the public against the dangers of trafficking, but these public messages typically focused only on the trafficking of women and girls. An international organization reported that the government formed a sub-commission to address migration policies that could facilitate forced labor, but this body did not report any related outcomes during the year. The government did not punish labor recruiters for illegal practices that contribute to trafficking or enforce labor migration policies that could decrease migrants' vulnerability to exploitation abroad. It did not report identifying, investigating, or prosecuting any cases of child sex tourism during the year. The government provided anti-trafficking training for its diplomatic personnel. Authorities did not report efforts to reduce the demand for commercial sex acts or forced labor.

EQUATORIAL GUINEA: Tier 3

Equatorial Guinea is a source country for children subjected to sex trafficking and a destination country for men, women, and children subjected to forced labor. The majority of trafficking victims are exploited in the cities of Malabo, Bata, and Mongomo, where burgeoning construction and economic activity funded by oil wealth have contributed to increases in the demand for cheap labor and prostitution. Equatoguinean girls are exploited in the sex trade in these cities, often by foreigners. Children from nearby countries—primarily Nigeria, Benin, Cameroon, Togo, and Gabon—may be subjected to forced labor as domestic workers, market laborers, vendors, and launders. Women from Cameroon, Benin, and other neighboring countries are recruited for work in Equatorial Guinea and subsequently subjected to forced labor or forced prostitution. Significant numbers of Chinese women migrate to Equatorial Guinea for work or to engage in prostitution, and some are subject to passport confiscation, increasing their

vulnerability to forced labor. Sub-contractor staff in the oil services and construction sectors from other parts of Africa, Asia and the Americas are regularly subjected to passport confiscation and, in some instances, forced labor. General corruption and complicity by government officials in trafficking-related offenses were common during the reporting period.

The Government of Equatorial Guinea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. However, during the reporting period, the government demonstrated a renewed interest in combating trafficking in persons and took a number of important steps to begin addressing the crime. The government adopted a national action plan focused on awareness-raising, conducted three multi-day trainings to increase victim identification and case investigation techniques for over 200 law enforcement officials, and dedicated funding to support the trainings. Despite these initial steps, the government did not make efforts to identify or protect trafficking victims or prosecute traffickers, despite having a 2004 anti-trafficking law that prohibits all forms of trafficking and mandates provision of services to victims. The government continued to deport undocumented migrants without screening them to determine whether they were victims of trafficking or referring them to assistance services.



RECOMMENDATIONS FOR EQUATORIAL GUINEA:

Use the 2004 anti-trafficking law to prosecute and convict trafficking offenders and complicit officials; develop formal procedures to identify trafficking victims, especially among child laborers, undocumented immigrants, women in prostitution, and children exploited for commercial sex; train social workers, law enforcement, and immigration officials in the use of trafficking victim identification and referral procedures; dedicate funding to shelter and protect trafficking victims and develop a formal system to refer victims to such care; develop and implement standard operating procedures for screening foreigners before deportation to ensure trafficking victims are provided appropriate care and safe, voluntary repatriation; develop and implement procedures for law enforcement officials to systematically notify embassies when their nationals have been detained; revive the inter-ministerial anti-trafficking commission and dedicate resources to implement the national action plan to combat trafficking in persons; research the extent and nature of the crime within the country; and launch a nationwide anti-trafficking public awareness campaign.

PROSECUTION

The government increased its training of officials, but did not make any other anti-trafficking law enforcement efforts during the reporting period. The 2004 Law on the Smuggling of Migrants and Trafficking in Persons prohibits all forms of trafficking and prescribes penalties of 10 to 15 years' imprisonment, punishments that are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Between September 2015 and February 2016, the government conducted three multi-day trainings to raise awareness about trafficking generally, as well as increase government officials' ability to identify victims and investigate cases; 215 attendees, most of whom were law enforcement officers and other government officials, participated in the trainings. The government did not maintain law enforcement statistics and did not report any investigations, prosecutions, or convictions of any suspected trafficking offenders, including government employees complicit in human trafficking offenses. General corruption and official complicity in trafficking-related offenses were common.

PROTECTION

The government did not make efforts to protect trafficking victims and did not identify or refer any victims to protective services. Although the 2004 anti-trafficking law mandates the government provide legal assistance, psychological and medical care, lodging, food, access to education, training, and employment opportunities to trafficking victims, it did not provide these services. Law enforcement authorities did not have procedures to identify trafficking victims nor did they make efforts to refer victims to organizations providing care. The government penalized victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government routinely detained foreign nationals, including trafficking victims, at police stations for periods of several days to several months, and seldom notified their embassies of their detention or deportation. In many of these cases, police and border officials solicited bribes from detainees and deported those who did not pay; the overwhelming majority of those detained were young men, though children and women were also sometimes detained and deported. The government did not provide foreign trafficking victims legal alternatives to their removal to countries where they might face retribution or hardship.

PREVENTION

The government increased efforts to prevent trafficking. The government broadcasted its anti-trafficking trainings on television and radio programs, as well as on the government's official website, in an effort to raise awareness among the general public. The government also adopted and began implementing a national action plan for 2016, with a primary focus on awareness raising. The government dedicated the entire amount of funding allocated towards national action plan implementation to the three training events. The Inter-Ministerial Commission to Combat Trafficking in Persons remained inactive. The government did not implement any programs to address forced child labor or identify any child labor victims, despite having 13 labor inspectors dedicated to documenting labor infractions. The government implemented a new regulation requiring all commercial sex establishments to register and provide contracts to their workers in an attempt to reduce the demand for commercial sex acts and exploitation within the sex industry. It did not undertake any discernible measures to reduce the demand for forced labor during the year. The government did not provide anti-trafficking training for its diplomatic personnel.

ERITREA: Tier 3

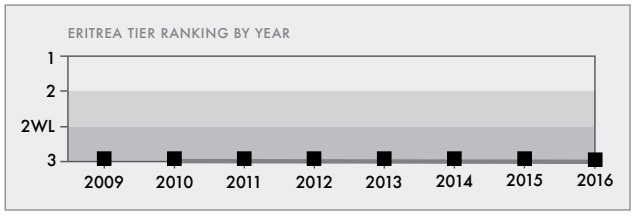
Eritrea is a source country for men, women, and children subjected to forced labor. To a lesser extent, Eritrean adults and children are subjected to sex and labor trafficking abroad. The

government continues to be complicit in trafficking through the implementation of national policies and mandatory programs amounting to forced labor within the country, which cause many citizens to flee the country and subsequently increases their vulnerability to trafficking abroad. Proclamation 82 of 1995 requires persons aged 18 to 40 years to perform compulsory active national service for a period of 18 months—six months of military training followed by 12 months of active military and development tasks in military forces in a government-run work unit, including the Eritrean Defense Forces. However, the 18-month timeframe is arbitrary and unenforced; many individuals are not demobilized from government work units after their mandatory period of service but rather forced to serve indefinitely under threats of detention, torture, or familial reprisal. In 2012, the government instituted a compulsory citizen militia, requiring medically fit adults up to age 70 not currently in the military to carry firearms and attend military training or participate in national development programs, such as soil and water conservation projects. Working conditions are often harsh and sometimes involve physical abuse.

All 12th-grade students, including some younger than age 18, are required to complete their final year of secondary education at the Sawa military and educational camp; those who refuse to attend cannot receive high school graduation certificates, attain higher education, or be offered some types of jobs. Government policy bans persons younger than 18 from military conscription; however, following some round-ups, the government detains children younger than age 18 and sends them to Sawa. Reports indicate male and female recruits at Sawa were beaten, and female recruits sexually abused and raped in previous years. The government continued *Maetot*, a national service program in which secondary-school children are assigned to work in public works projects, usually within the agricultural sector, during their summer holidays. Some Eritrean children are subjected to forced labor, including forced begging, and some women and girls are subjected to sex trafficking within the country.

Perennially, thousands of Eritreans flee the country overland to Sudan, Ethiopia, and—to a lesser extent—Djibouti, to escape forced labor or government persecution, as well as to seek better economic opportunities; for many, their ultimate goal is to attain asylum in Europe—predominantly Italy, Sweden, Norway, Switzerland, and Germany—or North America, or at minimum, achieve refugee status in Sudan, Ethiopia, Kenya, Egypt, Israel, or Uganda. Unaccompanied minors are increasingly at risk of being subjected to violence and exploitation. The government's strict exit control procedures and limited issuance of passports and departure visas prevent most Eritreans who wish to travel abroad from doing so legally, increasing their vulnerability to trafficking. Children who attempt to leave Eritrea are sometimes detained or forced to undergo military training despite being younger than the minimum service age of 18. Some Eritrean women and girls travel to Gulf States for domestic work but are subjected to sex trafficking upon arrival. Smaller numbers of Eritrean women and girls are subjected to sex trafficking in South Sudan, Sudan, and Israel; reportedly, some Eritrean men are vulnerable to sex trafficking in Israel. International criminal groups kidnap vulnerable Eritreans living inside or in proximity to refugee camps, particularly in Sudan, and transport them primarily to Libya, where they are subjected to human trafficking and other abuses, including extortion for ransom. Some migrants and refugees report being forced to work as cleaners or on construction sites during their captivity. Reports allege Eritrean diplomats, particularly those posted in Sudan, provide travel documents and legal services to Eritrean nationals in exchange for bribes or inflated fees, potentially facilitating their subjection to trafficking. Some Eritrean military and police officers are complicit in trafficking crimes along the border with Sudan.

The Government of Eritrea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. It continued to subject its nationals to forced labor in its citizen militia and compulsory national service, often for periods of indefinite duration. The government failed to investigate or prosecute any trafficking offenses or identify or protect any victims. Although the government continued to warn its citizens of the dangers of trafficking, authorities lacked understanding of the crime, conflating it with transnational migration or smuggling.



RECOMMENDATIONS FOR ERITREA:

Develop, enact, and enforce an anti-trafficking statute that criminalizes all forms of trafficking, including sex trafficking and forced labor, differentiating between emigration, smuggling, and human trafficking; enforce existing limits on the length of active national service to 18 months and cease the use of threats and physical punishment for non-compliance; investigate allegations of conscripts being forced to perform duties beyond the scope of the national service program and prosecute and punish, as appropriate, those responsible; ensure children younger than 18 at Sawa school do not participate in activities that amount to military service and are not exploited in forced labor; ensure victims and their families are not punished for crimes committed as a result of being subjected to trafficking or for fleeing government-sponsored forced labor; extend existing labor protections to persons performing national service and other mandatory citizen duties; with assistance from international organizations, provide training to all levels of government, including law enforcement officials and diplomats, on identifying and responding to trafficking crimes; and in partnership with NGOs, ensure the provision of short-term protective services to trafficking victims.

PROSECUTION

The government did not investigate, prosecute, or convict trafficking offenders during the reporting year. Article 605 of the Eritrean Transitional Criminal Code prohibits trafficking in women and young persons for sexual exploitation, which is punishable by up to five years' imprisonment; these penalties are sufficiently stringent, but not commensurate with punishments prescribed for other serious crimes, such as rape. Article 565 prohibits enslavement and prescribes penalties of five to 20 years' imprisonment, which are sufficiently stringent. Labor Proclamation 118 of 2001 prohibits forced labor, though article 3, sub-paragraph 17 of the 2001 labor proclamation, specifically excludes national and military service or other civic obligations from the definition of forced labor. Existing labor protections were not applicable to persons engaged in compulsory national service. Government-sponsored organizations incorporated anti-trafficking information into

regular programming, but they failed to strategically target law enforcement and military personnel. Officials continued to conflate transnational migration and human trafficking crimes. The government did not investigate, prosecute, or convict anyone, including complicit officials, for trafficking offenses.

PROTECTION

The government demonstrated negligible efforts to identify and protect trafficking victims. During the year, officials reportedly provided limited assistance to female victims subjected to sex trafficking in Gulf States, but the specifics of these provisions were unknown; the government did not assist any other potential trafficking victims. It did not develop procedures to identify or refer trafficking victims among vulnerable groups, including Eritreans deported from countries abroad or persons forcibly removed by Eritrean security forces from neighboring countries. Eritreans fleeing the country and those deported from abroad—including some who may be trafficking victims—were vulnerable to being arrested, detained, harassed, or recalled into national service upon return. The government did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

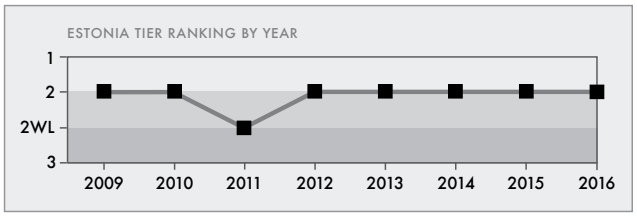
PREVENTION

The government maintained minimal efforts to prevent trafficking. The government continued its engagement of citizens on the dangers of trafficking through awareness-raising events and poster campaigns through the Women's Association, Youth Association, and Workers' Federation; however, such efforts conflated transnational migration and human trafficking. While the Proclamation of National Service 11/199 prohibits the recruitment of children younger than 18 years of age into the armed forces and applies sufficiently stringent penalties for this crime, children younger than age 18 continued to be sent to Sawa for completion of their final year of education. Officials remained without procedures to verify ages of new recruits into governmental armed forces and lacked transparency on efforts to ensure children did not participate in compulsory activities amounting to military service or other forms of forced labor. The government did not report information on its efforts to reduce the demand for commercial sex acts or forced labor. Officials did not provide anti-trafficking training for its diplomatic personnel.

ESTONIA: Tier 2

Estonia is a source, transit, and destination country for women and girls subjected to sex trafficking and for men, women, and children subjected to forced labor. Estonian women and girls are subjected to sex trafficking within Estonia and in other European countries. Men and women from Estonia are subjected to conditions of forced labor within Estonia, elsewhere in Europe, and in Australia, particularly in the construction, cleaning, and social welfare sectors, as well as in seasonal jobs. Estonian children are forced to commit crimes, such as theft, to benefit their exploiters. Men from Ukraine and Poland are subjected to labor exploitation within Estonia, particularly in the construction sector. Vietnamese nationals subjected to forced labor transit Estonia *en route* to other EU countries.

The Government of Estonia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Estonian authorities increased the available funding for victim services and identified a broader range of victims, including foreign citizen and child sex trafficking victims. The government, however, continued to require a police report be filed for presumed victims to receive government-funded assistance, and it ceased any such funding when criminal charges were not pursued in a given case. This requirement discouraged victims to come forward and limited the publicly funded services available to trafficking victims.



RECOMMENDATIONS FOR ESTONIA:

Amend the Victim Support Act to remove barriers to victim identification and government-funded assistance; increase efforts to investigate, prosecute, and convict trafficking offenders under section 133 of the penal code; increase specialized training for investigators and prosecutors on applying section 133 and working with victims serving as witnesses; encourage police and the labor inspectorate to investigate labor trafficking, including labor recruiters engaging in fraudulent practices; increase training for judges to ensure the judiciary understands the severity of the crime when issuing sentences; encourage more victims to assist prosecutions by facilitating access to effective legal counsel; and inform victims of the option to pursue court-ordered compensation from their traffickers.

PROSECUTION

The government maintained law enforcement efforts. Estonia prohibits all forms of both sex and labor trafficking through sections 133 and 175 of the penal code, which prescribe a maximum penalty of up to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In addition to criminalizing child sex trafficking, section 175 criminalizes influencing a child to appear as a model in the manufacture of pornographic work. Estonian police investigated four new section 133 cases in 2015, compared with five in 2014; two of these cases involved labor trafficking. Authorities also registered 63 crimes under section 175, the majority of which involved influencing children to send naked images of themselves. The government initiated one new prosecution in 2015, the same as in 2014 and 2013. Authorities also began prosecutions in 20 cases under section 175. Estonian courts convicted four traffickers under section 133 in 2015, compared to four in 2014. All four traffickers received prison sentences, which ranged from four to 10 years' imprisonment, and three were ordered to pay restitution to the victim. Estonian courts also convicted 11 individuals under section 175. The government provided a training session for 20 law enforcement officials to facilitate cooperation on forced labor cases. Authorities did not provide training to the judiciary. Estonian authorities cooperated in two transnational investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained protection efforts. Per the Victim

Support Act, a police report must be filed for presumed victims of trafficking to be eligible for government-funded services. This requires victims to divulge personal, traumatizing information early in their recovery, which serves as a disincentive for victims to come forward. Once a police report is filed, the police have 10 days to meet with the prosecutor's office; if authorities decide not to pursue a criminal case, the government ceases funding the victims' care. Fewer victims have received government-sponsored assistance in the two years since this requirement was imposed in 2013. From 2012 to 2013, 43 victims received government-sponsored assistance, compared with 20 in 2014-2015. In 2015, 16 victims, 13 of whom were newly identified during the year, received government assistance; this marked an increase from the four victims receiving government assistance in 2014. Authorities identified two foreign child victims in 2015 and provided them with temporary residence permits, accommodation, and education; authorities did not identify any foreign victims in 2014. Also in 2015, authorities identified nine victims of child sex trafficking, both boys and girls.

In 2015, the social security board made approximately 86,000 euros ($93,600) available to fund assistance to officially identified trafficking victims, an increase from 50,000 euros ($54,400) in 2014. In addition, the Ministry of Social Affairs provided approximately 100,100 euros ($108,900) to an NGO providing counseling services to women in prostitution, some of whom may have been sex trafficking victims. The ministry also co-financed an NGO-run project to provide rehabilitation services to women exploited in or vulnerable to sex trafficking There were no specialized shelters for children, although child victims could reportedly stay at women's domestic violence shelters or be placed in foster care. Adult male victims had access to legal counseling and other services. Estonia's witness protection law allows trafficking victims to provide their testimony anonymously, but it was unknown whether this has ever been applied in a trafficking case or whether victims had ever served as witnesses in criminal trials. An Estonian court ordered a restitution payment of 150,000 euros ($163,200) to a trafficking victim.

PREVENTION

The government maintained prevention efforts. Authorities ran multiple awareness campaigns targeting schoolchildren, prospective migrant workers, and social workers, and co-sponsored a trafficking-themed regional hackathon to develop innovative technology solutions to combat trafficking. In April 2015, the government approved a 2015-2020 plan for reducing violence, which included trafficking. One objective of the plan is to amend the Victim Support Act to provide trafficking victims with easier access to services. The anti-trafficking working group, with 35 government agencies and NGOs, continued to meet regularly and published an annual public report of its activities. The government provided an NGO with 63,888 euros ($69,500) to operate an anti-trafficking hotline; the hotline received 399 calls from individuals vulnerable to trafficking during the reporting period. The government provided anti-trafficking training for its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex acts and forced labor.

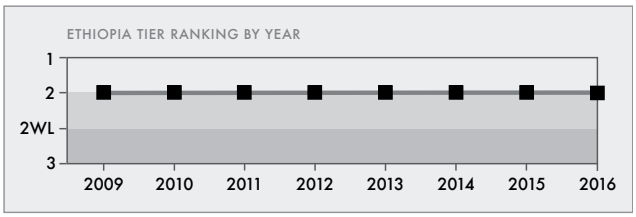
ETHIOPIA: Tier 2

Ethiopia is a source and, to a lesser extent, destination and transit country for men, women, and children subjected to forced labor and sex trafficking. Girls from Ethiopia's impoverished rural areas are exploited in domestic servitude and prostitution within the country, while boys are subjected to forced labor in traditional weaving, construction, agriculture, and street vending. Addis Ababa's central market is the site of numerous brothels, where girls as young as 8 years old are exploited in prostitution. Ethiopian girls are exploited in domestic servitude and prostitution in neighboring African countries—particularly Sudan—and the Middle East. Ethiopian boys are subjected to forced labor in Djibouti as shop assistants, errand boys, domestic workers, thieves, and street beggars. Young people from Ethiopia's vast rural areas are aggressively recruited with promises of a better life and are likely targeted because of the demand for cheap labor in the Middle East; many are subsequently subjected to forced labor. Child sex tourism is a growing problem in major tourist hubs, including Addis Ababa, Bahir Dar, Hawassa, and Bishoftu; reports identify both foreign and domestic perpetrators, with links to local hotels, brokers, and taxi drivers.

Officials reported up to 1,500 Ethiopians departed daily as part of the legal migration process in search of better economic opportunities. Many young Ethiopians transit through Djibouti, Egypt, Somalia, Sudan, Kenya, and increasingly Yemen, seeking work in the Middle East; some are exploited in these transit countries. Reports continue to document the transportation of Ethiopians to South Africa, via Kenya and Tanzania, as well as large numbers of Ethiopians who have died in boat accidents crossing the Red Sea from Djibouti to Yemen, many of whom are attempting irregular migration and are vulnerable to trafficking in onward destinations. Many Ethiopian women working in domestic service in the Middle East endure severe abuse, including physical and sexual assault, denial of salary, sleep deprivation, passport confiscation, and confinement. Ethiopian women who migrate for work or after fleeing abusive employers in the Middle East are also vulnerable to sex trafficking. Ethiopian men and boys migrate to the Gulf States and other African nations, where some are subjected to forced labor. Previous reports suggest district-level officials accepted bribes to alter ages on identification cards, allowing children to acquire passports without parental consent and enabling minors to leave the country for work. The Ethiopian government's 2013 ban on domestic worker employment in Gulf countries remained in effect at the end of the reporting period; irregular labor migration to the Gulf has increased. Saudi Arabia remains the primary destination for irregular migrants; reportedly, over 400,000 Ethiopians reside there, including some trafficking victims.

The Government of Ethiopia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2015, the government enacted a comprehensive anti-trafficking law, which overhauls existing legislation to define and punish trafficking offenses and to enact measures to support victims of trafficking. It also passed a revised overseas employment proclamation, which, if fully implemented, would penalize illegal recruitment, improve oversight of overseas recruitment agencies, and extend greater protections to potential victims. During the reporting period, the government assisted in the identification of more than 3,000 trafficking victims and convicted 69 traffickers, an increase from 46 convicted during the previous year. The government sustained

its efforts to prevent and raise awareness on trafficking and trafficking-related crimes through its community conversations project. The government did not specifically address internal trafficking, including child sex trafficking, and focused largely on transnational cases. During the year, the development of income generation plans to support victim reintegration was stymied. The government continued to rely on NGOs and international organizations to provide assistance to both internal and transnational trafficking victims; however, it did provide in-kind support for such efforts.



RECOMMENDATIONS FOR ETHIOPIA:

Continue to increase efforts to convict traffickers, including for internal cases, and compile and share trafficking statistics; improve the investigative capacity of police throughout the country to increase prosecutions of internal child trafficking offenses; implement, distribute to, and train law enforcement and judicial officials on the anti-trafficking proclamation; partner with local NGOs to improve services available to trafficking victims, including allocating funding to enable the continuous operation of either a government or NGO-run shelter; enact legislation to ensure penalization of illegal recruitment and improved oversight of overseas recruitment agencies; implement the overseas employment proclamation, assign and train labor attaches, and investigate and prosecute illicit recruiters; institute trafficking awareness training for labor officials who validate employment contracts or regulate employment agencies; improve screening procedures in the distribution of national identification cards and passports to prevent their fraudulent issuance to children; allocate appropriate funding for the deployment of labor attaches to overseas diplomatic missions to ensure the protection of Ethiopians seeking work or employed overseas; and incorporate information on human trafficking and labor rights in Middle Eastern and other countries into pre-departure training provided to migrant workers.

PROSECUTION

The government increased anti-trafficking law enforcement efforts and improved its legal structure to facilitate effective law enforcement. It continued to focus on transnational labor trafficking, with negligible evidence of investigation or prosecution of sex trafficking or internal forced labor cases. In August 2015, the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants, No. 909/2015, went into effect to overhaul its existing anti-trafficking prohibitions. The 2015 proclamation broadly defines trafficking crimes consistent with international law, to include exploitation for the purpose of forced labor and sex trafficking by means of force, fraud, or coercion; with regard to children, the use of coercive or fraudulent means is not relevant. Under the proclamation, traffickers are subject to 15-25 years' imprisonment and a fine of 150,000 to 300,000 birr ($7,000 to $14,000), penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Aggravated trafficking offenses carry a prison term of 25 years' to life imprisonment, in addition to a fine of 200,000 to 500,000 birr ($9,000 to $24,000). The government passed amendments to the Employment Exchange Services Proclamation No. 632/2009, which governs the work of licensed labor recruitment agencies, but did not fully implement it during the year.

During the reporting period, federal and regional justice officials investigated 294 trafficking cases and convicted 69 traffickers under the new anti-trafficking law, an increase from 46 convictions in 2014; 58 cases from the previous reporting period remained ongoing. A March 2015 investigation of two Ethiopian smugglers suspected of moving 38,000 Ethiopians to South Africa and the Middle East for unknown purposes, potentially including trafficking victims, remained open. Financial and capacity constraints continued to impede regional police's ability to compile data. The government partnered with civil society stakeholders and international organizations to conduct four trainings for regional justice officials and relevant government personnel on the newly passed anti-trafficking proclamation. The government paid for 27 judges and prosecutors to attend training, facilitated by an international organization, covering how to conduct victim interviews and court proceedings for trafficking cases, and provided facility space for the training of more than 140 judicial personnel on victim-centered investigative techniques and the anti-trafficking proclamation. The government did not report any investigations, prosecutions, or convictions of public officials allegedly complicit in human trafficking offenses.

PROTECTION

The government made modest efforts to protect trafficking victims. The proclamation established a national committee, chaired by the deputy prime minister, to coordinate anti-trafficking efforts and authorized the Council of Ministers to issue implementing regulations; none have been issued to date. It continued to partner with international organizations and NGOs to provide services to victims; although it did not allocate funding for these entities, it provided some in-kind support, including shelter and security when feasible. During the reporting period, the government identified 3,163 victims of trafficking in routine partnership with international organizations and NGOs; the vast majority of these victims were intercepted before departing for South Africa and Gulf States. It remained without standard procedures for front-line responders to identify trafficking victims and refer them to care. The government provided some assistance to migrants at border crossings, including food and water, medical assistance, temporary accommodation, and transportation; the government continued to jointly operate an emergency response center in the Afar Region with international organizations. One organization in Addis Ababa identified and provided familial reunification services to more than 300 child trafficking victims, while another organization reunified more than 1,500 potential victims; the government did not provide any financial or in-kind support for these services. Many NGO-run facilities depended on project-based funding to operate, which resulted in unpredictable availability of care. The 2009 charities and societies proclamation, which prohibits organizations receiving more than 10 percent of their funding from foreign sources from engaging in activities that promote human rights, restricted some NGOs' ability to provide protective services to trafficking victims.

The government operated child protection units in the 10 sub-cities of Addis Ababa and six major cities; staff were trained in

assisting vulnerable children, including potential trafficking victims. While officials sometimes encouraged victims to assist in the investigation and prosecution of their traffickers, there were no protective mechanisms in place to support their active role in these processes; if fully implemented, the 2015 proclamation would extend to trafficking victims protections outlined under the Witness and Whistleblowers Protection Proclamation (No. 699/2010). Ethiopian law does not prevent the deportation of foreign victims to countries where they may face hardship or retribution. There were no reports of trafficking victims being detained, jailed, or prosecuted in 2015, although some victims may have been criminalized based on lack of standardized victim identification procedures. The 2015 proclamation provides extensive protections and rights for trafficking victims, including protection from prosecution for acts committed as a result of being subjected to trafficking. The government reported the scope of its repatriation assistance to Ethiopian nationals subjected to trafficking abroad was insufficient.

The government continued to assist Ethiopians deported from Saudi Arabia since 2013; progress on income generation programming for returnees, produced via partnerships between international organizations and the anti-trafficking taskforce, was stymied during the reporting year. Most returnees cited local government as their main source of support, including job creation and psychological care; however, many also reported disappointment in their ability to obtain expected microcredit or arable land, due to the government's low capacity and budget in this area.

PREVENTION

The government continued efforts to prevent trafficking. In August 2015, officials approved and endorsed a five-year national action plan to combat trafficking that incorporated feedback from civil society stakeholders; however, the government did not release information on funding for its implementation. The national committee, advised by international organizations, convened seminars to guide local officials and citizens in the establishment of anti-trafficking units and disseminated the 2015 anti-trafficking proclamation. Local governments, employing community conversations as an awareness-raising mechanism, hosted and facilitated hundreds of sessions throughout the country, including in four regions where outward labor migration was common. Government-owned media companies continued to support local NGOs in broadcasting awareness campaigns on child labor in the agricultural sector in film and on radio. In contrast to the previous year, the government did not distribute informational materials outlining the causes or consequences of child labor in 2015.

The government maintained its 2013 ban on the recruitment of low-skilled domestic workers to the Middle East, which it planned to keep until the establishment of bilateral work agreements with recipient countries and the enactment of a revised employment exchange proclamation, which would allow for greater oversight of private employment agencies, mandate the placement of labor attaches in Ethiopian embassies, and establish an independent agency to identify and train migrant workers. In 2015, the government conducted over 37,500 scheduled and random labor inspections; however, it failed to suspend any licenses of agencies for labor law violations, whereas it suspended 10 in 2014. Officials made some progress on negotiating new agreements with Saudi Arabia, Lebanon, South Sudan, or the United Arab Emirates; such agreements require governments to commit to ethical recruitment, legal remedies against those who violate the law, and equal protection of Ethiopian workers, to include equal wages for equal work, reasonable working hours, and leave time. Memoranda with neighboring African countries—particularly Djibouti, and on an ad hoc basis with Kenya and Sudan—aim to provide joint border management to include repatriation assistance for trafficking victims; however, workers' rights are not explicitly addressed.

Ethiopian officials continued efforts to implement a 2012 law requiring registration of all births nationwide; however, the lack of a uniform national identity card continued to impede implementation of the law and allowed for the continued issuance of district-level identity cards, whose dispersion is subject to fraud. The government made modest efforts to reduce the demand for commercial sex acts and forced labor during the reporting period. In conjunction with civil society organizations, officials identified and referred to care an unknown number of children vulnerable to sex tourism in major tourist hubs. The government provided anti-trafficking training to its diplomatic personnel as part of their basic diplomatic training. A foreign donor and facilitator provided Ethiopian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

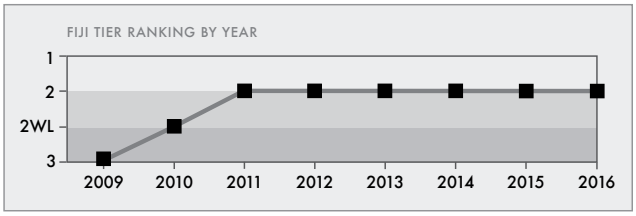
FIJI: Tier 2

Fiji is a source country for women and children subjected to sex trafficking and forced labor and a transit and destination country for Asian men and women subjected to forced labor and forced prostitution. Fijian women and children are subjected to sex trafficking and domestic servitude abroad or in Fijian cities. Women from China, Thailand, Malaysia, and other East Asian countries are deceptively recruited for legitimate jobs in their home countries or while visiting Fiji, sometimes by Chinese criminal organizations. These women reportedly are exploited in illegal brothels (posing as massage parlors and spas), local hotels, private homes, small and informal farms and factories, and other rural and urban locations. Fiji's liberal visa requirements—which allow nationals of 132 nations to enter the country without acquiring a visa—and role as a regional transportation hub may contribute to its status as a transit country for human trafficking. Workers from other Asian countries are subjected to forced labor on fishing vessels and transit through Fiji or board fishing vessels from Fiji ports and waters. They live in poor conditions, accrue significant debts, and work for little or no compensation on foreign fishing vessels, mainly Chinese- and Taiwan-flagged, in Pacific waters. South Asian and East Asian men are fraudulently recruited to work in Fiji and find themselves in conditions of forced labor upon arrival.

Family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels have allegedly exploited Fijian children in prostitution. Some Fijian children are at risk of human trafficking as families follow a traditional practice of sending them to live with relatives or families in larger cities, where they may be subjected to domestic servitude or coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees.

The Government of Fiji does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the Fijian government assisted in the repatriation of two Fijian trafficking victims and acquired a new safe house. Authorities began investigation of five trafficking cases involving four

suspects, but did not bring any of those cases to prosecution. The government did not implement formal procedures to proactively identify victims of trafficking among vulnerable populations; some potential victims may have been deported as law violators.



RECOMMENDATIONS FOR FIJI:

Continue efforts to investigate and prosecute trafficking offenses and convict and punish traffickers; institute additional trainings for law enforcement and immigration officers on victim identification and protection; develop and strengthen formal procedures to proactively identify trafficking victims, especially among vulnerable groups, such as foreign migrant workers on fishing vessels, those allegedly involved in prostitution, and exploited children; enhance efforts to provide access to interpretation services and legal, medical, and psychological assistance to victims; make efforts to allow identified trafficking victims to work and earn income while assisting with investigations; increase dissemination of anti-trafficking awareness campaigns directed at clients of child and adult prostitution; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made limited anti-trafficking law enforcement efforts. The 2009 Crimes Decree includes provisions that prohibit all forms of trafficking. The prescribed penalties of up to 25 years' imprisonment, and possible fines of up to 100,000 Fijian dollars ($47,059), are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government did not prosecute or convict any suspected traffickers in 2015. The police anti-trafficking unit began investigation of five cases, an increase from two cases investigated in 2014, which remain under investigation. Two of these cases from 2015 involved forced labor of male foreign nationals and three involved sex trafficking of Fijian women and children. The government continued to fund anti-trafficking in persons training for new police recruits. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government increased efforts to identify and protect trafficking victims. The police anti-trafficking unit identified 13 potential trafficking victims, an increase from zero victims identified in 2014 and three in 2013; and officials provided modest assistance to at least nine victims during the year. Immigration officials and police reported using guidelines to identify potential trafficking victims, including at the border; however, authorities did not proactively identify victims of trafficking among vulnerable populations, such as women and girls in prostitution, foreign workers in spas, and crew members who transit through Fiji onboard vessels in Fiji ports. Instead, some potential trafficking victims may have been deported as law violators. The government continued to deport foreign women in prostitution without screening them for vulnerability to trafficking.

The government apportioned funds to cover the operational costs of a new safe house for human trafficking victims, asylum seekers, and migrants awaiting deportation. Trafficking victims were eligible to apply for government legal aid and receive basic medical care. The government made available accommodation, medical care, interpreters, allowances for basic necessities, 24-hour police security, and temporary visas to foreign victims of trafficking; seven foreign trafficking victims used government facilities for these services during the reporting period. The government did not offer permanent residency status for foreign victims, including those who participated in criminal trials. Victims had the right to file for civil remedies, but no victims applied for these measures. The government provided financial and repatriation assistance to two Fijian trafficking victims in a third country. The government did not protect unidentified victims from punishment as a direct result of being subjected to human trafficking, such as women and children in prostitution or undocumented workers.

PREVENTION

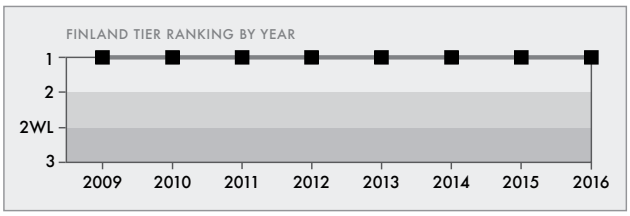
The government sustained efforts to prevent trafficking. The police anti-trafficking unit continued public awareness campaigns aimed at children and parents. The 2007 Employment Relations Promulgation gives the permanent secretary of labor the authority to fine or imprison employment agencies operating without authorization; however, the government did not make efforts to punish labor brokers involved in fraudulent recruitment offers despite known cases of such activity. The government did not make efforts to reduce the demand for commercial sex acts, forced labor, or child sex tourism. The government provided anti-trafficking training as a component of human rights training given to Fijian military personnel prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training to its diplomatic personnel. Fiji is not a party to the 2000 UN TIP Protocol.

FINLAND: Tier 1

Finland is a transit, destination, and limited source country for women and girls subjected to sex trafficking and for men and women subjected to forced labor. Forced labor victims come from several countries, primarily in Eastern Europe and Asia. Many victims arrive in Finland legally and are exploited in the construction, restaurant, agriculture, metal, and transport industries, and as cleaners, gardeners, and domestic servants. Seasonal berry pickers, many of whom arrive from Thailand, are especially vulnerable to labor exploitation. Female sex trafficking victims originate primarily in Eastern Europe, Southeast Asia, and West Africa. Finnish women and children, mostly girls, are vulnerable to sex trafficking. In its 2015 report, GRETA highlighted forced begging and forced criminality as emerging problems.

The Government of Finland fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government implemented changes to the victim assistance system clarifying how victims enter, exit, and receive services within it. Victim identification, especially of children, was inadequate; no children were admitted to the victim assistance system in 2015. The government increased the number of

investigations, prosecutions, and convictions of trafficking cases compared to the previous reporting period, although courts continued to issue weak sentences for convicted traffickers. It continued to provide training for prosecutors and law enforcement personnel and designated police officers in each region to serve as a national network of anti-trafficking experts. The national coordinator began drafting a new national anti-trafficking action plan. The government appointed a new non-discrimination ombudsman, who also served as the national rapporteur on trafficking. The national rapporteur's annual report on trafficking was discontinued; the government planned to incorporate trafficking into a broader non-discrimination report.



RECOMMENDATIONS FOR FINLAND:

Vigorously investigate and prosecute sex and labor trafficking cases using the trafficking statute; increase the number of prosecutors, judges, and police that specialize in trafficking cases; train and encourage officials to identify potential sex and labor trafficking victims proactively, especially children, and refer them to services to which they are entitled under the law; offer all victims appropriate housing and specialized care; train investigators, police, border officials, prosecutors, labor inspectors, and judges on applying the trafficking law and respecting victims' rights; issue proportionate and dissuasive sentences to convicted traffickers; increase efforts to reduce the demand for forced labor; encourage greater victim participation in the criminal process; develop an updated national strategy against trafficking, including mechanisms to monitor its implementation; and conduct assessments on the effectiveness of awareness campaigns.

PROSECUTION

The government increased law enforcement efforts. Law 1889-39 of the penal code prohibits all forms of trafficking and prescribes sentences of up to 10 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Amendments to the penal code clarifying the differences between trafficking and procuring offenses entered into force during the reporting period, although the government also continued to use laws against pandering, discrimination, and usury to investigate and prosecute suspected traffickers. The government reported initiating 32 investigations of trafficking cases (including at least 12 sex trafficking cases and 19 labor trafficking cases) in 2015, compared with 20 cases (15 sex trafficking and five labor) in 2014. Authorities initiated prosecution of four cases in 2015. Finnish courts convicted four traffickers (two each for labor and sex trafficking) in 2015, compared with two convictions in 2014. Courts issued sentences of 32 and 46 months' imprisonment for the sex trafficking convictions; the convicted labor traffickers were sentenced to 12 and 20 months' imprisonment. The government designated police officers in each of the 11 regions to serve as a national network of anti-trafficking experts and trainers; the designated officers met twice annually to share best practices. The government provided annual training for prosecutors; law enforcement personnel received anti-trafficking instruction as part of their basic training, as well as continued trafficking awareness training throughout their careers. The government designated five prosecutors from different regions to handle trafficking cases. GRETA noted, however, that further specialization among law enforcement, prosecutors, and judges was needed to increase the government's capacity to investigate and prosecute trafficking offenses. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government demonstrated mixed progress in protection efforts. In July, amendments to the law governing the victim assistance system, which increased transparency and clarified how victims enter, exit, and receive services, entered into force. The government provided both direct care and funding for third-party care through an asylum reception center that coordinated the national victim assistance system. In 2015, the government earmarked 1 million euros ($1.1 million) for the national assistance system. The national assistance system spent 540,000 euros ($588,000) of that budget on trafficking victim assistance, a decline from 830,000 euros ($903,000) in 2014 due to changes in housing and the number of victims referred to the national assistance system for services in 2015. The center offered shelter and psychological, medical, and legal assistance to identified victims; the staff of the reception center was empowered to identify and authorize care for victims, even when law enforcement authorities did not identify a person as a trafficking victim. There were no shelters specifically for trafficking victims. The reception center maintained a hotline and a website in multiple languages exclusively for trafficking victims. One NGO reported it received increased funding from the government and the state-owned gambling monopoly for its trafficking victim services, which included social, health, and hotline services, as well as support during police interviews and training for Finnish authorities. The national victim assistance system admitted 52 potential trafficking victims (36 women, 16 men, and no children) in 2015, the majority of whom were subjected to labor exploitation, compared with 50 admissions in 2014. Authorities used a series of written guidelines to assist in victim identification and referral to care and to ensure protection of victims' rights, although law enforcement and immigration officials noted victim identification remained a core challenge for the government. There were no reports the government penalized victims for unlawful acts committed as a direct result of being subjected to human trafficking. GRETA reported authorities may have penalized unidentified sex trafficking victims through application of legal provisions allowing suspected non-resident persons in prostitution to be deported or refused entry into Finland. During the reporting period, authorities acknowledged the surge in migrants seeking asylum throughout Europe placed additional stress on the government's capacity for victim identification despite increased staffing levels. According to GRETA, identification of child trafficking victims was especially challenging, which NGOs attributed to a lack of awareness.

The government encouraged victims to assist in the prosecution of their alleged traffickers. In 2015, 40 victims assisted law enforcement in pre-trial investigations concerning human trafficking or aggravated human trafficking, eight of whom participated in the prosecutions of alleged traffickers; 53 victims assisted in 2014. Approximately 10-15 additional victims assisted in pre-trial investigations of other trafficking-

related crimes. In January 2015, legal amendments allowing courts to conceal witnesses' identities for their protection in cases of severe criminal offenses, including trafficking, entered into force. Access to emergency shelter services was not contingent on victims' cooperation in criminal proceedings against their alleged traffickers. Finnish law allows foreign victims a six-month reflection period during which they can receive immediate care and assistance while considering whether to assist law enforcement. Authorities estimated they provided five victims with a reflection period in 2015. The government offered continuous residence permits to nine victims in particularly vulnerable positions in 2015, compared with 11 in 2014. Victims may be eligible to receive renewable temporary residence permits, allowing them to seek employment. Authorities provided temporary residence permits to two victims of trafficking. In instances where victims do not possess a national passport, the government may grant a temporary alien passport, although GRETA noted victims whose cases were prosecuted under laws other than those against trafficking, such as pimping, were often treated solely as witnesses rather than victims, which affected their access to residence permits.

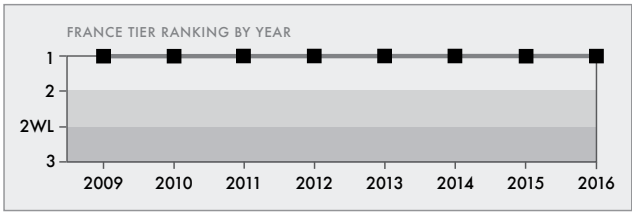
PREVENTION

The government sustained robust prevention activities. The national anti-trafficking coordinator developed a new government-wide coordination structure that created trafficking prevention offices within each ministry. The national coordinator engaged regularly with NGOs and began work on a new national action plan for 2016-2017. Parliament adopted a resolution on the independent rapporteur's quadrennial report to Parliament calling for long-term funding and measures to improve prosecution, protection, and prevention efforts. Changes to the national rapporteur took effect in January 2015, when the office was folded into that of the newly created Non-Discrimination Ombudsman. A new ombudsman, who also was to serve as the national rapporteur on trafficking, was appointed in May. The office plans to publish an annual report on non-discrimination issues that will include trafficking; however, the office discontinued the national rapporteur's annual trafficking report. The government conducted an awareness campaign against sex trafficking that targeted vulnerable groups, including women in prostitution. GRETA reported the government did not conduct assessments to measure the effectiveness of its awareness campaigns. In response to the vulnerability facing berry pickers, who were not covered under worker protection laws, the government conducted assessments of berry industry companies to prevent labor exploitation and required companies to agree to a general code of conduct. The government assigned law enforcement personnel to its embassies to assist in trafficking prevention and potential victim identification during the visa application process. The government funded an anti-trafficking awareness campaign at a film festival in March 2016 and distributed brochures at an annual travel show to prevent sex tourism. The government did not make efforts to reduce demand for commercial sex acts or forced labor. The government provided anti-trafficking training to its forces prior to their deployment abroad on international peacekeeping missions and to its diplomatic personnel.

FRANCE: Tier 1

France is a destination, transit, and a limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims from Eastern Europe, West and North Africa, Asia, and the Caribbean are subjected to sex trafficking and forced labor. Sex trafficking networks controlled by Bulgarians, Nigerians, Romanians, Chinese, and French citizens force women into prostitution through debt bondage, physical force, and psychological coercion, including the invocation of voodoo and drug addiction. The number of children, including students and foreigners, exploited in prostitution has increased in recent years. Migrants from Africa and the Middle East, particularly women and children, are vulnerable to sex and labor trafficking in Calais. Some migrants who could not pay their smugglers are held in debt bondage. Reports indicate children, primarily from Romania, West and North Africa, and the Middle East are victims of sex trafficking in France. The Government of France estimates the majority of the 20,000 people in France's commercial sex trade, about 90 percent of whom are foreign, are likely trafficking victims. Young women in French suburbs are vulnerable to sex trafficking. Online-advertised prostitution organized by Russians and Bulgarians has increased, along with classified ads posted by organized networks controlled by Romanians, Bulgarians, Nigerians, and Brazilians; trafficking victims are likely involved in activities described in these ads. Women and children from Suriname are victims of sex trafficking in French Guyana. Roma and unaccompanied minors in France are vulnerable to forced begging and forced theft. Women and children are subjected to domestic servitude, mostly in cases in which families exploit relatives brought from Africa to work in their households. Trafficking networks have expanded to operate in large towns outside of Paris, including Lille, Marseille, and Nice. In 2014, the French government launched an investigation into allegations that approximately 14 French soldiers stationed in the Central African Republic forced boy refugees to perform sex acts for money and food.

The Government of France fully meets the minimum standards for the elimination of trafficking. The government did not report anti-trafficking law enforcement efforts for the reporting period. Although it identified victims and continued to provide protective services for sex and labor trafficking victims, specialized services for children remained unavailable, and some services were only available for victims who cooperated with law enforcement. The government released its first annual public report detailing its anti-trafficking efforts and continued to partner with destination countries to address child sex tourism by French nationals.



RECOMMENDATIONS FOR FRANCE:

As stated in France's national action plan, expand available information on law enforcement efforts against human trafficking, including data on the investigation, prosecution, conviction, and sentencing of traffickers; provide specialized care for child victims of trafficking and strengthen victim protection for child victims of forced begging and theft; provide care for all victims regardless of cooperation with law enforcement; improve victims' access to restitution; standardize residence permit issuance policies and consider waiving permit fees for

all trafficking victims; screen women and children arrested for soliciting or theft for trafficking indicators; implement a national awareness campaign; and provide anti-trafficking training or guidance to diplomats.

PROSECUTION

The government did not report comprehensive anti-trafficking law enforcement efforts for the reporting period. France prohibits all forms of trafficking in persons through article 225-4 of its penal code, which prescribes maximum penalties of between seven years' and life imprisonment for trafficking offenses. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The government did not report the number of investigations conducted in 2015; in 2014, authorities conducted 204 criminal investigations for sex trafficking. The government did not report the number of prosecutions or convictions in 2014 or 2015; in 2013, authorities convicted 127 traffickers under article 225-4. The government also convicted 23 offenders for the prostitution of children and eight traffickers for forced begging in 2013.

The government confirmed several cases in which traffickers were sentenced to multiple years of imprisonment, including a case of a complicit official. In November 2015, the Paris criminal court sentenced 10 individuals, including a police captain, to between 18 months' to five years' imprisonment for operating a trafficking network in three massage parlors throughout Paris. The head of the network, a Thai woman, was sentenced to five years' imprisonment, fined 100,000 euros ($114,000), and banned from French territory. In June 2015, the Inter-Regional Specialized Court of Marseille sentenced six members of a Nigerian prostitution network to two to four years' imprisonment with fines of 15,000 euros ($17,000) each. The traffickers forced 20 Nigerian women into sex trafficking. During the reporting period, in cooperation with NGOs, the Central Office for Combating Human Trafficking (OCRTEH) trained police in identification of trafficking victims. The Ministry of Justice (MOJ) provided training to prosecutors and judges on the application of the anti-trafficking statute in March 2016.

PROTECTION

The government maintained protection efforts. The government identified 92 trafficking victims in 2015. In 2014, the government identified 467 victims of sex trafficking and aggravated pimping. The government had a formal procedure for identifying victims and an NGO-run referral mechanism. The Ministry of Social Affairs, the Ministry of Health, and the City of Paris provided funding for the Ac-Se system, an NGO-managed network of 51 NGO-run shelters assisting adult victims of sex and labor trafficking. Ac-Se assisted 92 trafficking victims in 2015, compared with 52 in 2014, by providing them with shelter, legal, medical, and psychological services. Eighty-seven were sex trafficking victims and five were labor trafficking victims. Seventy percent of these victims were Nigerian. The government repatriated 13 victims to multiple countries. Ac-Se received 223,000 euros ($243,000) in 2015, compared with 205,000 euros ($223,000) in 2014. Local governments provided French language classes to victims, and some victims could qualify for subsidized housing and job training programs. The government provided victims 350 euros ($400) as an initial stipend, and 100 euros ($110) per month thereafter. The central and municipal governments also partially funded the operation of a shelter in Paris and a small number of emergency apartments external to the Ac-Se system. Child protective services placed child trafficking victims into generalized children's shelters where there was no specialized care for victims of trafficking. The government continued to operate a hotline for children in abusive situations, including trafficking. Ac-Se operated a hotline that received an estimated 900 calls in 2015; approximately 50 callers were referred to the Ac-Se network of care providers.

The government had an NGO-run referral program to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provided short-term care. The government also provided witness protection services for victims who worked with police to prosecute traffickers. NGOs assessed the referral process worked well when victims were willing to cooperate with law enforcement authorities; however, victims unwilling to cooperate did not receive assistance. French law provided for a 30-day reflection period for identified victims, regardless of whether they chose to cooperate with law enforcement or not; however, some authorities were not familiar with the reflection period and did not offer it. Victims were eligible for temporary residence permits, provided they cooperated with police investigations. The permits were typically valid for one year and were renewable every six months. Victims who obtained residency were able to work or leave the country during trial proceedings. These permits were available during the duration of the criminal process and automatically became permanent upon an offender's conviction. In cases in which offenders were not convicted, local prefects had the discretion to grant permanent residence cards to victims. NGOs previously reported highly inconsistent practices among prefects in the issuance of residence permits, particularly if the victims had past convictions for prostitution. Some victims found it easier to apply for and obtain asylum, as the process involved no cost and no requirement to participate in a prosecution. Victims were eligible to receive restitution through the Crime Victims Compensation Program; the compensation request process often took several years to complete, and many victims had requests in progress; between 2007 and 2013, the fund provided compensation to 24 victims. The MOJ partnered with Ac-Se to train front-line responders, including labor inspectors and social workers, on the identification and referral of trafficking victims. The Ministry of Economy and Finance distributed pocket-sized cards to border police and NGOs with instructions on how to identify trafficking victims. The Ministry of Social Affairs and Health and the City of Paris produced a DVD for the country's law enforcement, immigration, and social services personnel to provide guidance on victim identification.

PREVENTION

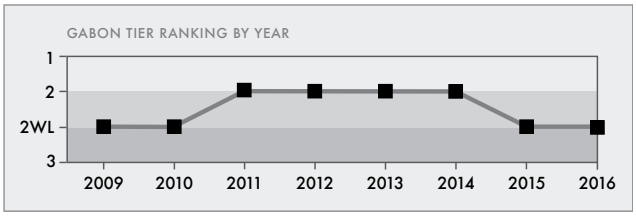
The government maintained anti-trafficking prevention efforts. The National Consultative Commission for Human Rights (CNCDH), an independent advisory body of the government, released the first annual public report covering the government's anti-trafficking efforts in 2014 through May 2015. The government designated the CNCDH as national rapporteur in compliance with the 2014-2016 national anti-trafficking action plan. The government did not implement a national anti-trafficking awareness campaign. However, the government funded programs through airlines and tourism operators describing the penalties for child sex tourism and funded poster and pamphlet campaigns by NGO partners to reduce the demand for child sex tourism. Tourism and hospitality students in France were obligated to take coursework on preventing child sex tourism. OCRTEH, in partnership with a hotel group, organized seminars to teach hotel personnel how to identify cases of trafficking and provided contact information for the local police for increased coordination. French police

conducted an unknown number of international investigations of child sex tourism. The French government provided anti-trafficking training to all peacekeeping troops prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

GABON: Tier 2 Watch List

Gabon is primarily a destination and transit country for West and Central African men, women, and children subjected to forced labor and sex trafficking and—to a lesser extent—a source country for children subjected to forced labor and sex trafficking. Some victims transit Gabon *en route* to Equatorial Guinea. Boys are forced to work as street vendors, mechanics, or in the fishing sector. Girls are subjected to domestic servitude and forced labor in markets or roadside restaurants. West African women are forced into domestic servitude or prostitution in Gabon. Some foreign adults seek the help of smugglers for voluntary labor migration to Gabon but are subsequently subjected to forced labor or prostitution after arriving via plane or boat with falsified documents. During the reporting period, a Sao Tomean woman was subjected to domestic servitude in Gabon. Traffickers appear to operate in loose, ethnic-based criminal networks, at times involving female traffickers—some of whom are former trafficking victims—in the recruitment and transportation of victims from their countries of origin. In some cases, child victims report their families willingly gave them to intermediaries promising employment or education who instead subjected the children to trafficking. There is evidence some traffickers operate outside the capital to avoid detection by law enforcement.

The Government of Gabon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government identified an increased number of trafficking victims, initiated more prosecutions than in the previous reporting period, and established two vigilance committees to monitor child trafficking in provincial capitals. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Gabon is placed on Tier 2 Watch List for the second consecutive year. For the third consecutive year, the government did not convict any traffickers or enact a proposed amendment specifically to criminalize adult trafficking, and it decreased funding for victim shelters. The inter-ministerial child trafficking committee, which coordinates national anti-trafficking efforts, remained without sufficient funds to fulfill its mandate effectively, and there remained no such mechanism to coordinate national efforts to address adult trafficking.



RECOMMENDATIONS FOR GABON:

Increase efforts to investigate, prosecute, and convict traffickers, including those involved in adult trafficking and sex trafficking, by convening the high court; enact provisions criminalizing all forms of trafficking; expand training for social workers, law enforcement, labor inspectors, and judicial staff to include the identification and investigation of adult trafficking; increase financial or in-kind support to both government-run and NGO shelters; develop an inter-ministerial committee to address adult trafficking or expand the existing inter-ministerial committee's mandate to include adult trafficking; train social workers and service providers on best practices in the provision of care for trafficking victims; increase funding and resources to government ministries to ensure full implementation of the victim identification and referral processes; increase communication among ministries to facilitate improved case management and data collection; develop a system to track trafficking cases and provide relevant law enforcement and victim protection statistics; expand national awareness-raising campaigns to include information on adult trafficking; and develop a national action plan to combat all forms of trafficking.

PROSECUTION

The government maintained modest anti-trafficking law enforcement efforts. Existing laws do not criminalize all forms of human trafficking; for example, they do not criminalize bonded labor. Enacted in September 2004, law 09/04 on child trafficking prohibits child trafficking for both labor and sexual exploitation, and prescribes penalties of up to a maximum of 40 years' imprisonment, in addition to fines; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Penal code article 261 prohibits the procuring of a child for the purpose of prostitution and prescribes penalties of two to five years' imprisonment and a fine. Law 21/63-94 prohibits forced prostitution of adults and prescribes penalties of two to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes. Penal code article 48 prohibits the use of children in illegal activities, prescribing penalties of five to 10 years' imprisonment. Title 1, article 4 of the Gabonese labor code (law 3/94) criminalizes all forms of forced labor, prescribing penalties of one to six months' imprisonment, which are not sufficiently stringent and do not reflect the serious nature of the offense. For the third consecutive year, the government did not pass the 2013 draft amendment to law 09/04 to prohibit and punish the trafficking of adults and explicitly criminalize sex trafficking.

The high court is required to hear trafficking cases because they are a crime equivalent to murder; however, the high court was backlogged with cases and, due to funding issues, did not routinely meet, presenting a significant obstacle to prosecutions of trafficking crimes. The government reported 16 investigations—including one for adult forced labor—and 11 child labor trafficking prosecutions, comparable to 16 investigations and one prosecution the previous reporting period but a continued decrease from 50 investigations in 2013. The government did not convict any traffickers for the third consecutive year and did not provide or support anti-trafficking training for law enforcement officials during the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Data on anti-trafficking law enforcement efforts was limited, in part due to poor communication between ministries. Despite the prevalence of transnational trafficking, the government was not known to have worked with foreign law enforcement on trafficking cases.

PROTECTION

The government maintained modest protection efforts. Officials identified at least 20 child labor trafficking victims during the reporting period and referred 14 to social services—an increase from three victims identified and none referred to services in 2014. NGOs identified five additional child labor trafficking victims. The government provided in-kind support for a training session on trafficking case management for social workers; approximately 40 workers received training. It continued to lack shelter space to accommodate trafficking victims, however, and decreased funding, for the second consecutive year, to NGOs that provided shelter and services to victims. The government continued to fund and run two shelters, and provided an unknown amount of funding and in-kind support to two NGO-run shelters offering services to orphans and street children vulnerable to trafficking, including funding for social workers, medical support, psycho-social services, legal assistance, education, and food and furniture vouchers. Nonetheless, NGOs that assisted trafficking victims relied primarily on donations from churches and private companies to finance their services. Shelters in Libreville were unable to accommodate all identified trafficking victims and other vulnerable children. Male and female victims received the same services. There were no government or NGO-run shelters specifically designated for adult victims, but some could have, in practice, provided shelter and services to adults; it is unclear if any adults were referred to such facilities during the reporting period. Adult male victims were permitted to leave shelters unchaperoned, but adult female victims were not. Shelter and victim services were in theory available to Gabonese nationals who had been repatriated due to trafficking, but it is unknown if any such victims were referred to these services during the reporting period.

The Ministry of Health and Social Welfare assisted in the repatriation of 15 foreign victims, including one adult forced labor victim associated with the ongoing forced labor investigation. If victim repatriation was not an option, the Ministry of Social Affairs could provide a victim with immigration relief and resettle them in Gabon, but it is unknown if any victims availed themselves of this legal alternative during the reporting period. The government encouraged victims to cooperate when authorities needed their testimony for the prosecution of alleged traffickers. Prosecutors, police, and magistrates routinely took victims' testimonies at the time of the arrest of the suspected traffickers or rescue of the victim, which is not considered the most effective nor a victim-centered approach. While the government has sought restitution for trafficking victims in the past, there were no reports this occurred during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of their being subjected to trafficking; however, due to uneven implementation of formal victim identification measures during the reporting period, some victims may have remained unidentified in the law enforcement system.

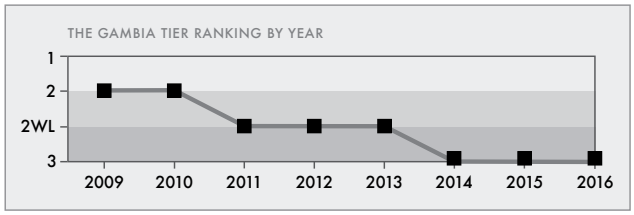
PREVENTION

The government maintained modest prevention efforts. The inter-ministerial child trafficking committee established two new vigilance committees in provincial capitals to investigate child trafficking offenses, but insufficient funding hindered the committees' ability to fulfill their mandates. An international organization funded and conducted the majority of trainings for the vigilance committees. The inter-ministerial and regional vigilance committees did not conduct any trafficking awareness campaigns, and the government did not conduct any information campaigns to inform potential victims about available assistance or to warn potential traffickers of the legal penalties for child trafficking. The government made modest efforts to implement its 2015 action plan against child trafficking and child exploitative labor by establishing the vigilance committees and identifying and prosecuting employers engaged in exploitative child labor practices. The government did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. The government, with foreign donor support, provided anti-trafficking training to Gabonese troops prior to their deployment abroad on international peacekeeping missions. During the reporting period, there were reports a Gabonese peacekeeper deployed to the Central African Republic purchased commercial sex from underage girls exploited in sex trafficking; the government's investigation of this allegation was ongoing at the end of the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel.

THE GAMBIA: Tier 3

The Gambia is a source and destination country for women and children subjected to forced labor and sex trafficking. Within The Gambia, women, girls, and—to a lesser extent—boys are subjected to sex trafficking and domestic servitude. Women, girls, and boys from West African countries—mainly Senegal, Sierra Leone, Liberia, Ghana, Nigeria, Guinea, Guinea-Bissau, and Benin—are recruited for commercial sexual exploitation in The Gambia. The majority of these victims are subjected to sexual exploitation by European child sex tourists. Observers believe organized sex trafficking networks use both European and Gambian travel agencies to promote child sex tourism. Many Gambian boys attend Koranic schools led by religious teachers, known as *marabouts*; some corrupt or unscrupulous *marabouts* force such boys into begging and street vending. Gambian children have been identified as victims of forced labor in neighboring West African countries, including Ghana and Senegal. Women and girls are subjected to forced labor and sex trafficking in Middle Eastern countries, including United Arab Emirates, Kuwait, and Lebanon.

The Government of The Gambia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. During the reporting period, the government repatriated and provided services to nine victims subjected to trafficking abroad and continued to conduct sensitization campaigns in key border regions; however, the government did not complete any prosecutions, secure any convictions, or identify any victims within the country for the fourth consecutive year. Additionally, despite reports that government officials were complicit in trafficking offenses during the reporting period, the government did not investigate, prosecute, or convict any government officials complicit in trafficking offenses.



RECOMMENDATIONS FOR THE GAMBIA:

Vigorously investigate and prosecute trafficking offenses and ensure adequate sentencing for convicted trafficking offenders, including complicit government officials; train law enforcement personnel to identify trafficking victims proactively among vulnerable populations, such as boys in street vending, unattended children in tourist resorts known to be sex tourism destinations, and women in prostitution, and refer them to protective services; improve data collection and public reporting on victim identification and law enforcement efforts; develop standard procedures for referring trafficking victims to NGO care services and inform government officials and the NGO community of such procedures; undertake cooperative efforts with anti-trafficking officials from governments in the region to enable joint law enforcement efforts, and the safe repatriation of victims to and from The Gambia; and provide adequate funding and resources to the national coordinating body to ensure its effective implementation of the anti-trafficking national action plan.

PROSECUTION

The government demonstrated minimal anti-trafficking law enforcement efforts. The Gambia's 2007 Trafficking in Persons Act prohibits all forms of trafficking and an October 2010 amendment increased the prescribed penalties to 50 years' to life imprisonment for all forms of trafficking. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Gambia's 2005 Children's Act also prohibits child trafficking—though it does not include forced labor in its definition of trafficking—prescribing a penalty of life imprisonment. The 2003 Tourism Offenses Act prohibits child sex trafficking, prescribing a penalty of 10 years' imprisonment. The government initiated one investigation and one prosecution for labor trafficking during the reporting period; however, the government did not secure any convictions during the reporting period. Four prosecutions initiated in the previous reporting period remained pending; three of the suspects remained at large. Sixteen law enforcement officials attended a training provided by an international organization; however, law enforcement officials generally continued to lack adequate training to investigate and prosecute trafficking offenses. Despite reports of official complicity, the government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; additionally, law enforcement officers acting with impunity and corruption was a serious problem throughout the reporting period.

PROTECTION

The government demonstrated minimal efforts to protect trafficking victims. The government did not identify or provide services to any trafficking victims within the country during the reporting period. The government acknowledged the identification of 20 Gambian women who had been subjected to domestic servitude in Kuwait; however, the government did not repatriate or provide services for these women. The government, in collaboration with an international organization, repatriated nine women who were identified as trafficking victims in Lebanon during the previous reporting period; the government provided initial screening and psychological counseling for all nine victims and was in the process of securing victims' assistance funds to support vocational training at the close of the reporting period. The Department of Social Welfare (DSW) operated a shelter for trafficking victims, abandoned children, and victims of domestic violence, as well as a drop-in center for street children; however, no trafficking victims were cared for in these facilities during the reporting period. The shelter offered 24-hour services to children and adults, but no victims in the shelter were allowed to leave the premises without a chaperone. The government maintained an electronic child protection database, which included information on trafficking cases, although no cases were identified in 2015. The 2007 anti-trafficking act allows foreign victims to obtain temporary residence visas for the duration of legal proceedings; the government offers no other legal alternatives to the removal of foreign trafficking victims to countries where they may face retribution or hardship. There were no reports of victims being penalized for unlawful acts committed as a result of being subjected to trafficking; however, the lack of formal identification procedures likely resulted in victims remaining unidentified in the law enforcement system.

PREVENTION

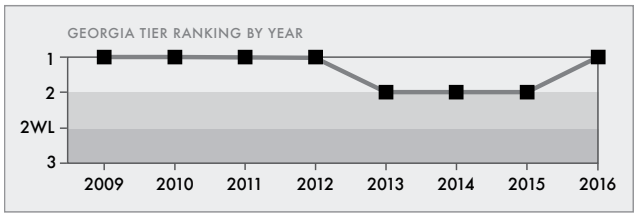
The government sustained modest prevention efforts. The National Agency Against Trafficking in Persons (NAATIP)—the coordinating body for government anti-trafficking efforts—continued to receive modest funding from the government. In consultation with NGOs, NAATIP updated the government's national action plan to apply through 2016 and began its implementation. Its officials traveled to key border posts to sensitize immigration, police, and customs officers, as well as the general public, on human trafficking and the need to report suspected cases directly to NAATIP. The government did not have effective policies to regulate foreign labor recruiters and hold them liable for fraudulent recruiting; however, the Governments of The Gambia and Lebanon began drafting a memorandum of understanding that focused on improving the regulation of labor recruiters and law enforcement cooperation; the draft was not finalized at the close of the reporting period. In collaboration with international NGOs, the Gambian tourism board continued to raise awareness about child sex trafficking within the tourism industry. Authorities continued to enforce the 2005 ban on unattended children in resort areas and the DSW continued to operate five neighborhood watch groups to monitor urban areas near tourist resorts for possible cases of child abuse or child sexual exploitation; however, none of these efforts led to the referral of any child trafficking victims to protective services or the apprehension of any suspected traffickers or child sex tourists. Additionally, the government did not make any efforts to decrease the demand for commercial sex acts or forced labor during the reporting period. The government provided anti-trafficking training to Gambian troops before their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

GEORGIA: Tier 1

Georgia is a source, transit, and destination country for women and girls subjected to sex trafficking and men, women, and children subjected to forced labor. Women and girls from Georgia are subjected to sex trafficking within the country, in Turkey, and, to a lesser extent, in China and United Arab Emirates. Georgia is also a transit country for women from Central Asia exploited in Turkey. Women from Azerbaijan and Central Asia are subjected to forced prostitution in the tourist areas of the Adjara region and in saunas, strip clubs, casinos, and hotels. The majority of identified trafficking victims are young, foreign women seeking employment. Georgian men

and women are subjected to forced labor within Georgia and in Turkey, Egypt, Cyprus, and Iraq. Georgian, Romani, and Kurdish children are subjected to forced begging or coerced into criminality in Georgia. No information was available about the presence of human trafficking in the separatist regions of Abkhazia and South Ossetia; however, the government and NGOs consider internally displaced persons from these occupied territories particularly vulnerable to trafficking.

The Government of Georgia fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government increased the anti-trafficking capacity of its law enforcement through funding an unprecedented number of trainings for police, prosecutors, judges, and shelter operators. The government adopted a more victim-centered approach through the inclusion of victim witness coordinators from the initial stages of investigations through the end of court proceedings. The government continued to provide comprehensive care for all identified victims and increased services available to victims, including child care for dependents of victims staying in two government-operated shelters. The government established a labor inspectorate, hired 50 full-time labor inspectors, and provided them with comprehensive training on how to identify potential cases of trafficking. However, authorities convicted fewer traffickers, identified fewer victims, and restricted labor inspectors' ability to investigate workplaces. Victim identification of children in exploitative situations on the street, including forced begging and criminality, and Georgian and foreign workers in vulnerable labor sectors remained inadequate, and the government did not conduct a study on street children or devise a strategy to address the issue.



RECOMMENDATIONS FOR GEORGIA:

Increase efforts to identify trafficking victims; increase efforts to investigate and prosecute suspected traffickers and convict labor and sex traffickers; conduct a comprehensive study on children living and working on the street; create integrated, interagency strategies for reducing vulnerability and countering forced begging; train law enforcement officials on interview skills and long-term case development; encourage police and prosecutors to use money laundering investigations to develop evidence, and employ expert witnesses to explain victims' behavior and experiences at trial; increase the use of plea-bargaining to motivate less serious offenders to testify and uncover larger criminal organizations, if detected; increase transparency of the inter-ministerial trafficking coordination council; and continue awareness-raising campaigns about the existence of human trafficking, legal recourse, and available protection services, targeted at vulnerable groups.

PROSECUTION

The government demonstrated mixed progress on law enforcement efforts. The Law on Combating Trafficking in Persons and article 143 of its criminal code prohibit all forms of trafficking and prescribe penalties ranging from seven to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government maintained an anti-trafficking investigatory unit within the Tbilisi police, comprised of specifically trained investigators, and an anti-trafficking taskforce in Batumi. The government investigated 17 new cases under article 143, compared with 16 in 2014. Of these, 11 were for sex trafficking and six for labor trafficking, which included one minor, compared with 12 investigations for sex trafficking and four for labor trafficking in 2014. In addition, authorities conducted three trafficking investigations under article 171 for forced begging, compared with two investigations in 2014, and 11 cases under article 253 related to forced prostitution or pimping, compared with five in 2014. Authorities prosecuted two defendants for sex trafficking and one defendant for forced begging, compared with five for sex trafficking and none for forced begging in 2014. The government convicted three traffickers, compared with six in the previous reporting period. Two convicted traffickers received sentences of eight and 12 years' imprisonment, and one perpetrator of forced labor received a suspended jail sentence.

In September 2015, the Prosecutor General's Office (PGO) and the Ministry of Internal Affairs (MOIA) mandated the PGO's Victim-Witness Coordinators (VWCs) to meet and counsel victims during the initial stage of trafficking investigations through the end of the court proceedings. Under this mandate, MOIA investigators must now contact VWCs and allow them to speak with victims, offering counseling and apprising them of government assistance programs prior to and after being interviewed by investigators. The PGO and MOIA co-sponsored a comprehensive training program where VWCs, prosecutors, and law enforcement learned best practices from foreign counterparts. The government funded seven additional trainings for law enforcement, prosecutors, and judges, several of which focused on investigating forced labor and forced begging. Authorities collaborated with at least three foreign governments on transnational investigations. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The government increased efforts to protect trafficking victims but identified fewer victims. The government identified nine adult trafficking victims in 2015, compared with 17 in 2014; six victims were female sex trafficking victims, three from Uzbekistan and three from Georgia, and three were Georgian labor trafficking victims, including two males and one female. The State Fund, the central government's social welfare agency, provided all nine identified victims with protective services as well as services for one additional victim identified in the previous year. Victim identification of children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors remained inadequate. Civil society reported the victim referral process was well-established, demonstrating strong cooperation between law enforcement bodies and victim assistance agencies. During the reporting period, the government launched the Labor Monitoring Department and hired 25 full-time labor inspectors and another 25 labor inspector reservists to conduct unannounced inspections and look for signs of trafficking at business locations throughout Georgia. All 50 full-time inspectors and reservists received comprehensive five-day training on indicators of labor trafficking.

The government funded and operated two shelters that provided medical aid, psychological counseling, legal assistance, and

financial compensation to nine trafficking victims in the reporting period. In August, shelters began offering free daycare and child care services for trafficking victims' children. The government spent at least 271,000 lari ($114,300) on the operation of the anti-trafficking shelters in Tbilisi and Batumi and other victim assistance programs. The government reported foreign trafficking victims were eligible for temporary, one-year residence permits; the government proactively sought and issued three residence permits for victims during the reporting period. The government reported it encouraged victims to assist law enforcement with investigations and prosecutions, although their assistance was not required to receive government protection or shelter services; three of the nine identified victims assisted law enforcement. Deportation of trafficking victims is not permitted by law.

PREVENTION

The government increased trafficking prevention efforts. Government officials funded and participated in an increased number of television, radio, and print media programs to raise awareness of trafficking. The government organized anti-trafficking information meetings in villages and towns in nearly every region of Georgia, presenting to more than 2,500 audience members from different target groups, including primary school and university students, minorities, internally displaced persons, and journalists. In August 2015, the government funded two local NGOs 5,000 lari ($2,100) to help raise public awareness on trafficking and the government assistance available. The government also disseminated approximately 62,000 leaflets and 5,000 brochures on various trafficking issues at border crossings, tourism information centers, metro stations, and public service halls throughout the country. The government produced a documentary on human trafficking, which was aired on the public broadcasting system. The government continued to fund an anti-trafficking hotline operated by police from the anti-trafficking division, as well as another hotline operated by the State Fund that received calls from trafficking victims. During the year the anti-trafficking hotline received calls from 138 persons and the State Fund hotline received 192 calls, which led to the identification of one victim.

The government continued to fund and partner with the EU to develop a system to support the rehabilitation and re-socialization of children living and working on the street. The government coordinated with three NGOs to operate mobile street teams comprised of social workers, psychologists, and mentors who were formerly street children. The government also partially covered operational costs for daycare facilities, 24-hour crisis intervention facilities, and long-term transition centers to assist this vulnerable population. In January 2016, the government approved legislation authorizing social workers to act as guardians when applying for identity cards on behalf of street children. This will expedite the issuance of identity cards for such children, allowing them to receive government services and assistance, including health and education services for minors, who are undocumented foreign citizens.

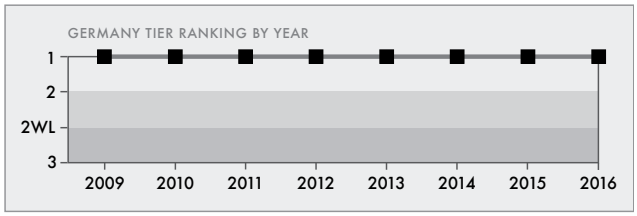
In April 2015, the government adopted the Law on Labor Migration, regulating the operation of labor recruitment agencies. In August 2015, the government adopted Resolution 417, which defines labor conditions for employment, including payment, and requires domestic employers hiring a foreign worker in Georgia to submit information to the Social Services Authority within 30 calendar days of hiring. In December 2015, the State Commission for Migration Issues adopted a 2010-2016 Migration Strategy and Action Plan to address human trafficking, as well as illegal migration by effectively identifying trafficking and human smuggling cases, improving criminal prosecution mechanisms, detecting and preventing potential trafficking cases in connection with illegal border crossings or visa overstays, and regularly monitoring and evaluating victim protection and rehabilitation programs. During the reporting period, law enforcement, in cooperation with third-country law enforcement, investigated 27 organizations that offered employment abroad to Georgian citizens and interviewed 105 Georgians employed outside of the country to screen for potential trafficking indicators.

The government demonstrated efforts to reduce the demand for commercial sex and forced labor. An inter-ministerial trafficking coordination council led development of new legislation and policy, including consulting NGOs, and monitored national efforts, although the council rarely made its assessments public and one international organization noted the council's lack of transparency. A number of teenage girls alleged they were sexually abused by Georgian peacekeepers in the Central African Republic; it is unclear whether trafficking crimes may have occurred. The government was investigating the allegations at the close of the reporting period. The government provided anti-trafficking training for its diplomatic personnel and its armed forces prior to deployment as peacekeepers.

GERMANY: Tier 1

Germany is a source, transit, and destination country for women, children, and men subjected to sex and labor trafficking. Most sex trafficking victims in Germany are European, primarily Bulgarians, Romanians, and Germans. Citizens of Nigeria, other parts of Africa, Asia, and the Western Hemisphere are also subjected to sex trafficking in Germany. Most sex trafficking victims are exploited in bars, brothels, and apartments. Labor trafficking victims are predominantly European, including Bulgarians, Poles, and Romanians, as well as Afghans, Pakistanis, and Vietnamese. Victims of forced labor are exploited on construction sites and in agriculture, hotels, meat processing plants, seasonal industries, restaurants, and diplomatic households. Roma and foreign unaccompanied minors are particularly vulnerable to trafficking, including forced begging and coerced criminal behavior. In 2015, approximately 1.1 million refugees and asylum-seekers arrived in Germany, including approximately 67,000 unaccompanied minors; these individuals remain vulnerable to sex and labor trafficking. Several foreign governments reported German citizens engaged in sex tourism abroad.

The Government of Germany fully meets the minimum standards for the elimination of trafficking. The influx of migrants to the country during the reporting period placed a significant strain on government resources, including among agencies responsible for combating trafficking. Despite this challenge, the government maintained strong efforts to prosecute and convict sex traffickers, continued to identify and provide protections to sex trafficking victims, and funded various public awareness campaigns; however, weak sentences for trafficking convictions continued to undercut efforts to hold traffickers accountable, and government efforts to identify and assist labor trafficking victims and prosecute and convict labor traffickers remained inadequate given the scope of the problem.



RECOMMENDATIONS FOR GERMANY:

Increase efforts to address labor trafficking, including by revising section 233 of the criminal code, proactively identifying labor trafficking victims, and vigorously investigating, prosecuting, and convicting trafficking offenders; ensure that all trafficking offenders are punished with sentences commensurate with the severity of the crime; standardize victim assistance measures and cooperation with civil society across the 16 federal states; increase the number of victims provided services through counseling centers; expand longer-term residence permit eligibility for victims not reliant on their willingness to testify at trial; establish policies to encourage victims to self-identify, including by addressing the requirement that officials report migrants' undocumented status; and conduct awareness campaigns targeting beneficiaries of forced labor and clients of the commercial sex industry.

PROSECUTION

The government maintained law enforcement efforts. The criminal code prohibits all forms of sex and labor trafficking, the former under section 232 and the latter under section 233. Punishments prescribed in these statutes range from six months' to 10 years' imprisonment and are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Section 233, however, posed significant challenges for practitioners due to its complex wording and scope of application. As a result, law enforcement officials and prosecutors often pursued prosecutions for offenses that were easier to prove than coercion in labor and sex trafficking. Tracking of trafficking convictions was limited by a record-keeping system that did not record convictions as involving trafficking when an accompanying criminal charge had a higher statutory sentence than the trafficking statute. Government-reported statistics continued to reveal convicted traffickers frequently avoided imprisonment, creating potential safety problems for trafficking victims, weakening deterrence, and undercutting law enforcement efforts of police and prosecutors.

In 2014, the most recent year for which comprehensive statistics were available, state and federal authorities completed 392 sex trafficking investigations, compared with 425 in 2013. Authorities prosecuted 105 defendants for sex trafficking in 2014, compared with 118 in 2013. Courts convicted 79 sex traffickers in 2014, compared with 77 in 2013. Most convicted traffickers received lenient prison sentences that were suspended due to a provision in the criminal code allowing the suspension of assigned prison terms of less than two years, particularly for first-time offenders. Of the 79 sex traffickers convicted, only 19 were sentenced to prison, with sentences between two and 10 years. The government investigated 11 labor trafficking cases in 2014, compared with 53 in 2013; although there was a significant decrease in the number of investigations compared to 2013, the number of investigations in 2014 was comparable to recent years. Authorities prosecuted 17 alleged labor traffickers in 2014, compared with 15 in 2013. Courts convicted eight of these offenders, compared with 14 in 2013. None of the eight convicted labor traffickers were imprisoned.

Although sex trafficking cases were frequently led by prosecutors with experience leading victims through trial processes, labor trafficking cases were mostly assigned to financial or economic crime sections with less experience with trafficking or victim-centered prosecutions. NGOs and officials reported mixed experiences with the judiciary; while some judges were sensitive to victims' trauma, others subjected victims to repeated testimonies or made insensitive statements about their experiences. Judges were not required to take training of any kind, including on trafficking crimes and victim-centered procedures. The German Judicial Academy offered anti-trafficking training to prosecutors and judges and the Federal Criminal Police organized several specialized seminars to educate investigating officers and prosecutors on trafficking topics. Both the Federal Criminal Police and state-level police collaborated with EUROPOL and several foreign governments, including Romania, Bulgaria, and Nigeria, to investigate trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained victim protection efforts. Authorities identified 557 sex trafficking victims in 2014, compared with 542 in 2013; counseling centers cared for approximately 30 percent of those identified. The government registered 26 labor trafficking victims, a significant decrease from 61 in 2013. Requirements that officials inform immigration authorities of any undocumented migrants who come to their attention impaired labor trafficking victim identification and led to under-reporting of trafficking crimes. Thirteen of the 16 states had formal cooperation agreements with trafficking counseling centers, but not all of these agreements addressed labor trafficking. NGOs, funded in part by the government, operated counseling centers in 45 cities, providing or facilitating shelter, medical and psychological care, legal assistance, vocational support, and other services largely for adult female sex trafficking victims. Although most counseling centers offered services for labor trafficking victims, the centers were generally less experienced with labor trafficking; there was also a lack of shelter services available for male labor trafficking victims. Trade union-affiliated and migrant counseling centers coordinated with trafficking NGOs and the partially federally funded labor alliance to offer support to labor trafficking victims. The federal government provided funding to an umbrella organization responsible for NGO-run counseling centers, and many state governments provided significant supplemental funding for the support of victims.

The government offered undocumented victims a reflection period of three months to decide if they wanted to testify in court. Victims who agreed to testify were entitled to live and work in Germany for the duration of the trial. Those who testified were not entitled to stay in Germany following trials; however, victims who faced personal injury or threats to life or freedom in their countries of origin or cases of humanitarian hardship could apply for residence permits. In 2015, the government amended the residency act, which lowered eligibility requirements for residence permits, now giving those who testified or cooperated with the authorities enhanced protections from deportation and offered residency eligibility for members of the core family in certain circumstances. State interior ministries circulated instructions on the application of humanitarian residence permits for victims. Authorities encouraged victims to participate

in investigations and prosecutions of traffickers. The law under certain requirements enables victims to join criminal trials as joint plaintiffs with free legal counsel and pursue civil remedies; however, victims often had difficulty obtaining compensation in practice. The law also entitles victims to interpreters and for a third-party representative from a counseling center to accompany them to all interviews. The law permits exemption of trafficking victims from criminal prosecution for minor crimes they committed during the course of their trafficking experience; however, prosecutors anecdotally described issuing small or "suspended" fines to some victims for crimes such as narcotics possession.

PREVENTION

The government maintained efforts to prevent trafficking. The government did not prioritize labor trafficking as highly as sex trafficking, but it continued to increase efforts to assess and address labor trafficking through a partially federally funded labor alliance conducting research, raising awareness, and providing victim identification training. The federal-state working group on trafficking in persons disseminated best practices, provided input to new laws and directives, and collaborated with a variety of coordination bodies at the state and local levels. The new federal-state working group against labor trafficking held its first workshop in March 2016. The government, in collaboration with NGOs, co-funded and implemented various public awareness campaigns during the reporting period. The Federal Agency for Migration and Refugees conducted training on identifying victims among asylum-seekers and implemented standard operating procedures on handling and reporting suspected trafficking cases in response to the increasing number of potential trafficking victims within the asylum system. The government, in cooperation with an NGO, continued to hold informational events and annual in-person interviews with domestic workers employed by embassies in Berlin without the presence of their employers.

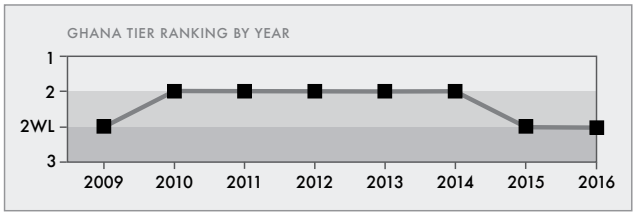
The German Federal Criminal Police continued to publish an annual report on trafficking in Germany, describing law enforcement efforts, victim trends, and challenges in addressing the crime. The government continued to fund a hotline for women affected by violence, including female trafficking victims. The government did not make efforts to reduce the demand for commercial sex or forced labor. Although law enforcement collaborated with foreign officials to investigate German citizens' participation in child sex tourism, there were no reported prosecutions of German offenders in Germany. Although the government did not provide anti-trafficking training for its diplomatic personnel, it did so for its troops prior to their deployment abroad on international peacekeeping missions.

GHANA: Tier 2 Watch List

Ghana is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The exploitation of Ghanaians, particularly children, within the country is more prevalent than the transnational trafficking of foreign nationals. Ghanaian boys and girls are subjected to forced labor within the country in fishing, domestic service, street hawking, begging, portering, artisanal gold mining, quarrying, herding, and agriculture. Ghanaian girls, and to a lesser extent boys, are subjected to sex trafficking in Ghana. Sex trafficking is prevalent in the Volta region and is growing in the oil-producing Western Region. As part of a ritual to atone for sins of a family member, Ghanaian girls are subjected to servitude that can last for a few months or several years. Ghanaian girls and young women from the rural northern regions move to urban centers as far south as Accra to seek work as porters; they are at risk for sex trafficking and forced labor.

Ghanaian women and children are recruited and sent to the Middle East, West Africa, and Europe for forced labor and sex trafficking. Licensed and unlicensed agencies recruit young Ghanaian women for domestic service or hospitality industry jobs in Gulf countries. After their return, many of them reported being deceived, overworked, starved, abused, molested, and/or forced into prostitution. Ghanaian men were also recruited under false pretenses to go to the Middle East where they were subjected to domestic servitude and forced prostitution. In recent years, a few Ghanaian men and women were identified as victims of forced labor in the United States. Women and girls voluntarily migrating from Vietnam, China, and neighboring West African countries are subjected to sex trafficking in Ghana. Citizens from West African countries are subjected to forced labor in Ghana in agriculture or domestic service. Ghana is a transit point for West Africans subjected to sex trafficking in Europe, especially Italy and Germany. Reports increased of corruption and bribery in the judicial system, which hindered anti-trafficking measures.

The Government of Ghana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated and prosecuted trafficking and trafficking-related crimes, including allegedly fraudulent labor recruiters and suspected child traffickers, conducted public awareness activities aimed at informing the public about the risks of human trafficking, and provided funding support facilitating two meetings of the Human Trafficking Management Board (HTMB). Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Ghana is placed on Tier 2 Watch List for the second consecutive year. The failure to provide adequate and timely operating funds for law enforcement and protection agencies continued to hamper the government's anti-trafficking efforts. As a result, the government did not increase prosecution efforts or assistance to victims. While the Anti-Human Trafficking Unit (AHTU) of the Ghana Police Service (GPS) reported 238 investigations and referred 21 individuals for prosecution for trafficking-related crimes, the government reported no convictions in 2015. The government also reported identifying fewer victims overall than in the previous year. The government did not provide any funding for the human trafficking fund intended to support victim services or for maintenance or repair of its one shelter for child trafficking victims, which remained in poor condition and lacked basic security. Additionally, the government did not provide anti-trafficking training to police or attorney general's prosecutors. While the government issued a legislative instrument to implement the human trafficking act, it included changes to punishments for trafficking offenses and allowed for application of insufficiently stringent penalties.



RECOMMENDATIONS FOR GHANA:

Increase funding and support for police and immigration service efforts to investigate, and police and attorney general prosecutors to prosecute, trafficking offenses—especially internal labor and sex trafficking of children—and convict and punish trafficking offenders; develop and implement systematic methods of collecting and reporting data on investigations, prosecutions, victims identified, and assistance provided; develop and implement systematic procedures for law enforcement, social welfare personnel, and labor inspectors to proactively identify trafficking victims among vulnerable populations—such as women in prostitution, migrant workers, and children working in agriculture, mining, fishing, and portering—and refer them to protective services; provide government funding for the human trafficking fund; finalize and implement the national plan of action against trafficking; provide training to prosecutors and judges on the appropriate implementation of the anti-trafficking act; increase efforts to ensure attorney general prosecutors review human trafficking case dockets and lead the prosecution of human trafficking cases; provide support for government-operated shelters for children and adults and training of staff in victim care; increase efforts to regulate the activity of licensed and unlicensed recruitment agencies and investigate and prosecute agencies suspected of participating in human trafficking of Ghanaian migrant workers; and amend the anti-trafficking act legislative instrument so that it provides sufficiently stringent penalties for all trafficking offenders.

PROSECUTION

The government reported increased investigative efforts, but decreased anti-trafficking prosecution efforts. The 2005 Human Trafficking Act—amended in 2009 to align its definition of human trafficking with the 2000 UN TIP Protocol—prohibits all forms of trafficking and prescribes penalties of five to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape; however, the regulations for this act, issued in November 2015, specify that where a parent or guardian or another person with parental responsibilities and rights over a child exploits such child in trafficking in persons, the penalty is a fine or five to 10 years' imprisonment or both. Punishments that allow for fines in place of imprisonment are not sufficiently stringent to deter the crime.

The government did not keep comprehensive statistics on its anti-trafficking law enforcement efforts; thus the data provided may not reflect an accurate or complete picture of its efforts. AHTU reported conducting 238 investigations of potential trafficking crimes compared with 94 investigations in 2014; of these, 123 were reported as human trafficking investigations and 14 as investigations of recruitment agencies operating without a license. The Ghana Immigration Service (GIS) reported identifying 10 cases of suspected trafficking, which it referred to AHTU for investigation. GPS reported referring nine cases for prosecution involving 21 defendants, compared with 15 prosecutions in 2015. The government reported no convictions in 2015, compared with seven convictions in the previous year. The attorney general's department reported no trafficking prosecutions during the reporting period. While the government did not generally provide detailed information on its reported investigations and prosecutions, it provided information on two cases. One ongoing prosecution reportedly involves two defendants accused of recruiting a young Ghanaian woman who endured forced labor and sexual abuse in Kuwait. A second prosecution is related to the forced labor of a child. For the third year, AHTU did not receive operating funds and relied on donor support for logistics, equipment, and facilities for identified victims. The GIS also reported a lack of financial support for anti-trafficking activities.

The government did not support any specialized anti-trafficking training for government officials during the reporting period; attorney general and police prosecutors remained without such training for the fifth consecutive year. New recruits in the GIS and the GPS received training on trafficking-related topics as part of their basic introductory training. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, reports of general corruption and bribery in the judicial system increased during the reporting period, further inhibiting anti-trafficking law enforcement action.

PROTECTION

The government decreased efforts to identify and assist victims, and reported a continued lack of funds to support services for both children and adults. The government did not keep comprehensive statistics on the number of trafficking victims identified or assistance provided. The AHTU reported identifying 112 potential victims through its investigations, compared with 146 victims reported identified in 2014. With support from donors, the Department of Social Welfare (DSW) provided care for 17 child victims of trafficking in a shelter for abused children in Osu; 13 of these children were reintegrated with their families and four were reportedly released to the police. The human trafficking fund, established by the 2005 Human Trafficking Act to finance protection efforts, continued to be unfunded for the fourth consecutive year. Despite a lack of financial support for repatriating and assisting Ghanaian trafficking victims, the GIS reported facilitating the repatriation of six victims of trafficking from Kuwait and Saudi Arabia and intercepting 46 potential victims of trafficking at airports or other ports of entry. The shelter in Osu is the only government-run shelter where child victims of trafficking or other abuses may be placed; it provides short-term care and has a maximum capacity of 30 children. This shelter is co-located with a juvenile correctional facility with no structural barrier protecting the victims from criminal offenders, is in serious disrepair, and lacks security. The government provided the salaries of shelter staff, who rely on support from international organizations to feed, clothe, and provide care for trafficking victims. There continued to be no government-run shelter for adult victims. Numerous NGOs continue to provide shelter and care to child victims of forced labor; however, the government did not provide any support to NGOs that provided such assistance.

The government did not employ formal procedures to identify victims among vulnerable groups, such as women in prostitution or children at informal work sites, such as fishing, mining, or street vending; however, law enforcement agencies operating at the border initiated questioning to recognize indicators of trafficking. Immigration service and police officials reported they did not have the means to provide shelter or to effectively protect witnesses. Foreign victims may seek temporary residency during the investigation and prosecution of their cases and, with the interior minister's approval, permanent residency if deemed to be in the victim's best interest; no victims sought temporary or permanent residency during the year. There were no reports victims were penalized for unlawful acts committed as a direct result of being subjected to trafficking; however, due to a lack of formal victim identification procedures, some victims may have remained unidentified in the law enforcement system.

PREVENTION

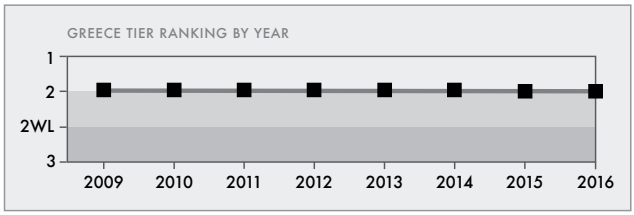
The government increased anti-trafficking prevention efforts. The government supported two meetings during the year of HTMB, the inter-ministerial committee responsible for advising the Ministry of Gender, Children, and Social Protection (MGCSP) on anti-trafficking policy, promoting prevention efforts, and facilitating the rehabilitation and reintegration of trafficking victims. MGCSP did not receive any government funding to fulfill its mandate to conduct monitoring and evaluation, data collection, and research relating to trafficking. With support from an international organization, the government continued to review the draft national action plan on human trafficking during the reporting period. The government partnered with an international organization to conduct community-level training on child protection and the rights of children. The government also entered into a partnership with a foreign donor focused on improving its response to child trafficking and committed to increasing its resources devoted to combating this crime. In response to increasing reports of sex and labor trafficking, as well as serious physical abuse of Ghanaian women recruited for domestic and hospitality jobs in the Middle East, GIS, GPS, and HTMB members participated in radio and television sensitization programs to raise awareness of fraudulent recruitment agencies and the dangers of such travel. The government also made increased efforts to investigate and prosecute those allegedly responsible for fraudulent recruitment. The government made no efforts to decrease the demand for forced labor or for commercial sex acts. The government relied on foreign donors to provide anti-trafficking training to Ghanaian troops prior to their deployment abroad on peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

GREECE: Tier 2

Greece is a destination, transit, and, to a very limited extent, source country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Some women and children from Eastern and Southern Europe, South Asia, Nigeria, and China are subjected to sex trafficking in Greece. Victims of forced labor in Greece are primarily children and men from Eastern Europe, South Asia, and Africa. Migrant workers from Bangladesh, Pakistan, and Afghanistan are susceptible to debt bondage, reportedly in agriculture. Some labor trafficking victims enter Greece through Turkey along irregular migration routes from the Middle East and South Asia. Traffickers lure most victims through false job opportunities. Economically marginalized Romani children from Albania, Bulgaria, and Romania are forced to sell goods on the street, beg, or commit petty theft in Greece. The increase in unaccompanied child migrants in Greece has increased the number of children susceptible to exploitation. Some public officials have been investigated for suspected involvement in human trafficking.

During the reporting period, many countries in the EU and Southeast Europe—including Greece—experienced an unprecedented wave of migration from the Middle East, Africa, and Asia, consisting of a mix of asylum-seekers/potential refugees, economic migrants, and populations vulnerable to trafficking, among others. One international organization estimated Greece received more than 862,000 migrants and asylum-seekers in 2015; some of these individuals, such as unaccompanied minors and single women, were highly vulnerable to trafficking. Most migrants and asylum-seekers are believed to rely on smugglers at some point during their journey and in some instances are forced into exploitation upon arrival in Greece.

The Government of Greece does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Greece's economic crisis and the influx of refugees and migrants to the country placed a significant strain on government resources, which affected its law enforcement efforts. The government prosecuted somewhat fewer suspects compared with the previous two years. Police identified fewer trafficking victims, but the government provided all identified victims assistance, unlike in 2014. The government operated or provided funding or in-kind assistance to some shelters that could assist trafficking victims; however, the government did not operate a trafficking-specific shelter. The government issued renewable residence permits to 29 trafficking victims in 2015, compared with none in 2014. In November, the government issued a joint-ministerial decision to grant six-month work permits for some third country nationals residing in Greece without a residence permit, aimed at reducing this population's vulnerability to trafficking.



RECOMMENDATIONS FOR GREECE:

Vigorously investigate, prosecute, and convict traffickers, including officials complicit in trafficking; increase efforts to identify trafficking victims among vulnerable populations and refer them to specialized services; provide training to prosecutors, judges, and law enforcement on a victim-centered approach to prosecutions; establish specialized shelters for trafficking victims and provide shelter for adult male and child victims; employ witness protection provisions already incorporated into law to further encourage victims' participation in investigations and prosecutions; draft a national action plan for combating trafficking; integrate messages targeted towards vulnerable minority populations into existing awareness campaigns; and create a national database to digitize the collation of trafficking case information from national courts.

PROSECUTION

The government sustained law enforcement efforts on convictions, but decreased it in other areas. Law 3064/2002 and Presidential Decree 233/2003 prohibit both sex trafficking and forced labor and prescribe punishments of up to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Police investigated 32 human trafficking cases, six of which were for forced begging or labor, compared with 36 cases in 2014. Due to limitations in data collection capabilities, conviction information was not available from all courts, and information related to specific charges in prosecutions was available only once convictions were reached; therefore, government data could not disaggregate human trafficking trials from prosecutions of non-trafficking crimes involving sexual and labor exploitation. In 2015, the government prosecuted 117 defendants on suspicion of committing trafficking-related

crimes, a decrease from 125 in 2014 and 142 in 2013. Of these, 20 defendants were prosecuted for labor exploitation, including forced begging, and 97 defendants for sexual exploitation. Only partial data on convictions from approximately half of the courts was available, although the number of courts that reported data increased from previous years. This partial data shows that the government convicted 34 traffickers in 2015, compared with 31 in 2014. Sentences ranged from 2.5 to 32.5 years' imprisonment and fines up to 100,000 euros ($113,000). An NGO reported one instance in which a court convicted sex traffickers under pimping laws that carried lesser penalties.

Police units focusing on human trafficking are centered in Athens and Thessaloniki; those units provide staff to other regions to assist in the investigation of trafficking cases. Severe budgetary constraints stemming from Greece's seven-year financial crisis continue to impact police efforts. Law enforcement, in cooperation with NGOs, trained police serving in seven areas considered to be sensitive, including near the border with Turkey, and in the islands most affected by the flow of migrants. The government, sometimes in cooperation with NGOs, conducted several other training programs for police, First Reception Service staff, and public and private sector legal experts, on areas including identifying and protecting unaccompanied minors, trafficking in persons sensitivity training, a victim-centered approach to combating trafficking in persons, labor trafficking, and the nexus between the asylum process and human trafficking. The government did not provide comprehensive training for judges or prosecutors on trafficking or using a victim-centered approach. Amendments to law 4128/2013 made penalties for trafficking crimes more stringent if committed by public officials in the performance of their duties, starting with a minimum of 10 years' imprisonment and fines ranging between 50,000 and 100,000 euros ($56,000 to $113,000). There were isolated cases of government officials allegedly complicit in trafficking crimes. In August 2015, authorities arrested a police officer for alleged participation in an illegal prostitution ring, potentially involving trafficking victims; the investigation was ongoing at the close of the reporting period. In September 2015, authorities arrested three municipal employees alleged to have accepted bribes in exchange for issuing permits for night clubs and bars where trafficking victims were exploited; the prosecution was ongoing at the close of the reporting period. Law enforcement actively cooperated with regional governments, especially in the Balkans and Southeast Europe, on specific trafficking cases and investigations.

PROTECTION

The government increased protection efforts in some areas, but decreased it in others. Police identified 57 potential trafficking victims, compared with 64 in 2014; 34 were victims of sexual exploitation, including four children, and 23 of forced begging or labor exploitation. Seven victims were children. Twenty-six victims were from Romania; 12 from Bulgaria; five from Greece; four from Moldova; four from Ukraine; three from Albania, and one each from Bangladesh, Poland, and Russia. The government provided assistance to all 57 victims, an increase from assistance provided to 30 in 2014. The Secretariat for Gender and Equality reported 43 trafficking victims received psycho-social support, legal and employment counseling, and emergency shelter through its hotline, counseling centers, and shelters. Greece's National Center for Social Solidarity reported it assisted 14 victims, including four children, in its shelters for victims of violence. NGOs and international organizations also identified and provided services for an additional 106 potential sex or labor trafficking victims during the reporting period. A privately funded NGO ran the only shelter exclusively for female trafficking victims. Male victims could be accommodated in short-term government shelters for asylum-seekers or homeless persons. Child victims were served in government-run shelters, NGO shelters, and facilities for unaccompanied minors, but were not housed in specialized facilities for trafficking victims. Limited government resources affected its ability to expand shelter services during the reporting period. NGOs also administered shelters funded by government and by private funding where children, including trafficking victims, are referred for shelter and support services.

The government was unable to determine how much funding was spent exclusively on victim assistance, and NGOs expressed concerns regarding government funding shortfalls caused by Greece's seven-year economic crisis and fiscal measures imposed as part of its international bailout. The government had cooperation agreements and memoranda of understanding in place with three NGOs receiving government funding to house, protect, and assist children in danger, including underage trafficking victims, and female victims of violence, including trafficking victims. NGOs reported good cooperation with the police generally and excellent cooperation with police anti-trafficking units during the reporting period. Although access to victim services was the same by law for both domestic and foreign trafficking victims regardless of residency status, some victims reportedly had difficulty obtaining medical care authorized for them through the law, as some health workers were unaware of victim service provisions. The government trained Greek and foreign law enforcement, immigration officers, social service workers, labor inspectors, and health workers in identifying trafficking victims through written procedures. Police had a screening process to ensure possible victims of trafficking in custody were not deported or sent to migrant detention centers. NGOs recommended that formal training should be compulsory for migrant detention center staff. NGOs and police both reported improvements in victim identification procedures; however, some NGOs assessed the government still needed to improve victim identification, particularly among irregular migrants.

The law provides witness protection to victims during trial; however, an NGO reported no trafficking victims it has served have received full witness protection privileges to date, while authorities state no requests for witness protection were made. The law provides for the presence of mental health professionals when victims are testifying and the use of audiovisual technology for remote testimony, but many courts lacked the capabilities to deploy these resources. Foreign nationals identified by a public prosecutor as trafficking victims could be granted one-year residence permits, renewable every two years during ongoing criminal investigations. The government issued renewable residence permits to 29 trafficking victims in 2015, compared with none in 2014. No victims were detained, fined, or jailed for unlawful acts committed as a direct result of being subjected to human trafficking. Police conducted hundreds of unannounced and targeted checks of studios, brothels, and bars; inspections occurred twice a week with an average of 10 locations inspected per week and screened for trafficking indicators amongst individuals in prostitution. It is unclear whether police identified any trafficking victims in these inspections during the year.

PREVENTION

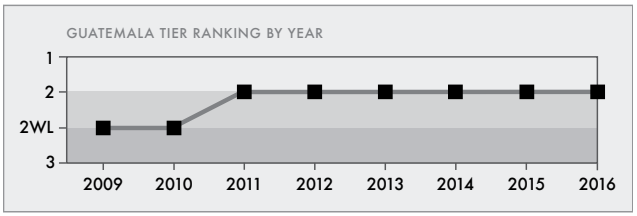
The government increased efforts to prevent trafficking. The Office of the National Rapporteur on Human Trafficking, which is charged with coordinating anti-trafficking efforts,

established focal points at the first reception service receiving migrants, the Asylum Service, the Labor Inspectorate, and in state hospitals to identify and refer trafficking victims. The office of the national rapporteur, jointly with the Ministry of Justice, created a working group to increase coordination between law enforcement and prosecutors to combat trafficking. There was no national action plan exclusively for anti-trafficking efforts; however, during a June session of a parliamentary committee, the office of the national rapporteur submitted a joint memo for discussion on the development of a national action plan to combat trafficking. In March, the parliament speaker approved one of the office of the national rapporteur's suggestions by reinstating the parliamentary sub-committee on issues related to trafficking in persons. Article 54, Paragraph 7 of Law 4369 (Civil Administration Reform Bill) approved by Parliament February 27 provides for additional screening of local staff members contracted for temporary employment in Greek diplomatic missions overseas, including the requirement that the employee must have no previous convictions for any crime relating to sexual exploitation. The government monitors its anti-trafficking efforts and made its assessments publicly available, but ministries continued to be inconsistent in their reporting. The development of a national database for trafficking statistics remained pending during the reporting period. In October, the government organized and funded its first ever national two-day multimedia anti-trafficking awareness festival, attended by more than 3,000 people. In November, the government issued a joint-ministerial decision to grant six-month work permits for some third country nationals residing in Greece without legal residency status whose deportation orders had been temporarily revoked or revoked on humanitarian grounds. This aimed at reducing this population's vulnerability to trafficking. The government continued a public awareness campaign with a hotline targeting female victims of violence, including trafficking victims. NGOs reported a need to increase trafficking prevention efforts in border areas where Romani and Muslim minorities are concentrated, and in areas where migrant and refugee populations are concentrated. The government continued efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking guidance for its diplomatic personnel and manuals on identifying trafficking victims to facilitate granting visas.

GUATEMALA: Tier 2

Guatemala is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Guatemalan women, girls, and boys are exploited in sex trafficking within the country and in Mexico, the United States, Belize, and other foreign countries. Foreign child sex tourists—predominantly from Canada, the United States, and Western Europe—and Guatemalan men exploit child sex trafficking victims. Women and children from other Latin American countries and the United States are exploited in sex trafficking in Guatemala. Guatemalan men, women, and children are subjected to forced labor within the country, often in agriculture or domestic service, and in the garment industry, small businesses, and similar sectors in Mexico, the United States, and other countries. Domestic servitude in Guatemala sometimes occurs through forced marriages. Indigenous Guatemalans are particularly vulnerable to labor trafficking. Guatemalan children are exploited in forced labor in begging and street vending, particularly within Guatemala City and along the border with Mexico. Child victims' family members often facilitate their exploitation. Criminal organizations, including gangs, exploit girls in sex trafficking and coerce young males in urban areas to sell or transport drugs or commit extortion. Some Latin American migrants transiting Guatemala en route to Mexico and the United States are subjected to sex trafficking or forced labor in Mexico, the United States, or Guatemala.

The Government of Guatemala does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased trafficking-related investigations, prosecutions, and convictions, and obtained one conviction for labor trafficking, compared with four in 2014. The Secretariat against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) sustained government coordination on anti-trafficking initiatives, including supporting department-level networks and concrete action plans to address prevention and emergency funding for shelters, in spite of government-wide funding cuts, but the government did not allocate a dedicated budget to protect or provide specialized services for trafficking victims. Although the government slightly increased overall funding for services to child sex trafficking victims and assisted a greater overall number of victims of trafficking compared to 2014, officials reduced funding for three shelters and most identified victims did not have access to specialized services. Adult shelters restricted victims' freedom of movement, and specialized services for male victims and labor trafficking victims remained limited. Officials advanced a high-profile trafficking in persons case involving the son of a former magistrate, which has remained in the pre-trial stage for several years; an appeals court overturned the acquittal of a former city councilman complicit in trafficking by purchasing sex acts from a child; and the government expedited the case of two judges who were accused of wrongfully absolving an influential official accused of sex trafficking. The government, however, did not criminally convict any officials for complicity in trafficking.



RECOMMENDATIONS FOR GUATEMALA:

Improve access to and quality of specialized services for all victims, including for male victims; increase efforts to hold government officials criminally accountable for complicity in trafficking; strengthen implementation of the 2014-2015 protocol against trafficking; amend legislation to permit adults access to open shelters and enhance comprehensive services and witness protection; continue efforts to vigorously investigate and prosecute trafficking offenses, with increased focus on suspected cases of forced labor and domestic servitude; increase training for judges, who under Guatemalan law have the sole responsibility to refer victims to care, and ensure all victims are referred to appropriate care facilities; as part of developing a cadre of specialized prosecutors and judges outside of the capital, increase training to law enforcement and criminal justice officials so that forced labor and sex trafficking cases are investigated and prosecuted as trafficking and not as irregular adoption; provide reintegration and witness protection support to victims; allocate and disburse funding for specialized victim services, including those administered by NGOs; sustain efforts to identify trafficking victims, particularly among vulnerable

populations, such as working children, returning migrants, individuals in the sex trade, and children apprehended for illicit gang-related activities; increase efforts to investigate, prosecute, and convict child sex tourists; and target prevention activities toward the most vulnerable populations, including indigenous communities.

PROSECUTION

The government strengthened efforts to prosecute and convict sex and labor traffickers and, for the first time, investigated and prosecuted several public officials complicit in trafficking. The anti-trafficking law of 2009 prohibits all forms of trafficking, although it includes irregular adoption as a form of trafficking; it prescribes penalties from eight to 18 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government initiated investigations of 280 complaints of trafficking-related offenses in 2015, compared with 266 investigations in 2014, and prosecuted 105 defendants in 28 separate trafficking-related cases, compared with 62 in 2014; the majority of cases involved sex trafficking, while officials identified a limited number of cases of forced labor. These totals may also include crimes that do not meet the international definition of trafficking, such as illegal adoption. Authorities convicted 39 traffickers in 28 separate cases in 2015, compared with 20 traffickers convicted in 2014, involving 12 sex trafficking cases and one labor trafficking case, with sentences ranging from eight to 48 years' imprisonment. The government obtained its first conviction for international labor trafficking, involving Guatemalans exploited in forced labor in Jordan.

Anti-trafficking police and prosecutors' capacity to conduct investigations outside of the capital, while improved, continued to be limited by inadequate funding and training. Specialized courts continued to hear trafficking and gender-based violence cases, including a specialized 24-hour court in Guatemala City. Some members of the judiciary, especially in the interior, lacked adequate training to apply forensic evidence in prosecutions and, at times, applied trafficking sentences unevenly. Officials investigated and prosecuted few cases of forced labor or cases that did not involve organized crime elements; however, authorities investigated one case in which a routine labor inspection uncovered children subjected to forced labor in convenience stores. Officials did not identify any cases of forced criminal activity. Guatemalan officials trained 127 prosecutors and paralegals, 121 airport security officials, and 85 tourist police on trafficking indicators and identifying trafficking victims, among other topics. Guatemalan authorities also held training sessions for labor inspectors, diplomatic corps, and 17 businesses to enhance identification and prosecution efforts. Officials coordinated a law enforcement operation with El Salvador and Mexico that resulted in the arrest of 36 alleged members of a trafficking ring and rescue of 39 victims.

The government increased actions to address official complicity in trafficking crimes, but it did not convict any complicit officials. The government stripped of official immunity two judges accused of wrongfully absolving a government official of sex trafficking. Two officials were arrested for sharing law enforcement-sensitive information with organized criminal groups, including those allegedly linked to human trafficking.

PROTECTION

The government increased efforts to identify and protect victims. The government identified 673 trafficking victims in 2015, a significant increase from 287 victims in 2014; however, reported data did not specify the types of trafficking experienced. Of the 673 victims identified, at least 456 were women and girls, compared with a total of 106 in 2014; and 217 victims of trafficking were men and boys, including at least 174 men in forced labor, an increase from 26 in 2014. Labor officials implemented a protocol to identify potential sex and labor trafficking victims during labor inspections, and the government increased training for staff and law enforcement at sexual violence clinics in public hospitals to facilitate identification of trafficking victims. Officials, however, had difficulty recognizing domestic servitude or other types of forced labor not involving criminal networks as human trafficking; victims of these forms of trafficking were unlikely to be identified or referred to protective services. Authorities collaborated to identify and rescue at least 135 children in forced child labor in the capital.

The quality and availability of specialized victim services remained inadequate, and the government did not refer the majority of victims to assistance. Officials finalized a victim protection protocol in 2015 to guide government agencies in assisting victims, but it was not implemented during the reporting period. Guatemalan law requires that judges make all referrals to public or private shelters; in 2015, judges referred 249 victims to shelters, an increase from 132 referrals in 2014 but a little less than half of all victims identified. Most referrals to shelters involved children; only seven adult men received residential services. Judges at times referred child victims to their families, leaving some vulnerable to re-trafficking, as family members often were involved in their exploitation. Repatriated victims could be referred to services, but authorities typically did not screen for indicators of trafficking among the large numbers of Guatemalans returned from abroad, including unaccompanied migrant children.

The government continued funding three government shelters, as well as NGOs that provided specialized services, mostly for child trafficking victims. The three government-run shelters assisted 153 trafficking victims. A government-supported NGO provided specialized services to an additional 55 children; however, this NGO reduced its available services, in part because of government funding cuts. The sole government-run shelter for women closed in December 2015, after providing services to 20 women in 2015; while in operation, staff restricted residents' movements outside the shelter, effectively denying their ability to earn an income or participate in other outside activities while in the shelter. The quality of services in remaining government-run shelters remained poor; NGO shelters provided higher quality care and had the capacity to shelter victims as long as necessary to address psycho-social, re-integration, and security needs. Nonetheless, NGO shelter operators expressed concern for victims' safety upon being discharged from shelters. They cited insufficient ongoing case management and reintegration services in government shelters, leaving some victims vulnerable to re-trafficking or retaliation from traffickers—particularly those whose cases involved organized crime groups or public officials. NGOs provided the only services to fill this gap, at times sheltering victims on a long-term basis. The government ran 15 centers in the country's interior, which provided non-residential reintegration assistance to child trafficking victims and families but not specialized services. There were few services available in the country for male victims; most boys and some girls were placed in a government shelter that housed child victims of abuse or neglect, as well as child offenders. Although the government had no specialized shelters for male victims, it provided temporary residential shelter to seven adult male victims of trafficking.

Authorities encouraged victims to assist the investigation and prosecution of traffickers and made options available for private testimony; an unspecified number did so with legal and psychological support from NGOs and the Public Ministry. Victims residing in government facilities did not receive adequate legal support or witness protection. Prosecutors cited the lack of appropriate protection options for adult victims as a significant impediment to pursuing prosecutions in cases involving adults. Judges may order restitution when sentencing traffickers, and victims had the right to file civil claims for compensatory damages and harm suffered as a result of being subjected to trafficking; in practice, no civil suits regarding damages for trafficking crimes were filed in 2015, compared with 10 victims obtaining restitution from criminal convictions in 2014. There were no reports that the government detained, fined, or otherwise penalized identified victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government, however, did not recognize children forced to engage in criminal activity as trafficking victims; officials acknowledged some of these victims may have been prosecuted or otherwise treated as criminals. Guatemalan law provided legal alternatives to the removal of foreign victims who may face hardship or retribution upon return to their home countries, but all known foreign victims opted for repatriation. Foreign victims had the same access to care as domestic trafficking victims.

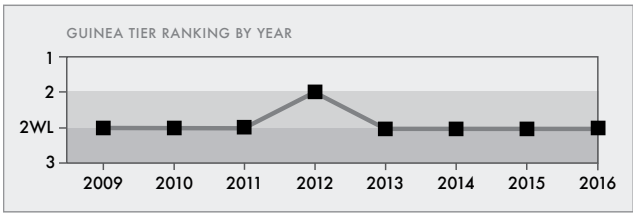
PREVENTION

The government continued strong prevention efforts. SVET continued to oversee the interagency anti-trafficking commission and coordinate government efforts against trafficking and gender-based violence. Officials oversaw 23 departmental networks in the interior of the country, which responded to trafficking cases and conducted prevention activities; however, such network activities slowed due to 2015 budget constraints. The new general labor inspection protocol was implemented and included modules on the identification of victims of trafficking and child labor exploitation. The government conducted a wide range of initiatives to educate potential victims, the public, government officials, and tourists about the dangers, causes, and consequences of trafficking. Authorities ran prevention campaigns on trafficking awareness and sex tourism targeting students, visitors to hospitals, activists, airport security officials, tourist police, and businesses. As part of the Code of Conduct for the Prevention of Child Sex Tourism, SVET provided training to 17 businesses across the country, reaching a total of 2,405 individuals. The government made efforts to reduce the demand for commercial sex, investigating suspects who purchased commercial sex with children. The government made no discernible efforts to reduce the demand for forced labor. The government provided anti-trafficking training to its diplomats and to Guatemalan troops prior to their deployment abroad on international peacekeeping missions.

GUINEA: Tier 2 Watch List

Guinea is a source, transit, and—to a lesser extent—destination country for men, women, and children subjected to forced labor and sex trafficking. Women and children are the most vulnerable to trafficking. Trafficking is more prevalent among Guinean citizens than foreign migrants and more prevalent among children than adults. Girls are sometimes sent to intermediaries who subject them to domestic servitude and sex trafficking, while boys are forced to beg on the streets, work as street vendors or shoe shiners, or labor in gold and diamond mines. Some men, women, and children are subjected to forced labor in agriculture. Reports indicate children are sent to the coastal region of Boke for forced labor on farms or to Senegal where corrupt *marabouts* subject students to forced begging in Koranic schools. Children from villages in the Upper Guinea region may be more vulnerable to trafficking due to the region's lack of schools and economic opportunities. Some traffickers take children with parents' consent under false pretenses of providing an education, but instead exploit them in forced begging in Senegalese Koranic schools or forced labor in Senegalese, Malian, and other West African gold mines. Guinea is a transit country for West African children subjected to forced labor in gold mining throughout the region. A small number of girls from neighboring West African countries migrate to Guinea, where they are exploited as domestic servants and possibly in sex trafficking. Guinean women and girls are subjected to domestic servitude and sex trafficking in various West African, European, and Middle Eastern countries, as well as the United States. Guinean boys are exploited in prostitution in the Netherlands. Thai, Chinese, and Vietnamese women are subjected to forced prostitution in Guinea. Due to the lack of research on trafficking in Guinea, the full extent of the problem remains unknown.

The Government of Guinea does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Law enforcement officials identified 48 potential trafficking victims and arrested seven suspected traffickers in one investigation. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Guinea is placed on Tier 2 Watch List for the fourth consecutive year. Per the Trafficking Victims Protection Act, Guinea was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards. The government did not initiate any prosecutions of and there were no convictions for trafficking offenses, nor did the government provide adequate resources or anti-trafficking training to law enforcement and judiciary officials. The government relied on NGOs to provide victim services and did not take any tangible action to prevent trafficking.



RECOMMENDATIONS FOR GUINEA:

Intensify efforts to investigate, prosecute, and convict suspected traffickers, including allegedly complicit officials, and ensure adequate sentencing; develop systematic procedures for victim identification and subsequent referral to protective services; train police, border officials, labor inspectors, and magistrates on such procedures, as well as case investigation techniques; enact legislation to increase prescribed penalties for forced prostitution and criminalize debt bondage; regularly convene the national anti-trafficking committee (CNLTP) and provide it with sufficient resources, including an operational budget, to effectively fulfill its mandate; enhance collaboration and information-sharing among government agencies involved

in combating human trafficking; strengthen partnerships with NGOs and international organizations to improve victim referral procedures, expand victim care, and provide increased financial or in-kind support; implement the national action plan to combat trafficking in persons; establish a shelter specifically for trafficking victims; and increase efforts to raise public awareness about trafficking, including adult trafficking.

PROSECUTION

The government maintained minimal law enforcement efforts. Guinean law does not prohibit all forms of trafficking; for example, debt bondage is not criminalized. Article 330 of the 2012 penal code prohibits forced prostitution and prescribes penalties of two to five years' imprisonment; these penalties are sufficiently stringent but not commensurate with penalties prescribed for other serious crimes, such as rape. Article 337 of the 2012 penal code prohibits individuals from entering into agreements to deprive third parties of their liberty, prescribing penalties of five to 10 years' imprisonment and confiscation of any proceeds from the crime. Articles 385-396 of the 2009 child code prohibit all forms of child trafficking and prescribe penalties of five to 10 years' imprisonment and the confiscation of any proceeds from the crime. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. These penalties are not, however, commonly imposed in practice, because article 49 of the criminal code generally authorizes judges, if they find "mitigating" circumstances, to reduce imprisonment to less than 16 days and a nominal fine, or even simply a maximum fine of two million Guinean francs ($250). The government, with help from an international organization, drafted a law in 2012 to provide NGOs with the ability to become plaintiffs on behalf of victims and exempt them from the prosecution fees normally charged by the judiciary; the draft law remained pending for the third consecutive year.

Following its interception in January 2016 of a caravan of 48 children allegedly destined for forced begging in Senegalese Koranic schools, the government arrested and initiated a judicial investigation against seven suspected traffickers traveling with the children. The alleged traffickers remained in jail awaiting formal charges at the end of the reporting period. The government did not report any prosecutions or convictions for trafficking offenses in 2015—a decrease from four prosecutions and three convictions achieved the previous reporting period. Officials from the Office for the Protection of Gender, Children, and Morals (OPROGEM), the division of the Guinean police responsible for investigating human trafficking and child labor, investigated a case of local children forced to serve as porters at a bus station but ultimately did not pursue trafficking or any other charges. The government did not provide anti-trafficking training for its law enforcement personnel during the reporting period, nor did it provide in-kind support for such training provided by an NGO. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking; however, general corruption remained an issue among judiciary and law enforcement officials and was believed to be especially prominent among labor inspectors, customs directors, and heads of police stations.

PROTECTION

The government demonstrated minimal efforts to protect trafficking victims. The government identified 48 potential trafficking victims but did not provide any victim services during the reporting period; furthermore, it did not provide funding or in-kind support to NGOs that assisted victims. In one instance, local authorities asked an NGO for reimbursement for food the authorities had provided to the suspected trafficking victims before the NGO began to provide victim care. Due to a lack of resources and miscommunication between government agencies, the 48 suspected child trafficking victims were housed at a local prison for two days—where they may have been in close contact with their accused traffickers—before they were transferred to a youth hall. The government referred child victims on an *ad hoc* basis to NGOs, where most victims were placed; however, due to the Ebola outbreak and the economic crisis, many NGO safe houses were in the process of closing. Some OPROGEM officials brought child victims to their private homes until space became available in NGO shelters. OPROGEM received irregular funding, did not have an operational budget, and often relied on donations or support from international organizations; limited resources and the lack of trained personnel severely reduced its efficacy and operational capacity. Articles 392-396 of the child protection code mandate child victims, including trafficking victims, have the right to legal representation and a ministry-appointed guardian but, due to the lack of financial and human resources, these services were not implemented during the reporting period.

Although legally available, the government did not provide temporary or permanent residency to any victims from countries where they would face hardship or retribution, as the government did not identify any such victims during the reporting period. There was no evidence the government encouraged trafficking victims to participate in the investigations or prosecutions of their traffickers; reports indicated victims—or victims' parents in cases involving children—were reluctant to file claims against trafficking offenders due to limited access to justice, a lack of confidence in the justice system, corruption, and potential threats of reprisal. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of being subjected to trafficking; however, due to a lack of formal victim identification procedures, some unidentified victims may have been penalized for such crimes.

PREVENTION

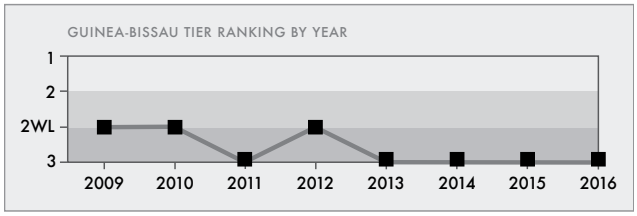
The government demonstrated minimal efforts to prevent trafficking. The CNLTP, with financial assistance from the office of the president, drafted and finalized an anti-trafficking national action plan that focuses on victim assistance and prevention efforts. The CNLTP continued to lack an operational budget, which severely hindered its effectiveness in overseeing national anti-trafficking efforts, but it did meet several times throughout the reporting period. The government did not conduct any trafficking awareness campaigns. The government has policies to regulate foreign labor recruiters and hold them civilly and criminally liable for fraudulent recruitment, yet OPROGEM lacked the resources and trained personnel necessary to oversee the policies' successful implementation. The government did not take any tangible steps to reduce the demand for forced labor or commercial sex acts. It did not provide anti-trafficking training for its diplomatic personnel or peacekeeping troops prior to their deployment abroad.

GUINEA-BISSAU: Tier 3

Guinea-Bissau is a source country for children subjected to forced labor and sex trafficking. The extent to which adults

are subjected to forced labor or forced prostitution is unclear. Many Bissau-Guinean boys attend Koranic schools led by religious teachers known as *marabouts*; some corrupt *marabouts* force such boys into begging in Guinea-Bissau. Some *marabouts* subsequently transport the boys to Senegal or, to a lesser extent, Mali or Guinea, for forced begging. Unscrupulous *marabouts* increasingly exploit Bissau-Guinean boys from rural areas in forced begging in cities. The principal traffickers are men from the regions of Bafata and Gabu—often former students of the *marabouts*, known as *talibes*, or men who claim to be working for a *marabout*—who are generally well-known within the communities in which they operate. Bissau-Guinean boys are subjected to forced labor in street vending in Guinea-Bissau and in manual labor in the agricultural and mining sectors in Senegal. Bissau-Guinean girls are subjected to forced labor in street vending and domestic servitude in Guinea and Senegal; a smaller number may be victims of child sex trafficking in these countries. There are unconfirmed reports Europeans engaged in child sex tourism on islands in the Bijagos Archipelago.

The Government of Guinea-Bissau does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. In August 2015, the president dismissed the government after a little more than one year in office; a two-month gap with no government followed, and a second government assumed power in October 2015. Despite enacting an anti-trafficking law and adopting a national action plan in 2011, the government failed to demonstrate any notable anti-trafficking efforts for a fourth consecutive year. It did not take law enforcement action against suspected trafficking offenses, provide adequate protection to trafficking victims, conduct prevention activities, or implement its national action plan in 2015.



RECOMMENDATIONS FOR GUINEA-BISSAU:

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including unscrupulous *marabouts* who subject boys to forced begging in Koranic schools; provide anti-trafficking training to law enforcement, labor, and social welfare officials on victim identification, referral, and case investigation techniques; train judicial personnel on the 2011 anti-trafficking law; develop formal written procedures to identify and refer victims to protective services and train officials on such procedures; provide shelter and services for all trafficking victims; reconvene the inter-ministerial anti-trafficking committee and allocate specific funds for the implementation of the national action plan; increase funding allocated to NGOs to ensure provision of adequate services to all victims; make efforts to raise public awareness of human trafficking; and improve data collection efforts, including the number of victims identified and referred to protective services.

PROSECUTION

The government failed to demonstrate any notable law enforcement efforts. Public Law 12/2011 prohibits all forms of human trafficking and prescribes penalties of three to 15 years' imprisonment and the confiscation of any proceeds from the crime. The 2009 child code prohibits all forms of child trafficking and prescribes penalties of three to 10 years' imprisonment and the confiscation of any proceeds from the crime. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government, however, did not use these or other existing laws to prosecute trafficking cases during the reporting period. In March 2015, the judicial police commenced an investigation of potential child labor trafficking; the police did not further advance the case. During the reporting period, an NGO intercepted 22 children at the Senegalese border allegedly en route to Koranic schools for forced begging; law enforcement did not launch an investigation or make any arrests. Guinea-Bissau's judicial system lacked sufficient human and physical capital to function properly, and corruption remained pervasive. The government did not provide any specialized training to law enforcement officials on investigating or prosecuting trafficking crimes. It did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Observers reported some police and border guards might have accepted bribes from traffickers, hindering law enforcement efforts during the reporting period.

PROTECTION

The government made inadequate efforts to identify and protect victims, although it provided modest financial assistance to one NGO that provided services to trafficking victims. The government did not provide any statistics on the number of victims identified during the reporting period. An NGO identified and provided services to 43 Bissau-Guinean children in its transit centers in 2015, including the 22 children intercepted at the border, though it is unclear if any were victims of trafficking. A Senegalese NGO identified 86 Bissau-Guinean boys allegedly subjected to forced begging in Koranic schools. There is no evidence the government assisted with their repatriation or provided victim services. The government did not make systematic efforts to identify victims proactively. Although it occasionally referred victims to NGOs and international organizations, it continued to rely entirely on these entities to provide all victim assistance. During the reporting period, the government contributed five million West African CFA francs ($8,290) to an NGO that operated two multipurpose shelters that provided care to an unknown number of victims. These facilities were severely overcrowded and underfunded; some shelter volunteers used their own homes to house victims temporarily. Shelter was only available for child victims, and there were no services to address trafficking victimization in particular. While the government did not initiate any investigations of trafficking offenses during the reporting period, officials would not ordinarily make efforts to encourage victims, adult family members, or neighbors to participate in legal proceedings against suspected traffickers. The government did not provide legal alternatives to removal to countries in which victims would face hardship or retribution. There was no evidence the government detained, fined, or jailed trafficking victims for unlawful acts committed as a result of being subjected to trafficking.

PREVENTION

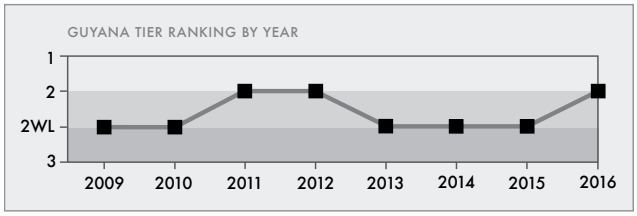
The government did not make any tangible efforts to prevent trafficking. The government's inter-ministerial anti-trafficking committee, established in 2009 to coordinate the government's anti-trafficking efforts, did not meet. The anti-trafficking national action plan, adopted by a previous government in 2011, requires the government to allocate funds annually from its general budget for anti-trafficking efforts; however, with the

exception of the funds allocated to the aforementioned NGO, no additional funds were dedicated to anti-trafficking efforts in 2015. There was no evidence the government took steps to implement the national action plan. The government made no discernible efforts to reduce the demand for commercial sex acts or forced labor during the reporting period. There were unconfirmed reports Europeans engaged in child sex tourism on the Bijagos Archipelago. Despite these unconfirmed reports, the government did not take action to investigate the claims. The government did not provide anti-trafficking training for its diplomatic personnel.

GUYANA: Tier 2

Guyana is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and children from Guyana, Brazil, the Dominican Republic, Suriname, and Venezuela are subjected to sex trafficking in mining communities in the interior and urban areas. Victims are subjected to forced labor in the mining, agriculture, and forestry sectors, as well as in domestic service and shops. While both sex trafficking and forced labor occur in interior mining communities, limited government presence in the country's interior renders the full extent of trafficking unknown. Children are particularly vulnerable to sex and labor trafficking. Guyanese nationals are subjected to sex and labor trafficking in Jamaica, Suriname, and other Caribbean countries. Some police officers are complicit in trafficking crimes, and corruption impedes anti-trafficking efforts.

The Government of Guyana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government convicted one trafficker, imposed a three-year prison sentence, and required her to pay the victim restitution—the first time restitution has been ordered for a trafficking offender in Guyana. The government also provided 600,000 Guyanese dollars (GYD) ($2,970) to an NGO-run shelter dedicated to trafficking victims—the first shelter of its kind in Guyana—to enhance the shelter's psycho-social services for victims. The government further increased collaboration with anti-trafficking NGOs by instituting procedures to refer victims to the shelter and including a leading anti-trafficking NGO on its inter-ministerial anti-trafficking taskforce. However, it did not allocate additional personnel to the severely understaffed anti-trafficking unit to facilitate trafficking investigations, nor did it increase protection and services for victims outside the capital or participating in investigations against their traffickers. The government continued to prosecute and punish suspected trafficking victims for crimes committed as a result of being subjected to trafficking.



RECOMMENDATIONS FOR GUYANA:

Continue to vigorously investigate and prosecute sex and labor trafficking cases and hold convicted traffickers accountable—including complicit officials—by imposing sentences that are commensurate with the severity of the crime, denying bail, and ordering restitution, where appropriate; finalize and issue written procedures to guide and encourage front-line officials—including police, health, immigration, labor, mining, and forestry personnel—to identify and protect victims of forced labor and sex trafficking; train law enforcement, judiciary officials, and front-line responders—especially those working outside the capital—on victim identification, referral to services, and victim-centered investigations; allocate additional staff to the inter-ministerial anti-trafficking unit and provide sufficient funding and resources for it to investigate trafficking in the mining sector and conduct awareness campaigns; provide additional protection for victims to enable them to appear in court and testify against traffickers in a way that does not further endanger them; increase funding for NGOs that identify and assist victims; take efforts to ensure victims are not summarily deported without the opportunity to assist in a trial against their traffickers and that they are not penalized for crimes committed as a result of being subjected to trafficking; open and adequately fund the proposed shelter for male trafficking victims; develop child-sensitive investigation measures and court procedures that protect the privacy of children and minimize their re-traumatization; regularly convene the inter-ministerial taskforce and finalize and implement the 2016-2017 national action plan; offer increased protection and assistance for victims near mining communities outside the capital; and continue to raise awareness of trafficking among civil society.

PROSECUTION

The government modestly increased its law enforcement efforts. The Combating Trafficking of Persons Act of 2005 prohibits all forms of trafficking and prescribes sufficiently stringent penalties ranging from three years' to life imprisonment. These penalties are commensurate with those prescribed for other serious crimes, such as rape. The government reported investigating 15 trafficking cases involving 56 victims, including 16 children, which resulted in seven prosecutions and one sex trafficking conviction, compared with seven investigations, four prosecutions, and one conviction the previous reporting period. The defendant in the 2015 conviction was sentenced to three years' imprisonment and, unlike defendants convicted in previous years, was denied post-conviction bail and required to pay restitution to the victim. At least one of the defendants in an ongoing prosecution was released on bail pending the outcome of her trial. In response to calls received by the trafficking hotline, government officials conducted raids on mining and logging areas outside of the capital. It is unclear if authorities removed any victims from exploitative situations or initiated any trafficking investigations as a result of these raids. During the previous reporting period, a police officer was convicted of child sex trafficking and sentenced to four years' imprisonment but granted bail pending appeal; his appeal remained pending at the end of the reporting period. Media reports indicated a brothel owner was tipped off by a law enforcement official in advance of a police raid and tried to clear four trafficking victims from her establishment to avoid detection by law enforcement. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. Law enforcement lacked training on victim identification, referral, and trafficking investigations, and the government did not directly train these officials or provide in-kind support for such training.

PROTECTION

The government increased protection efforts but victim assistance

remained insufficient, especially in areas outside the capital and for male victims, and the government continued to penalize some suspected trafficking victims. It is unclear how many of the 56 identified trafficking victims were identified by the government and how many by NGOs; the government identified 16 victims during the previous reporting period. In January 2016, the government signed a memorandum of understanding with an anti-trafficking NGO and provided 600,000 GYD ($2,970) to the NGO for the provision of enhanced psycho-social services to adult, female trafficking victims referred by the government. This is the first Guyanese shelter dedicated solely to trafficking victims. The shelter provided short-term shelter, psycho-social services, and career guidance to two victims during the reporting period. Prior to the memorandum of understanding, the government also provided 10 million GYD ($49,500) to another NGO that provided housing and counseling services to victims of crimes, including 17 trafficking victims referred by the government. There were no public or private shelters dedicated to male or child trafficking victims; however, the government announced plans to open and partially fund a shelter for male victims. Child trafficking victims were placed in government-run shelters with child victims of other crimes. Male victims were offered voluntary placement in homeless shelters. Resources devoted to victim protection remained inadequate; authorities did not consistently refer trafficking victims to services; and shelter and services for victims outside the capital, including in mining areas, remained nonexistent. One victim reported sleeping on the floor of a police station because shelter and services were unavailable. Longer-term shelter and protection were not available in Guyana, and reports indicated some identified victims were subjected to additional trafficking after identification or became homeless due to inadequate protective services. Donor-funded organizations continued to provide some victim services, including in dangerous areas outside of the capital.

The government continued to develop standard operating procedures to guide officials in identifying trafficking victims, but the procedures remained informal and were not widely implemented during the reporting period. As a result, victims did not always receive proper care or referrals to services. Government officials continued to work with NGOs to develop child-sensitive investigation and prosecution procedures; the lack of such procedures put children at risk of reprisal from traffickers. In one case, government officials identified two girls as labor trafficking victims in a bar and, disregarding protocol, returned the girls to their mother, whom the girls had identified as their trafficker.

The government did not effectively encourage victims to assist in the investigation and prosecution of their traffickers. Victims often did not testify in court, as officials failed to locate and inform them of court dates. Victims also did not testify when they had no transportation to court or could not afford residency in Guyana in the months before their court date. Guyanese law protects victims from punishment for crimes committed as a result of being subjected to trafficking and provides foreign victims with relief from deportation. However, the government did not report extending deportation relief to foreign victims during the reporting period and in June deported 11 potential trafficking victims, six charged with illegal entry into Guyana, and five charged with overstaying their time in Guyana. The victims were discovered during a raid and were not properly screened for indicators of trafficking. These factors generally contributed to the relatively low conviction rate for trafficking crimes.

PREVENTION

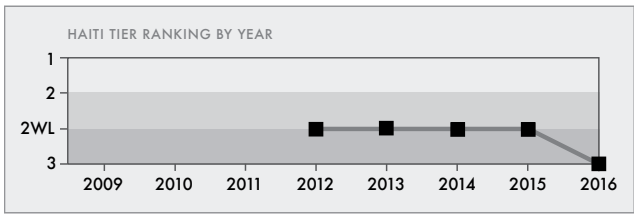
The government maintained efforts to prevent trafficking. Guyana's newly elected government reformed the anti-trafficking inter-ministerial taskforce in January 2016; before the reformation, however, the taskforce was inactive for eight months and did not make efforts to implement the 2014-2015 national action plan. Like previous taskforces, the reconstituted taskforce included representatives from several government agencies and NGOs but, for the first time, also included the lead anti-trafficking NGO in Guyana. The government drafted but did not finalize an action plan to combat trafficking. It conducted a variety of awareness-raising activities, including campaigns to sensitize civilians and law enforcement in the mining and logging sectors outside the capital. The government operated a trafficking hotline but did not report how many calls it received. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. While the government significantly increased its number of labor inspections, the number of labor trafficking investigations did not significantly increase. The government did not provide anti-trafficking training for its diplomatic personnel.

HAITI: Tier 3

Haiti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most of Haiti's trafficking cases involve children in domestic servitude who often are physically abused, receive no payment for services rendered, and may be kept from school. A significant number of children flee employers' homes or abusive families and become street children. A May 2015 UN report documented members of its peacekeeping mission in Haiti sexually exploited more than 225 Haitian women in exchange for food, medication, and household items between 2008 and 2014. Female foreign nationals, particularly citizens of the Dominican Republic, are particularly vulnerable to sex trafficking and forced labor in Haiti. Other vulnerable populations include Haitian children working in construction, agriculture, fisheries, domestic work, and street vending in Haiti and the Dominican Republic; women and children living in camps for internally displaced persons set up as a result of the 2010 earthquake; members of female-headed or other single-parent families; children in private and NGO-sponsored residential care centers; and Haitians without documentation, including those returning from the Dominican Republic or The Bahamas. Haitian adults and children are vulnerable to fraudulent labor recruitment and are subject to forced labor, primarily in the Dominican Republic, other Caribbean countries, South America, and the United States.

The Government of Haiti does not fully meet the minimum standards for the elimination of trafficking and did not demonstrate overall increasing efforts compared to the previous reporting period. Having been placed on Tier 2 Watch List in the preceding four years, Haiti is not making significant efforts to meet the minimum standards and is therefore placed on Tier 3. In December 2015, the government inaugurated the inter-ministerial anti-trafficking committee. The government also finalized its action plan, and investigated and prosecuted trafficking cases during the reporting period. However, the systemic weaknesses of the justice system in disposing of cases and the lack of funding for, and coordination among, government agencies impair efforts to prosecute traffickers. The government's interagency effort to formalize victim identification and referral guidelines, like other priorities,

gained little momentum due to the protracted political impasse over the scheduling of Haiti's elections.



RECOMMENDATIONS FOR HAITI:

Vigorously investigate, prosecute, convict, and sentence traffickers, including those responsible for domestic servitude and child sex trafficking; resource and implement the new national anti-trafficking action plan; increase funding for trafficking victim assistance, including by working with the donor community to develop long-term, sustainable funding mechanisms for trafficking victim service providers; train police, prosecutors, and judges on trafficking; in partnership with NGOs, adopt and employ formal procedures to guide officials in proactive victim identification and referral of victims to appropriate shelters and services; implement measures to address the vulnerabilities that lead to child domestic servitude, including protecting child victims of neglect, abuse, and violence; to counteract tolerance of child domestic servitude, educate the Haitian public about children's rights to education and freedom from slavery; and draft and enact a child protection law with special protections for child trafficking victims.

PROSECUTION

The government sustained minimal anti-trafficking law enforcement efforts and did not secure any trafficking convictions during the reporting period. The 2014 anti-trafficking law (No. CL/2014-0010) prohibits all forms of human trafficking and prescribes penalties of seven to 15 years' imprisonment and a fine ranging from 200,000 to 1,500,000 gourdes ($4,500 to $32,000). The law criminalizes sex trafficking, forced labor, and intentional retention of identification documents or passports for the purpose of committing trafficking-related offenses. The law provides for increased penalties of up to life imprisonment for human trafficking committed with aggravating circumstances, such as if the victim is a child or the trafficker is a public official, among others. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

During the reporting period, the government continued investigations and prosecutions of two previously reported cases. Authorities also initiated four new investigations and prosecutions—one potential sex trafficking case, two potential forced labor cases, and one potential sex and labor trafficking case—as compared to the last reporting period in which the government reported four investigations and two prosecutions. The Haitian Magistrate's School collaborated with two U.S. government-funded organizations to develop a training curriculum on the anti-trafficking law and provided a venue for the training. Approximately 100 officials from the central directorate of judicial police, the Haitian Police Minors' Protection Brigade, the social welfare agency, judges, prosecutors, and victim assistance groups participated in a two-day seminar to discuss the 2014 anti-trafficking law and its implementation. However, NGOs reported government personnel in some provinces lacked training on the anti-trafficking law and its implementation, resulting in lesser charges and informal arrangements to dispose of cases. The national anti-trafficking commission began drafting a proposal to the Ministry of Justice to create a specialized anti-trafficking law enforcement unit in the department of Hinche.

PROTECTION

The government sustained minimal efforts to identify and assist trafficking victims. While the government did not systematically track data regarding trafficking victim identification, it reported identification of two potential trafficking victims; one Dominican child and one Haitian child. The government continued to provide assistance to a total of 97 child trafficking victims in 2015, including 17 potential victims identified in 2014. In 2015, Haitian officials removed some children, including some trafficking victims, from vulnerable situations and referred or placed them in appropriate care. One government shelter assisted at least 43 children, at least some of whom were child trafficking victims referred by the social welfare agency. Haitian authorities worked with an international organization to identify and assist hundreds of Haitian child domestic workers in exploitative situations.

The 2014 anti-trafficking law tasks the national anti-trafficking commission to develop standard operating procedures to guide officials in the identification and rehabilitation of trafficking victims; requires the government to provide protection and medical, psychological, and social services to trafficking victims; and creates a government-regulated fund to assist trafficking victims. NGO or international partners who came into contact with trafficking victims made ad hoc referrals directly to police or social welfare officials for assistance and case management. Social welfare officials worked with international and local NGO partners to assess the scope of care needed by the child victims and found organizations to provide that care, including medical and counseling services, family tracing services, pre-return assessments, family sensitization, and economic empowerment opportunities. The Haitian government operated two of the country's 776 care centers focused on reducing the number of children living on the streets of the capital.

The government did not provide any specific services for adult or foreign victims. While the government did not provide detailed information on the amount it spent on victim protection, its funding remained insufficient to cover the basic protection needs of trafficking victims throughout Haiti. The ministries of labor and social welfare lacked staff and resources to inspect worksites for indicators of forced labor. The government did not have a formal program to assist victims who returned to Haiti. Authorities worked closely with the U.S. Coast Guard to receive deported migrants, screening unaccompanied children and facilitating their re-integration with family members. The law provides temporary residency during legal proceedings for foreign victims of human trafficking, as well as access to legal counsel, interpretation services, and permanent residency in Haiti if the victim so chooses; however, authorities have not used these provisions. The law also protects victims from liability for crimes committed while under the control of actual perpetrators of trafficking offenses as defined in the 2014 trafficking law, but there was no information regarding whether victims were in fact protected from such prosecutions by this law.

PREVENTION

The government sustained efforts to prevent trafficking. The Haitian president inaugurated a 12-member inter-ministerial

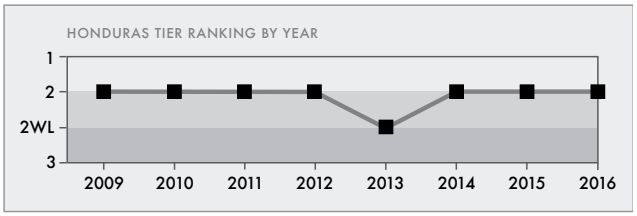
commission to combat trafficking in December 2015; however, the commission's lack of a budget slowed its efforts to implement the 2015-2017 national anti-trafficking action plan. In December, the Ministry of Labor and Social Affairs and an international organization jointly issued a report on children in domestic servitude, which found one in four children do not live with their biological parents and 207,000 children under age 15 are engaged in working more than 14 hours a week and, thus, have been significantly delayed in completing school. The report recommended the government put measures in place to prevent exploitation, including domestic servitude; protect at-risk children and victims of neglect, abuse, violence, or exploitation, including sex trafficking and forced labor; and draft and enact a child protection law. With foreign government funding, the government continued a series of radio spots on the 2014 anti-trafficking law, trafficking indicators, and sanctions for traffickers. The government managed a social services hotline, and authorities conducted 52 investigations stemming from hotline calls, including four for potential trafficking.

Following the Government of the Dominican Republic's June 15, 2015 deadline for registration of migrant workers in that country, the Haitian government coordinated efforts with international organizations and NGOs to receive Haitian expellees. However, dysfunction of the Haitian civil registry system and weak consular capacity to provide identity documents leaves many Haitians at risk of remaining undocumented in the Dominican Republic and subject to deportation—recognized risk factors for vulnerability to trafficking. At the border, the government worked with NGOs to assess the needs of children crossing the border and permitted children accompanied by an adult to cross from Haiti into the Dominican Republic only after verifying that the adult had legal authority to take the child out of Haiti. Officials acknowledged traffickers were more likely to use unofficial border crossing points. The government continued a partnership with community representatives to monitor night clubs for sexual exploitation and met with officials in the geographic administrative department of Hinche to explain the anti-trafficking law and its consequences. Haiti does not have effective laws or policies to regulate foreign labor recruiters or prevent fraudulent recruiting. The 2014 anti-trafficking law includes sanctions for individuals who knowingly procure commercial sex acts from trafficking victims, but authorities did not use these provisions to hold purchasers accountable and did not report efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

HONDURAS: Tier 2

Honduras is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor; to a much lesser extent, it is a destination for women and girls from neighboring countries subjected to sex trafficking. Honduran women and children are exploited in sex trafficking within the country and in other countries in the region, particularly Mexico, Guatemala, El Salvador, Belize, and the United States. LGBTI Hondurans are particularly vulnerable to sex trafficking. Honduran men, women, and children are subjected to forced labor in agriculture, street vending, domestic service, and the informal sector in Honduras, and forced labor in other countries, particularly in Guatemala, Mexico, and the United States. Children from indigenous and Afro-descendant communities, particularly Miskito boys, are vulnerable to forced labor, including on fishing vessels; children living on the streets are vulnerable to sex and labor trafficking. NGOs and the media report that criminal organizations, including gangs, exploit girls in sex trafficking, force children into street begging, and coerce and threaten young males in urban areas to transport drugs, commit extortion, or commit acts of violence, including murder; this occurs primarily in urban areas, but one NGO reported an increase in gang activity in rural areas. During the year, there were continued reports of children being subjected to sex trafficking on the streets of large cities, particularly the economic center of San Pedro Sula, under the guise of street begging or vending. Honduras is a destination for child sex tourists from Canada and the United States. Some Honduran migrants to the United States are subjected to forced labor, forced criminal activity, or sex trafficking en route or upon arrival. Latin American migrants transit Honduras en route to northern Central America and North America, where some are exploited in sex trafficking and forced labor. During the year, there were reports of child sex trafficking victims being brought into prisons and exploited by prisoners, raising concerns over the potential complicity of prison authorities. Overall corruption remained a challenge for law enforcement efforts. Prosecutors reported some local police provided protection to brothel owners or tipped them off about impending raids, and security officials have been involved in child sex trafficking.

The Government of Honduras does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities prosecuted and convicted more sex traffickers, but there were no investigations or prosecutions for suspected cases of forced labor or the recruitment of children for forced criminal activity. For the second year, the government provided a budget to its interagency, multi-stakeholder commission on child trafficking and commercial sexual exploitation (CICESCT), and it developed a national action plan for 2016-2020. The government's "immediate response team" strengthened referral to services for female child sex trafficking victims, but services for other populations remained limited and there were reports that the government re-victimized adult victims by ordering restrictions on their communication and movement while compelled to reside in an NGO shelter. The government did not develop guidelines to identify trafficking victims among vulnerable populations. Authorities demonstrated progress in addressing trafficking-related complicity by convicting one police officer and one military official for purchasing sex acts from child trafficking victims.



RECOMMENDATIONS FOR HONDURAS:

Increase efforts to prosecute trafficking offenses and to convict and sentence traffickers, including for crimes involving forced labor, sex trafficking of adults, and forced criminal activity of children; develop and implement formal procedures to identify victims among vulnerable populations and refer them to service providers; increase the identification and assistance of adult victims, forced labor victims, and children forced to commit crimes, including among repatriated Hondurans; continue to strengthen victim referral mechanisms and provide specialized

services and shelter to all victims, including through increased funding to government entities or civil society organizations; ensure adult victims are not detained in shelter facilities against their will; develop policies and train officials to protect both child and adult victims from re-victimization in the criminal justice system; sustain efforts to prosecute and convict public officials for complicity in trafficking offenses; enforce laws punishing brokers for illegal practices that facilitate trafficking, such as fraudulent offers of employment or illegal fees for migration or job placement; increase training and resources for the dedicated anti-trafficking police and prosecutorial units, as well as staff on the "immediate response" team; amend the anti-trafficking law to include a definition of human trafficking consistent with international law; and implement the national action plan for 2016-2020.

PROSECUTION

The government continued law enforcement efforts to combat child sex trafficking and made progress in holding complicit officials accountable, but efforts to investigate and prosecute other forms of trafficking were negligible. The 2012 Honduran anti-trafficking law prohibits all forms of trafficking, prescribing penalties ranging from 10 to 15 years' imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law is inconsistent with international law in that it conflates human trafficking with other crimes, such as illegal adoption, and establishes the use of force, deceit, or intimidation as an aggravating factor, rather than an essential element, of most trafficking crimes. Civil society organizations reported concerns that traffickers were often prosecuted for lesser crimes with lower penalties, such as pimping. Authorities reported investigating 18 cases of suspected trafficking and initiating prosecution of 24 suspects in nine cases for sex trafficking. It convicted 13 traffickers in 10 cases—some of which had been opened in previous years; this is an increase from four prosecutions and no convictions in the previous reporting period. Convicted offenders received sentences ranging from 10 to 15 years' imprisonment. One convicted trafficker is believed to have been the leader of a sex trafficking ring that catered to "clients" in the police and military, who also provided the criminal operation with protection against investigation. In the same case, two public officials—one police officer and one army lieutenant colonel—were convicted for purchasing commercial sex acts from trafficking victims and sentenced to five years and four years and six months in prison, respectively. These convictions demonstrated progress in addressing impunity for trafficking-related complicity. Despite evidence of force or coercion used by gangs to compel children and adults to engage in illicit activities, authorities did not investigate or prosecute any such crimes as human trafficking. Furthermore, the government did not investigate or prosecute any suspected cases of forced labor. A lack of adequate human and material resources limited the effectiveness of investigators and prosecutors, and funding was insufficient to address the magnitude of the problem. Authorities cooperated on trafficking investigations with officials from INTERPOL, Colombia, Costa Rica, El Salvador, Guatemala, Mexico, Nicaragua, Panama, and the United States. NGOs funded by international donors continued to deliver most of the anti-trafficking training available to government officials, often with support from the government's anti-trafficking commission.

PROTECTION

Overall government efforts to identify, refer, and assist trafficking victims remained inadequate and authorities remained largely dependent on NGOs to fund and provide services. While immigration officials, border police, and the CICESCT "immediate response team" had victim identification tools, Honduran authorities lacked systematic procedures to identify trafficking victims among vulnerable populations, such as people in prostitution or working children. The immediate response team, which included a full-time coordinator and a trained psychologist, worked with government ministries and civil society organizations to coordinate immediate victims' services—including food, shelter, and health screenings—as well as referrals to longer-term support services. This team provided support to 28 sex trafficking victims, including 14 women and 14 girls; three victims were Nicaraguan and one was Salvadoran, while the others were Honduran. The government did not identify any forced labor victims, male victims, or LGBTI victims in Honduras. It is unknown how many victims NGOs identified and assisted in 2015. The foreign ministry assisted 31 victims of sex and labor trafficking through Honduran missions in Belize, Guatemala, and Mexico; these included three men and three girls, while the age and gender of the others was not specified. Only one of these victims was referred to the immediate response team for assistance. Of the 59 victims identified within the country and abroad, 41 were reunited with their families and received limited long-term support, four were housed in shelters, three foreign victims were repatriated to their home countries, and 11 Honduran victims remained in other countries. Honduran consular officers in Mexico helped 10 Honduran victims obtain humanitarian visas to remain in Mexico. The immediate response team operated a dedicated helpline for responding to cases of trafficking and staff of the government's new 911 system received training on how to manage trafficking cases.

There were limited services available for victims, and services for adults or children identified outside the capital were particularly lacking. Civil society organizations continued to fund and provide the majority of services for victims. During the year, the government created a new mechanism to provide trafficking victims greater access to existing social services, though the impact of this initiative was not clear. The government continued to provide a small grant of 371,460 lempiras ($17,000) to an NGO that operated the country's only specialized shelter for girl victims of sexual abuse and sex trafficking. Adult victims were typically placed in shelters for victims of various forms of abuse that had neither the capacity nor the specialized resources to provide appropriate care for these victims. There were reports during the year that government officials ordered restrictions on the communication and movement of adult victims housed in NGO shelters. There were few long-term support or reintegration services available for victims, leaving them vulnerable to re-trafficking. Authorities made efforts to screen for indicators of trafficking among the large numbers of Hondurans returned from abroad, including unaccompanied migrant children, but procedures for referral to follow-up services were insufficient to ensure that all identified victims received such care. The government encouraged victims to assist in investigations and prosecutions, but the lack of adequate victim and witness protection programs, exacerbated by a slow trial process and the fear of retaliation by traffickers, caused many victims—particularly adults or those victimized by criminal groups—to decline to cooperate. There were no reports of identified victims being penalized for unlawful acts committed as a result of being subjected to human trafficking. However, due to the lack of a formal mechanism to screen vulnerable populations, some unidentified victims may have been punished for such crimes. Officials acknowledged that

children forced to engage in criminal activities by criminal groups were not properly identified and thus treated as criminals instead of victims. NGOs noted that the criminal justice system often re-victimized both child and adult victims due to the lack of sensitivity of some officials, lack of protective services, and restriction on movement imposed on adult victims. The government enabled some child victims to provide testimony via videoconference or pre-recorded interviews, but the necessary equipment was not always operational. Honduran law allows foreign victims to receive temporary and permanent residency status, including the ability to work; one victim remained in the country in 2015 and applied for long-term residency and a work permit with assistance from the government.

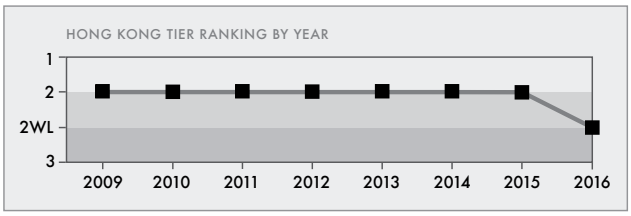
PREVENTION

The government sustained its strengthened prevention efforts. The interagency commission on child trafficking and commercial sexual exploitation, which included civil society, coordinated the government's efforts; although overall funding remained insufficient, the government distributed 2,354,173 lempiras ($107,000) and provided office space for the commission. The commission increased the number of interagency committees to coordinate efforts at the local level to 19, up from 10 in 2014. With both government and donor funding, authorities organized and participated in activities to raise awareness about the dangers of trafficking, including through television and the distribution of printed materials. The government provided training and materials to members of the local interagency committees and conducted awareness-raising sessions in schools and other public institutions. The interagency, multi-stakeholder commission conducted a series of stakeholder meetings in early 2016 and drafted a 2016-2022 national action plan to guide the government's anti-trafficking activities, but the plan had not been adopted by the close of the reporting period. The government did not make efforts to punish labor recruiters for illegal practices that increase migrants' vulnerability to exploitation abroad, though in September 2015 it published an official decree requiring job placement companies to charge fees to employers and not employees. The government convicted three individuals, including two public officials, for purchasing sex acts from trafficking victims. Authorities conducted campaigns to raise awareness of child sex tourism among members of the tourist sector and local officials. The government provided anti-trafficking training for its diplomatic personnel.

HONG KONG: Tier 2 Watch List

The Hong Kong Special Administrative Region of the People's Republic of China is primarily a destination, transit, and to a much lesser extent, a source territory for men, women, and children subjected to sex trafficking and forced labor. Victims include citizens from mainland China, Indonesia, the Philippines, Thailand, and other Southeast Asian countries as well as countries in South Asia, Africa, and South America. Approximately 340,000 foreign domestic workers, primarily from Indonesia and the Philippines, work in Hong Kong; some become victims of forced labor in the private homes in which they are employed. Employment agencies generally charge job placement fees in excess of legal limits, which may lead to situations of debt bondage of workers in Hong Kong. The accumulated debts sometimes amount to up to 80 percent of workers' salaries for the first seven to eight months of employment. Some workers are unwilling to report abusive employers for fear of losing their jobs and being unable to repay their debts; some employers or employment agencies illegally withhold passports, employment contracts, or other possessions until the debt is paid. Domestic workers have also reported working 17-hour days, receiving less than minimum wage, experiencing physical or verbal abuse and confinement in the employer's home, and not receiving a legally required weekly day off. An NGO report released in 2016 estimated that as many as one in six foreign domestic workers are victims of labor exploitation. Some foreign domestic workers sign contracts to work in Hong Kong but upon arrival are sent to work in mainland China or the Middle East. Separately, criminal syndicates or acquaintances sometimes lure women to Hong Kong using false promises of lucrative employment and subsequently force them into prostitution to repay money owed for passage to Hong Kong. Traffickers sometimes psychologically coerce sex trafficking victims by threatening to reveal photos or recordings of the victims' sexual encounters to their families.

The Government of Hong Kong does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Hong Kong is placed on Tier 2 Watch List. Authorities' investigations and prosecutions for labor trafficking were inadequate for the scale of the problem, and there were no convictions for labor trafficking in 2015 because there remains no specific criminal offense related to the crime. Hong Kong's laws do not prohibit all forms of trafficking and authorities continued to define human trafficking as the trans-border movement of people for prostitution, inconsistent with the 2000 UN TIP Protocol. While the government convicted eight traffickers during the reporting period, sentences were incommensurate with the gravity of the crime, with three perpetrators sentenced to seven months' imprisonment or less. The government did not appropriately penalize employment agencies that perpetuated labor trafficking via debt bondage. Labor tribunals lacked sufficient translation services, did not provide the right to counsel, and often had judges inexperienced with forced labor cases. Some trafficking victims may have been punished for crimes committed as a direct result of being subjected to trafficking. The government continued to fund partially six NGO-run shelters and three government-owned and -operated shelters for victims of abuse and trafficking, and identified 16 trafficking victims during the reporting period. It continued distribution of anti-trafficking information pamphlets to foreign domestic workers, law enforcement training, and cooperation with the consulates of labor-sending countries.



RECOMMENDATIONS FOR HONG KONG:

Enact a comprehensive anti-trafficking law that prohibits all forms of trafficking in accordance with the definitions set forth in the 2000 UN TIP Protocol; proactively identify sex and labor trafficking victims among vulnerable populations—such as

mainland Chinese and foreign migrants, domestic workers, and women and children in prostitution—and refer them to available services; vigorously prosecute suspected labor traffickers and recruiters, especially those who exploit foreign domestic workers; penalize employment agencies that charge excessive fees; do not penalize victims for crimes committed as a result of being subjected to trafficking; increase protective services for vulnerable populations, such as foreign domestic workers and women in prostitution; make labor tribunals more effective through improved translation services, the right to counsel, and anti-trafficking training for judges; grant foreign victims permission to work and study while participating in judicial proceedings against their traffickers; adopt an action plan to combat trafficking and commit resources to its implementation; provide legal alternatives to foreign victims who may face hardship or retribution in their home countries; and educate law enforcement, government officials, and the public on trafficking definitions aligned with international standards.

PROSECUTION

The government maintained limited anti-trafficking law enforcement efforts. Hong Kong laws do not criminalize forced labor and authorities continued to define trafficking as the trans-border movement of people for prostitution; this definition is inconsistent with the 2000 UN TIP Protocol definition of human trafficking. Section 129 of the crimes ordinance, which prohibits "trafficking in persons to or from Hong Kong," requires an element of transnationality given its focus on the movement of persons into or out of Hong Kong for prostitution, and it does not require the use of force, fraud, or coercion. Section 129 prescribes penalties of up to 10 years' imprisonment, which is sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. The government amended the prosecution code—an administrative handbook to guide prosecutors in building criminal cases—in 2013 to include the 2000 UN TIP Protocol's definition of trafficking. There was no parallel change in the criminal laws, however, and labor trafficking investigations and prosecutions remained low (two cases) in 2015 compared with the scope of the problem. There were no convictions for forced labor in 2015.

In 2015, the government investigated and prosecuted six alleged trafficking cases, compared with four trafficking investigations and one prosecution in 2014. Three cases involved sex trafficking of 11 Thai women, in which five defendants were convicted of managing a vice operation and sentenced to between four and 22 months' imprisonment and seven additional defendants are pending sentencing. Two cases of foreign domestic workers forced to work in mainland China by their employers remained pending. The government sentenced three traffickers to 28-30 months' imprisonment for conspiracy to obtain by deception services of three victims transiting Hong Kong on fraudulent documents. A high profile case—filed by an alleged victim of forced labor who stated that he received no assistance from the government—set in motion a judicial review of the government's human trafficking laws, which remains in progress. Prosecutors sometimes used victims' receipt of unlawfully low wages or their acceptance to work outside of their contracts under duress as evidence that victims violated their immigration status instead of evidence of abuse. While victims could go to labor tribunals to attempt to claim back wages, poor translation services, the lack of a right to counsel, the inability to work while awaiting a decision, and judges' inexperience with forced labor cases typically led victims to abandon attempts at restitution. In 2015, authorities trained approximately 400 front-line police officers on trafficking victim identification and more than 500 new immigration trainees on trafficking and victim identification, among other training activities. Hong Kong authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained limited efforts to protect victims and their frequent penalization discouraged victims from self-identifying, seeking assistance, or leaving employment where they suffered exploitation. In 2015, authorities identified 16 trafficking victims, a decrease from 26 in 2014. The government continued to partially fund six NGO-run shelters and three government-owned and -operated shelters that serve victims of abuse, exploitation, and trafficking. Although the government reported screening 7,133 foreign workers and 3,573 persons arrested for prostitution for signs of exploitation and trafficking during the reporting period, it only identified 16 trafficking victims. Potential victims, some of whom were arrested and charged with crimes, were considered for protective services in consultation with the Department of Justice on a case-by-case basis. NGOs and victims reported the government sometimes charged victims with crimes committed as a direct result of being subjected to human trafficking and that victims often pled guilty to these charges to facilitate expeditious deportation. Officials reported having a policy in place to encourage victims to participate in the investigation and prosecution of traffickers, but they did not allow victims to work while participating in trials that were sometimes lengthy, which deterred victims from cooperating with authorities. As a result, many victims opted to repatriate immediately or were deported. In 2015, immigration officials issued 1,824 visa extensions to former foreign domestic workers involved in ongoing legal proceedings in Hong Kong, but it was unclear how many of these cases involved labor exploitation. Hong Kong does not allow for permanent residency status for cases in which repatriation may constitute a risk of hardship or retribution in the victim's home country.

PREVENTION

The government sustained modest efforts to prevent trafficking. An interdepartmental working group led by the security bureau has been in place since 2010. The government began drafting a national action plan to combat trafficking in 2013, but it has not announced the publication, formal adoption, or implementation of the plan. Authorities continued to distribute anti-trafficking pamphlets in five languages and information packets to foreign domestic workers at the airport, six information kiosks, through their consulates, and in Filipino and Indonesian language newspaper advertisements. These information packages describe foreign domestic workers' rights and their employers' obligations under the law, and provide contact information for relevant government offices for assistance. NGOs report these packets are sometimes seized by employment agencies or employers. Authorities also conducted publicity campaigns using radio, newspaper, and leaflets to remind employers of their legal obligations to their domestic workers. Labor officials conducted inspections of approximately 1,300 employment agencies, roughly the same number as in 2014. Following inspections, 12 agencies were convicted for various offenses, five licenses were revoked, and investigations were opened into other agencies. NGOs reported employment agencies that violated regulations faced penalties that were too lenient and continued to operate either without a license or under the guise of new ownership. The government made some efforts to reduce the demand for

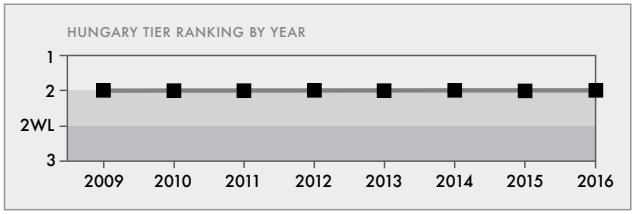
commercial sex through school sex education programs and reported efforts to reduce the demand for forced labor through raising awareness of proper treatment of domestic workers. It reported no efforts to prevent or combat child sex tourism of Hong Kong residents in mainland China or other foreign countries. The government did not provide anti-trafficking training to its personnel posted overseas.

HUNGARY: Tier 2

Hungary is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. Vulnerable groups include Hungarians in extreme poverty, Roma, unaccompanied asylum-seekers, and homeless men. Hungarian women and children are subjected to sex trafficking within the country and abroad, mostly within Europe—with particularly high numbers in the Netherlands, Belgium, Germany, Austria, Switzerland, and the United Kingdom. Hungarians, particularly Romani women and girls from eastern Hungary and from state care institutions, are exploited in sex trafficking in large numbers in Belgium by Hungarians also of Romani origin. A large number of Hungarian child sex trafficking victims exploited within the country and abroad come from state-provided childcare institutions and correctional facilities, and traffickers recruit them upon leaving these institutes. Hungarian women lured into sham marriages to third-country nationals within Europe are reportedly subjected to forced prostitution. Hungarian men and women are subjected to forced labor domestically and abroad, including in the United Kingdom, the Netherlands, other European countries, and North America. There are strong indicators labor trafficking of Hungarian men in Western Europe has intensified in agriculture, construction, and factories. Trafficking victims from Eastern European countries transit Hungary en route to Western Europe. Hungary is a transit country for asylum-seekers and illegal migrants, some of whom may be or may become trafficking victims. Within the country, Romani children are exploited in forced begging, child sex trafficking involving both girls and boys, and forced petty crime.

During the reporting period, international organizations and government officials reported the dramatic rise in migrants and refugees arriving predominantly from Syria, Afghanistan, and Kosovo. These individuals were highly vulnerable to trafficking. International organizations reported a high prevalence of trafficking indicators amongst migrants in Hungary; however, the formal mechanisms set to screen migrants for trafficking indicators failed to identify any such cases.

The Government of Hungary does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities increased law enforcement efforts against human trafficking, although data on these efforts was unreliable and efforts to address sex and labor trafficking of children have remained weak for several years in a row. Despite increased efforts, including funding for NGOs providing services for victims, increased funding for shelters, and new victim protection legislation, government protection efforts were insufficient. Specialized services for child victims did not exist and law enforcement arrested children exploited in prostitution, including sentencing nine children to imprisonment despite their being subjected to trafficking. Shortcomings in security and services at state care institutions for children remained widespread, resulting in high vulnerability of children under state protection during and after their time in these facilities.



RECOMMENDATIONS FOR HUNGARY:

Screen all individuals in prostitution for trafficking indicators and ensure neither adults nor children are punished for crimes committed as a result of trafficking, including prostitution; take steps to prevent trafficking among vulnerable children residing in state-run child care institutions and individuals who leave these institutions; increase identification of and assistance for child victims exploited within Hungary; increase law enforcement efforts to investigate, prosecute, and convict the perpetrators of all forms of trafficking; increase victim-centered training of law enforcement, prosecutors, and social workers; bolster protection for victims who face serious harm and retribution from their traffickers, including by developing longer-term care options to improve reintegration; increase funding for and provision of specialized victim services and provide consistent funding to NGOs to offer victim care; enhance the collection and reporting of reliable law enforcement and victim protection data; and bring the anti-trafficking law in line with international law by more precisely defining exploitation and requiring fraud, force, or coercion as elements of the core offense of adult trafficking.

PROSECUTION

The government increased law enforcement efforts against human trafficking, although data on these efforts was unreliable and efforts to address sex and labor trafficking of children appeared to remain weak. Article 192 of the 2013 criminal code prohibits many forms of human trafficking, but is overly broad because it does not require the use or threat of force or fraud to prove the basic offense of trafficking in persons, instead making force, the threat of force, or fraud aggravated elements resulting in enhanced penalties under article 192(3). The law defines exploitation as the abuse of power for the purpose of taking advantage of a victim but does not include the necessary purposes of exploitation, as defined by international law. Prescribed penalties range from one to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. Article 193 of the criminal code prohibits forced labor, with sentences ranging from one to eight years' imprisonment, while article 203 penalizes profiting from child prostitution, with penalties of up to eight years' imprisonment.

Law enforcement data remained unreliable, making it difficult to assess efforts. In 2015 police initiated 62 trafficking investigations, including 28 for forced labor, seven for forced begging, two for sex trafficking, and 25 for unspecified trafficking, compared with 10 forced labor investigations and 10 other trafficking investigations started in 2014. Officials prosecuted 18 individuals, including at least one for forced labor, compared with 18 individuals prosecuted in 2014. The government did not report how many investigations or prosecutions, if any, involved child sex trafficking. Courts convicted 22 traffickers in 2015, compared with 10 sex traffickers convicted in 2014. Sentences

ranged from no jail time or suspended sentences to six years' imprisonment. The government did not provide information on the specific type of trafficking crimes committed aside from forced labor. National police investigated transnational trafficking cases, and local police investigated internal cases; NGOs criticized local police for lack of sensitivity toward trafficking cases. Observers raised concerns that law enforcement regularly underreported trafficking offenses. Although the 2012 criminal code eliminated the previous requirement to provide evidence of a commercial transaction for a victim, judges continued to seek this evidence. Prosecutors appeared reluctant to press trafficking charges and chose lesser crimes instead, which were easier to prove in court, but often resulted in suspended sentences, permitted traffickers to commit a serious crime with impunity, endangered the victims they exploited, diminished the deterrence effect, and prevented policymakers from effectively evaluating the trafficking situation and calibrating policies and resources to fight this crime.

Anti-trafficking experts reported police categorized children between the ages of 14 and 18 as "youth" instead of children and treated them as criminals instead of victims, particularly in cases of child sex trafficking. Experts also reported police generally failed to investigate or remained reluctant to investigate certain trafficking cases involving child victims, including vulnerable children in state-run care institutions. There were no reported investigations, prosecutions, or convictions for official complicity. Authorities provided anti-trafficking training to some government officials, particularly police and prosecutors. Officials coordinated with other European governments on anti-trafficking investigations and extradited 30 individuals accused of trafficking to other European countries.

PROTECTION

The government's protection efforts remained insufficient, as specialized services for child victims did not exist and law enforcement arrested children exploited in prostitution, including sentencing nine children to imprisonment despite their being subjected to sex trafficking. The government did not demonstrate adequate efforts to identify victims among vulnerable populations, such as children exploited in prostitution or adults and children living in government-run institutions. The government decree on the trafficking victim identification mechanism listed the institutions responsible for identifying victims, the questionnaire to be completed with suspected victims, and procedural protocols. The Victim Assistance Service of the Office of Justice identified eight victims, including one child, compared with 20 total victims in 2014. The National Crisis Management and Information Service reported 27 victims, including four men, 13 women, and 10 children. NGOs reported identifying 25 trafficking victims—19 female victims, four male victims, and two transgender victims. Two government-funded shelters provided care for 62 victims, including 33 adult women, seven adult men, and 22 dependent children accompanying adult victims.

In November 2015, Parliament amended legislation that introduced new victim protection services, including psychological and emotional support in courtrooms; a requirement to provide victims with more information during criminal proceedings; the opportunity for each sex trafficking victim to be questioned by an individual of his or her gender; and closed hearings. Victims may ask their perpetrator not to be present in the courtroom and officials must alert victims prior to the release of their traffickers from custody. NGOs noted a lack of trained staff, funding, and available services, particularly for long-term needs such as reintegration. The government was required by law to provide victim assistance and state compensation to victims exploited within Hungary. Authorities provided victims financial support, psychological services, legal assistance, and referral to a shelter. The government increased the funding to 19 million forints ($67,600) for two NGO-run family shelters in 2015 that could reserve a total of 16 beds for trafficking victims for a renewable 90-day period; the government provided 16 million forints in 2014. Victims generally were not allowed to leave the shelters unless accompanied by a chaperone. Authorities provided two million forints ($7,300) to an NGO for anti-trafficking efforts, including support for its shelters providing services to victims. Although the Office of Justice issued a protocol in 2015 for victim support professionals outlining specific guidelines for assisting child victims, the government did not implement specialized services for child trafficking victims. Child victims could receive general care through the child protection system, but experts reported this system did not have sufficient staff or resources to provide tailored care, leaving victims vulnerable to re-trafficking.

During the reporting period, authorities fined five adult sex trafficking victims for prostitution violations. Furthermore, authorities penalized 101 children, including 100 girls and one boy, for prostitution offenses despite being sex trafficking victims; 30 received a fine, and courts sentenced nine to imprisonment. Experts criticized the government's lack of harmonized guidelines on protective services for victims, noting the referral system was ineffective. Inadequate government protection for victims who testified against traffickers was a concern; one child victim and one adult victim participated in the witness protection program. Foreign victims could receive a 30-day reflection period to decide whether to assist law enforcement, during which they were eligible for temporary residence permits while legal proceedings against their traffickers were ongoing. State compensation was available to indigent victims of crime who met specific criteria, including trafficking victims, but authorities did not report how many trafficking victims received this compensation in 2015.

PREVENTION

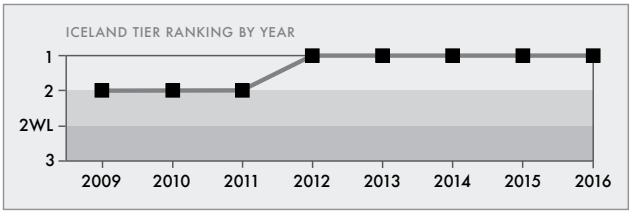
The government sustained its prevention efforts. The government had an anti-trafficking coordinator who chaired the national coordination mechanism, an entity including government actors and civil society organizations. The government had a 2013-2016 anti-trafficking national strategy with specific instructions for implementation. Experts reported interagency coordination remained uneven. Authorities continued multiple awareness campaigns on human trafficking targeted at teenagers, which reached an estimated 125,000 primary and secondary school students. In August, the Ministry of Interior organized an event to raise awareness at an annual music festival for the fourth consecutive year; the campaign reached 1,376 people through questionnaires on trafficking. Authorities reported no efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

ICELAND: Tier 1

Iceland is a destination and transit country for women subjected to sex trafficking and men and women subjected to labor trafficking. Women from Eastern Europe, the Baltics, West Africa,

and Brazil are subjected to sex trafficking, often in nightclubs and bars. Men and women from Africa, Eastern Europe, South America, and South and East Asia are subjected to forced labor in construction, tourism, restaurants, fish factories, and as au pairs in private houses. Foreign "posted workers" are at particular risk of forced labor as the traffickers pay them in their home countries and contract them to work for up to 183 days in Iceland to avoid taxes and union fees, limiting tax authorities' and union officials' ability to monitor their work conditions and pay. Traffickers also subject women to domestic servitude, forced labor, and sex trafficking and men to forced labor, sometimes through forced marriage; NGOs report these cases are rarely reported to the police. Traffickers reportedly exploit the visa-free regime in the Schengen Zone and the European Economic Area to bring victims to Iceland for up to three months and move them out of the country before they must register with local authorities.

The Government of Iceland fully meets the minimum standards for the elimination of trafficking. The government increased investigations of suspected trafficking and identified more victims. However, for the third consecutive year there were no prosecutions or convictions of suspected traffickers. The government worked with NGOs to publish and distribute updates to its victim identification, assistance, and referral procedures, focusing educational efforts on professionals likely to come into contact with potential victims. Unlike the previous reporting period, several victims identified in 2015 cooperated with law enforcement efforts. The government maintained prevention efforts by holding 11 awareness-raising sessions across the country for officials and professionals on identifying and referring victims.



RECOMMENDATIONS FOR ICELAND:

Significantly increase efforts to prosecute and convict traffickers; increase training for all investigators, prosecutors, and judges on detecting and prosecuting trafficking crimes; prioritize building trust between law enforcement and victims and provide protection and adequate residence and work permits to encourage victims to participate in the investigation and prosecution of traffickers; provide specialized services, including shelters, for male and child trafficking victims; enhance training methods for collecting evidence against suspected traffickers to avoid overreliance on victim testimony; develop procedures for identifying victims of forced marriage and involve labor inspectors in victim identification; expand training for officials on proactive identification of trafficking victims, particularly among migrant workers, unaccompanied children, and asylum-seekers; and provide adequate funding to law enforcement for implementation of the national anti-trafficking action plan.

PROSECUTION

The government demonstrated mixed anti-trafficking law enforcement efforts, due in part to inadequate funding and resources. Article 227a of the criminal code prohibits both sex trafficking and forced labor and prescribes penalties of up to 12 years' imprisonment; these are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Law enforcement initiated 23 trafficking investigations during the reporting period, an increase from 11 investigations in 2014; of these investigations, 14 were for suspected labor trafficking, three for sex trafficking, and six were undetermined. However, as in 2013 and 2014, the government did not prosecute or convict any traffickers. The police college curriculum included instruction on victim identification and investigation of trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Police authorities conducted cooperative international investigations on two suspected trafficking cases during the year.

PROTECTION

The government strengthened victim identification and referral procedures, and increased victim identification efforts. The government identified at least 29 potential trafficking victims in 2015, an increase from 11 in 2014, and certified 10 as trafficking victims: three male (one of whom was a minor) and five female victims of forced labor (of which one adult man and one woman had been subjected to forced labor through forced marriages), and a woman and a minor male subjected to an unidentified form of trafficking. Police were unable to confirm the form of trafficking from the testimony of either victim, but suspected both were sex trafficking victims. Authorities referred all 10 of these to care facilities for assistance, but only three of the women and the minor believed to have been subjected to child sex trafficking accepted housing at shelters. There are currently no shelter services available for adult male victims. Government-funded NGOs identified and assisted one additional potential trafficking victim. In December 2014, the government signed a two-year agreement to provide funding for an NGO-run domestic abuse shelter to provide emergency shelter to female trafficking victims and their children. The 2016 state budget allocated 70.6 million krona ($573,000) to the shelter, compared with 65.1 million krona ($528,000) for 2015. The Welfare Ministry provided the shelter with an additional 200,000 krona ($1600) for the provision of services for trafficking victims. The shelter maintained a team of specialists to manage cases involving possible trafficking victims. Victims had access to free legal, medical, psychological, and financial assistance, whether or not they stayed at the shelter or cooperated with authorities. Municipal social service agencies provided services and financial assistance to trafficking victims, and the Ministry of Welfare reimbursed the municipalities for all associated expenses; in 2015, the government refunded 12.5 million krona ($102,000) to municipal governments for expenses related to "foreign citizens in distress," which may have included trafficking victims. The government allocated 71 million krona ($576,000) in the 2016 state budget to a separate NGO offering psychological services to victims, compared with 65.5 million krona ($532,000) in 2015. Iceland remained without specialized care for male victims, who could access general social services and receive referrals to NGOs providing food, shelter, legal advice, and healthcare. Municipal and state child protection services were responsible for assisting unaccompanied children, including child trafficking victims.

The national police commissioner published detailed procedures for police to use to identify, contact, and work with possible trafficking victims to provide them with assistance. The government distributed information on the EU-issued "Guidelines for the Identification of Victims of Trafficking" and NGO-developed interview guidelines to government employees most likely to come into contact with trafficking victims. The

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

PREVENTION

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

INDIA: Tier 2

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

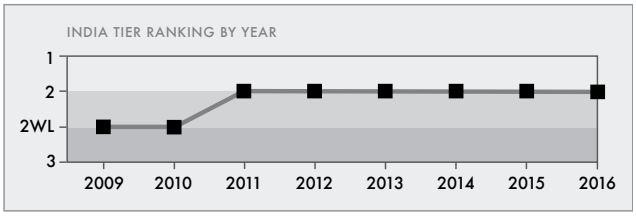
In addition to bonded labor, some children are subjected to forced labor as factory and agricultural workers, domestic servants, and beggars. Begging ringleaders sometimes maim children to earn more money. Some NGOs and media report girls are sold and forced to conceive and deliver babies for sale. Conditions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

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

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

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

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



RECOMMENDATIONS FOR INDIA:

Increase prosecutions and convictions for all forms of trafficking, including forced and bonded labor, respecting due process; establish and fully resource AHTUs in all districts, including by providing additional dedicated, trained staff and by clarifying the mandate of AHTUs; encourage AHTUs to address all forms of trafficking, including forced labor of adults and children; cease the penalization of trafficking victims, including restrictions on their travel; increase investigations and prosecutions of officials allegedly complicit in trafficking, and convict and punish those found guilty; improve central and state government implementation of protection programs and compensation schemes to ensure trafficking victims receive benefits, release certificates, and rehabilitation funds; develop and implement standard operating procedures (SOPs) to harmonize victim identification and repatriation, and the prosecution of suspected traffickers when trafficking crimes cross state lines; take steps to eliminate all recruitment fees charged to workers and raise awareness among potential migrants on the no fee policy; promptly disburse government funding for shelters and develop monitoring mechanisms to ensure quality of care; continue to increase the transparency of government efforts to combat trafficking and provide disaggregated data on efforts to criminally investigate, prosecute, and punish sex and labor trafficking; provide funding for states to establish fast-track courts that deal with all forms of human trafficking; and provide anti-trafficking training or guidance for diplomatic personnel to prevent their engagement or facilitation of trafficking crimes.

PROSECUTION

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

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

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

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

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

PROTECTION

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

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

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

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

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

PREVENTION

The government increased efforts to prevent human trafficking. In May 2015, MWCD and Ministry of Railways signed an MOU with an NGO for the protection of unaccompanied children at railway stations. During the reporting period, 20 railway stations hosted NGO staff to provide immediate support to unaccompanied children, who may be missing, abandoned, or runaways and are vulnerable to exploitation, including trafficking. In November 2015, MWCD and the railway ministry launched a project to supply posters to railway stations advising the public to call the national Childline hotline if they encounter an unaccompanied child. Some state governments also conducted anti-trafficking awareness campaigns. During the reporting period, the governments of Telangana, Andhra Pradesh, and Odisha partnered with NGOs and a foreign donor for a large-scale survivor-run awareness campaign across 53 districts.

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

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

INDONESIA: Tier 2

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

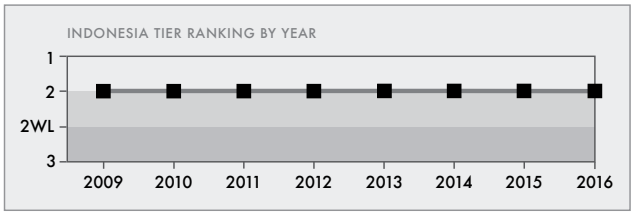
destination and transit country for women, men, and children subjected to forced labor and sex trafficking. Each of its 34 provinces is a source and destination of trafficking. The government estimates 1.9 million of the 4.5 million Indonesians working abroad—many of whom are women—are undocumented or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

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

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

In Indonesia, women, men, and children are exploited in forced labor in fishing, fish processing, and construction; on plantations, including palm oil; and in mining and manufacturing. Many females are exploited in domestic servitude and sex trafficking, including Colombian women in forced prostitution. Victims are often recruited with offers of jobs in restaurants, factories, or domestic service but are subjected to sex trafficking. Debt bondage is particularly prevalent among sex trafficking victims. Women and girls are subjected to sex trafficking near mining operations in Maluku, Papua, and Jambi provinces. When the government closed a large red light district in 2014, protections for women who worked in prostitution in the district decreased, increasing their vulnerability to sex trafficking in other regions, including Bali and Papua. Children are exploited in sex trafficking in the Batam district of Riau Islands province and have been exploited in West Papua province in previous years. Reports suggest an increase in university and high school students using social media to recruit and subject other students to sex trafficking. Child sex tourism is prevalent in the Riau Islands bordering Singapore, and Bali is a destination for Indonesian child sex tourists.

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



RECOMMENDATIONS FOR INDONESIA:

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

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

PROSECUTION

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

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

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

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

PROTECTION

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

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

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

During the reporting period, the government's witness protection unit provided legal assistance to at least 88 victims; because multiple agencies provide legal assistance, the total number who received such aid is unknown. The law allows victims to obtain restitution from their traffickers, and at least 25 victims received compensation during the year. There were no reports the government punished victims for crimes committed as a result of being subjected to trafficking, but inadequate efforts to screen vulnerable groups for trafficking indicators, including during raids to arrest persons in prostitution or combat illegal fishing, may have resulted in the punishment of unidentified trafficking victims. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

PREVENTION

The government made minimal efforts to prevent trafficking. Most prevention efforts occurred at the district and provincial levels; funding for and activities undertaken by the taskforces varied greatly across regions. The national anti-trafficking taskforce, housed within the Ministry of Women's Empowerment and Child Protection (MoWECP), met several times during the reporting period and adopted a 2015-2019 national action plan to combat trafficking, which focused on enhancing rehabilitation and reintegration services for victims and improving coordination between government ministries and with other stakeholders. With support from international donors and an NGO, the MoWECP and local governments designed and implemented trafficking awareness campaigns to inform citizens of safe migration practices and recruitment procedures. In addition, it established 25 new anti-trafficking taskforces at the local level and, with NGOs, provided vocational training and scholarships to women and school-aged children living in communities targeted by unscrupulous recruiters to reduce their susceptibility to trafficking. The taskforce lacked an operational budget, however, and relied on participating ministries to contribute funds to implement its activities. Insufficient funding of some local taskforces and lack of coordination within and between local taskforces and with the national taskforce at times impeded anti-trafficking efforts. With support from international donors and an NGO, the MoWECP and local governments designed and implemented trafficking awareness campaigns to inform citizens of safe migration practices and recruitment procedures. In November 2015, the Ministry of Labor launched the first of 18 anticipated anti-trafficking centers in migrant source villages. The centers, with some government funding and staff, provided anti-trafficking awareness materials to prospective migrants; economic empowerment programs for at-risk youth; and care and resources for returning victims, including a hotline for migrant workers to report labor violations, including forced labor.

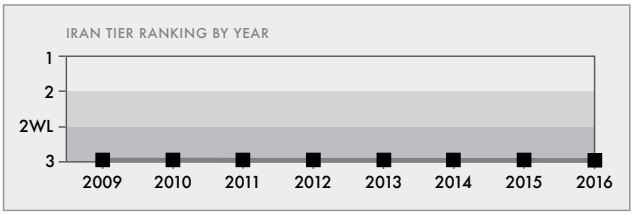
The labor ministry revoked or suspended the licenses of 24 companies allegedly engaged in unscrupulous recruitment, but it is unclear how many agencies the ministry referred to the police for investigation and if the police initiated any investigations. Authorities conducted raids on recruiting companies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

IRAN: Tier 3

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

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

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



RECOMMENDATIONS FOR IRAN:

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

PROSECUTION

The government did not report anti-trafficking law enforcement efforts and was reportedly complicit in trafficking crimes during the year. Iranian law does not prohibit all forms of trafficking. A 2004 law prohibits trafficking in persons by means of threat or use of force, coercion, abuse of power, or abuse of a victim's position of vulnerability for purposes of prostitution, slavery, or forced marriage. The prescribed penalty under this law is up to 10 years' imprisonment for the trafficking of adults and capital punishment for offenses against children. Both penalties are sufficiently stringent. The penalty for the trafficking of adults, however, is not commensurate with penalties prescribed under Iranian law for rape. In 2015, there was no new information about previous government claims that the anti-trafficking law was under review for amendment, including specific provisions to improve the effectiveness of the law. The constitution and labor code prohibit forced labor and debt bondage, but the prescribed penalty of a fine and up to one year's imprisonment is not sufficiently stringent. Iranian courts accord legal testimony by women only half the weight accorded to the testimony by men, therefore restricting female trafficking victims' access to justice. Moreover, female victims of sexual abuse, including sex trafficking victims, are subject to prosecution for adultery, which is defined as sexual relations outside of marriage and is punishable by death. The government did not report statistics on investigations, prosecutions, or convictions of trafficking offenders. The government also did not report investigations, prosecutions, or convictions of government officials complicit in trafficking offenses, despite reports that such complicity was widespread. The government did not appear to provide anti-trafficking training to officials during the reporting period.

PROTECTION

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

PREVENTION

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

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

IRAQ: Tier 2

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

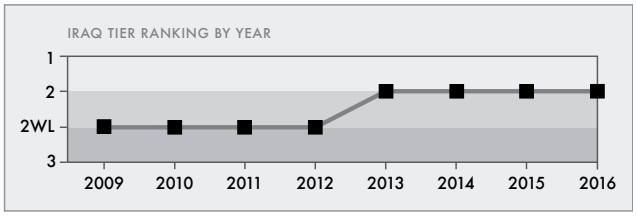
Refugees and IDPs face heightened risk of trafficking due to their economic and social vulnerability. In 2015, NGOs reported trafficking networks in the IKR targeted refugees and IDPs, operating with assistance from local officials, including judges, individuals from the Kurdistan Regional Government's (KRG) Asayish internal security forces, and border agents. Likewise, various individuals, including security and law enforcement officials, criminal gangs, taxicab drivers, and the victims' family members, exploited women and girls from Iraq and Syria, including refugees and IDPs, in sex trafficking. In the IKR, members of Parliament and NGOs have alleged some personnel from the Asayish internal security forces facilitate the sex trafficking of women and girls in Syrian refugee camps in the IKR, primarily in Domiz refugee camp, as well as sex trafficking of girls outside of the camps. Reports from 2015 indicate IDPs and some Syrian refugee women are forced into prostitution by a trafficking network in hotels and brothels in Baghdad, Basrah, and other cities in southern Iraq after agents of the network promise to resettle them from the IKR; the women's children are also forced to beg on the street. Some Syrian refugee men enter into employment without legal work contracts in Iraq, which increases their vulnerability to trafficking. Some displaced Iraqi families reportedly sell their children to other families to secure better futures; these children are at risk of trafficking.

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

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

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

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



RECOMMENDATIONS FOR IRAQ:

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

PROSECUTION

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

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

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

PROTECTION

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

The government provided some protection services to trafficking victims, but overall victim care varied by location. No facilities in Iraq and the IKR offered specialized services to child trafficking victims or victims with special needs or psychological trauma. The government also did not provide specialized care to children who were recruited and used in armed groups, including the PMF and PMF-affiliated militia. The government did not provide funding or in-kind assistance to NGOs providing victim care. NGOs were not legally able to operate shelters, although some continued to do so without official approval; however, these facilities remained vulnerable to legal action by the government and threats of violence by extremist groups. In June 2015, the government officially opened a permanent trafficking shelter in Baghdad, with a capacity of 50 male and female victims, and trained shelter staff to provide psycho-social counseling and legal aid; it was unknown how many trafficking victims—if any—received assistance at the shelter during the reporting period, although the shelter reportedly housed orphans and victims of gender-based violence. The government operated some temporary shelters and holding facilities for foreign workers awaiting repatriation; however, these facilities did not provide appropriate services for trafficking victims and may have operated as detention centers. The government continued to operate 16 family protection units located in police stations around the country, which were responsible for assisting women and child victims of abuse and trafficking. The units, however, focused primarily on family reconciliation instead of victim protection and they did not have a regular referral system; the government did not report if the units referred any trafficking victims to appropriate protective services in 2015. The Ministry of Health (MOH) continued to oversee the provision of medical and psychological assistance to trafficking victims in provincial health facilities, but it was unclear how many victims received these services during the reporting period.

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

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

PREVENTION

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

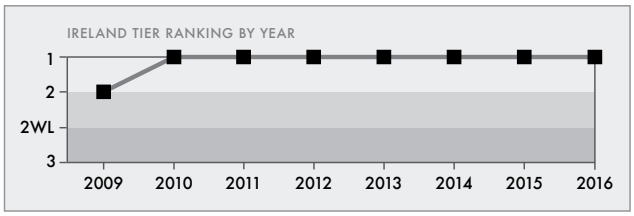
trafficking hotline, but it was unclear if any victims were identified through the hotline. The government, in collaboration with an international organization, continued to conduct an assessment of child labor, trafficking, and forced prostitution in Iraq, but the assessment was not finalized at the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

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

IRELAND: Tier 1

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

The Government of Ireland fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government increased investigations of trafficking crimes, although it has not convicted a trafficker under the 2008 anti-trafficking law since 2013. The government continued to prosecute a high number of non-trafficking crimes as trafficking cases, including child molestation cases, and neither prosecuted nor convicted sex or labor traffickers under the 2008 anti-trafficking law in 2015. Authorities maintained victim identification and protection efforts. However, law enforcement's continued failure to identify suspected victims of forced criminal activity and their subsequent prosecution and imprisonment within the Irish court system remained a serious concern.



RECOMMENDATIONS FOR IRELAND:

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

PROSECUTION

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

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

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

PROTECTION

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

The national referral mechanism included formal procedures guiding the provision of services to trafficking victims. All foreign adult victims from countries outside the EU were offered lodging in the government-operated network of 34 asylum reception centers. Child victims were supported through child protection services. Irish adult victims could receive services through general social welfare and health service channels. In 2015, officials completed individual care plans for 28 suspected sex trafficking victims and 30 suspected labor trafficking victims, compared with 20 suspected sex trafficking victims and 19 suspected labor trafficking victims in 2014, that covered medical care, psychological care, lodging, legal assistance, and education and training. The government provided 225,000 euros ($256,300) to an NGO for assistance for sex trafficking victims, compared with 172,000 euros ($195,900) in 2014, and 9,564 euros ($10,900) to an NGO to assist labor trafficking victims, compared with 4,000 euros ($4,560) in 2014. The government gave additional funding to three organizations for projects to address victims' personal and social needs. NGOs reported concerns with lack of trauma and gender sensitivity, inadequate privacy protections and security, and remote locations and inaccessibility of some of these centers. Possible trafficking victims who have an asylum application pending are not entitled to work pending a decision on their application. The referral tracking system did not allow social workers to verify whether the full range of services for which victims were eligible had actually been provided.

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

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

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

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

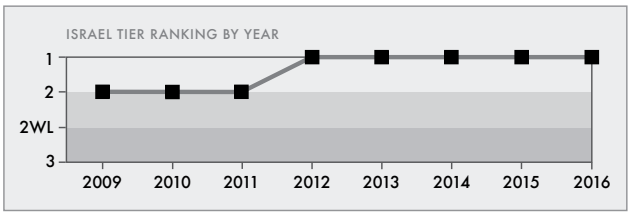
PREVENTION

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

ISRAEL: Tier 1

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

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



RECOMMENDATIONS FOR ISRAEL:

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

PROSECUTION

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

In 2015, the police initiated 234 investigations of potential sex trafficking crimes, including 23 related to child sex trafficking; it also opened 158 suspected forced labor investigations, three of which involved withholding of passports. In 2015, the government prosecuted nine suspected sex traffickers and zero labor traffickers, compared with 14 sex trafficking and zero labor trafficking prosecutions in 2014. In 2015, the government convicted three sex traffickers and no forced labor offenders, a significant decrease from 18 sex traffickers and one labor trafficker convicted in 2014. Courts continued to issue sentences to some traffickers that are sufficiently stringent and commensurate with other serious crimes. However, many traffickers received sentences of suspended jail time, 'community service' similar to probation, and financial penalties; these sentences are neither sufficiently stringent nor commensurate with those prescribed for other serious crimes. In 2015, fourteen offenders—some of whom were convicted in 2014—were given sentences that ranged from 'service to the community' to 16 years' imprisonment. The government continued to report challenges to prosecuting sex trafficking and forced labor cases, as many victims preferred repatriation and were unwilling to remain in Israel to serve as witnesses in criminal cases against their traffickers. In 2015, the government coordinated with INTERPOL and Russian authorities to issue extradition requests for suspects involved in sex trafficking cases. The government also requested legal assistance from Russian authorities to collect testimonies from Russian trafficking victims for an ongoing sex trafficking investigation against alleged Israeli suspects. The government did not report efforts to prosecute or convict any officials allegedly complicit in trafficking offenses. However, in 2015, the government charged a police officer for alleged involvement in protecting the operation of a brothel, but it was unclear if the officer was charged for trafficking crimes. The government continued to provide extensive anti-trafficking training, workshops, and seminars to officials in various ministries, including training for police officers on procedures for appropriately handling child sex trafficking cases.

PROTECTION

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

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

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

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

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

PREVENTION

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

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

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

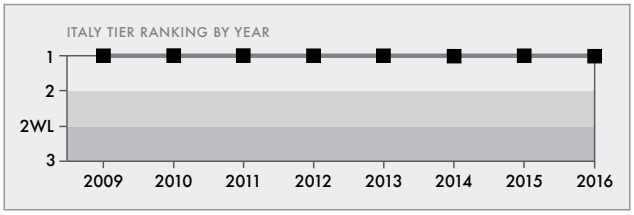
ITALY: Tier 1

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

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

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

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



RECOMMENDATIONS FOR ITALY:

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

PROSECUTION

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

PROTECTION

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

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

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

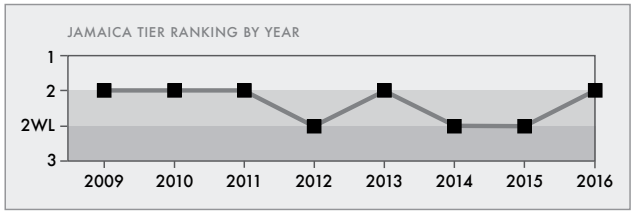
PREVENTION

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

JAMAICA: Tier 2

Jamaica is a source and destination country for adults and children subjected to sex trafficking and forced labor. Sex trafficking of Jamaican women and children reportedly occurs on streets and in night clubs, bars, massage parlors, and private homes, including in resort towns. Jamaican citizens have been subjected to sex trafficking and forced labor abroad, including in other Caribbean countries, Canada, the United States, and the United Kingdom. Communities vulnerable to sex trafficking and forced labor include residents of Jamaica's poverty-stricken areas effectively controlled by criminal "dons," and workers in the informal sector, particularly on family farms and in markets and shops. Child domestic workers may be subject to domestic servitude. Many children are reported missing in Jamaica; some of these children are subjected to forced labor or sex trafficking. Foreign nationals are subjected to forced labor in Jamaica and aboard foreign-flagged fishing vessels operating in Jamaican waters. NGOs and other local observers report child sex tourism is a problem in Jamaica's resort areas. Two former officials faced trafficking in persons charges.

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



RECOMMENDATIONS FOR JAMAICA:

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

PROSECUTION

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