

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

Authorities provided victims with a 60-day reflection period, during which victims received care and determined whether to cooperate with law enforcement; victims with a medically recognized disability, including trauma, received an additional 30 days. Under the law, victims could not be deported, arrested, or fined for offenses that were committed as a result of being trafficked, such as previous illegal stays in the country, current overstays, or false documents, during this period. Foreign victims accepted into the victim care program by MOI's crime prevention department could receive temporary residence and work visas for the duration of relevant legal proceedings. Upon conclusion of court proceedings, victims could apply for long-term residency; no new victims received long-term residency in 2017, compared with one victim in 2016 and none in 2015.

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

Victims had the legal option of seeking court-ordered compensation from their traffickers in both civil and criminal proceedings, although such restitution was rare as victims often feared retribution from their traffickers during criminal cases and could not afford attorney fees for a civil suit. To seek civil damages, the law required a finding of criminal misconduct against the defendant. The government did not report any victims who received compensation in 2016 or 2017. NGOs reported concern about potential trafficking victims in custody, but there were no reports the government penalized identified victims for unlawful acts committed as a direct result of being subjected to trafficking.

## PREVENTION

The government maintained prevention efforts. The MOI chaired an inter-ministerial body that coordinated national efforts and implemented the 2016-2019 national strategy. A unit in the MOI served as the national rapporteur and prepared a comprehensive annual report on patterns and programs, which it released publicly. The government continued to fund an NGO-run hotline to identify victims of trafficking and domestic violence, which operated six hours per day on weekdays. The law did not criminalize confiscation of workers' passports. MOI funds from the 1.65 million koruna (\$79,000) for the victim assistance program were available for prevention campaigns and field work; the government-funded NGOs to conduct a public awareness campaign targeted at individuals vulnerable to trafficking and exploitation, which involved leaflets distributed on public transit and advertisements posted in subway stations. Regulations imposed on employment agencies recruiting short-term labor from abroad helped reduce vulnerabilities to

trafficking; however, they did not prevent unregistered agencies from luring victims from overseas, or registered agencies from engaging in trafficking of victims within Czech Republic. To increase foreign workers' awareness of their rights, the MLSA and the labor inspection office websites published information in multiple languages about laws governing the employment of foreigners. In cooperation with the Thai embassy, the MLSA conducted a training on labor rights for Thai nationals working in massage parlors.

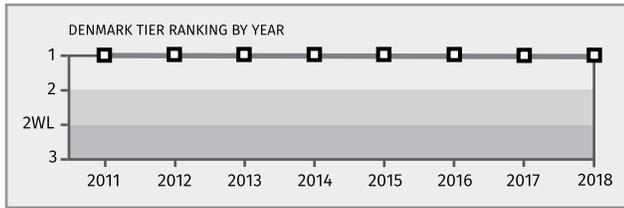
## TRAFFICKING PROFILE

As reported over the past five years, Czech Republic is a source, transit, and destination country for women and children subjected to sex trafficking and a source, transit, and destination country for men and women subjected to forced labor. Women, girls, and boys from Czech Republic, Slovakia, Ukraine, Romania, Bulgaria, Nigeria, the Philippines, and Vietnam are subjected to sex trafficking in Czech Republic and also transit through Czech Republic to other European countries where they are subjected to sex trafficking. Men and women from Czech Republic, Ukraine, Romania, Bulgaria, Moldova, Mongolia, Nigeria, the Philippines, Russia, and Vietnam are subjected to forced labor in Czech Republic, typically through debt bondage, in the construction, agricultural, forestry, manufacturing, and service sectors, including in domestic work. They may also transit through Czech Republic to other countries in Europe where they are exploited. Most identified victims in the country are Czech, although law enforcement reported an increase in EU victims. Romani women from Czech Republic are subjected to forced prostitution and forced labor internally and in destination countries, including the UK. Most traffickers are Czech citizens, and foreign traffickers often recruit victims from their own home countries and work in cooperation with local Czech citizens. Law enforcement report an increase in "marriages of convenience" between Czech women and non-EU men that involve sex trafficking. Private, unregistered labor agencies often used deceptive practices to recruit workers from abroad as well as from inside the country.

## DENMARK: TIER 1

The Government of Denmark fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Denmark remained on Tier 1. The government demonstrated serious and sustained efforts by continuing to implement its 2015-2018 national action plan and allocating significant funding for anti-trafficking measures. For the second year in a row, the government provided trafficking victims temporary residence under section 9(c)5 of the Danish Aliens Act, which gives authorities the ability to stay deportation for victims to assist in an investigation. Although the government meets the minimum standards, it continued to focus on foreign trafficking victims' illegal immigrant status, often incarcerating them during review of their status and repatriating non-EU resident victims to their countries of origin without proper screening. This impeded the ability of law enforcement to pursue traffickers, left victims vulnerable to re-trafficking, and made victims hesitant to come forward and work with police. Victim identification methods were difficult to implement and involved NGO partners too late in the process. In the last six years, only five victims had been

granted asylum, despite the government officially identifying more than 500 victims; one victim was granted asylum during the reporting period.



## RECOMMENDATIONS FOR DENMARK

Increase incentives for all victims to cooperate in the prosecution of traffickers, including by permitting temporary residency for victims while they assist law enforcement; more vigorously prosecute trafficking offenses and convict sex and labor traffickers; sentence traffickers in accordance with the gravity of the offense; cease penalization of victims for crimes committed as a direct result of being subjected to trafficking, such as migration offenses, including assessing if new guidelines concerning withdrawal of charges against trafficking victims prevent their penalization and detention; strengthen and streamline victim identification procedures, including expanding law enforcement efforts to proactively identify and expeditiously transfer potential trafficking victims, especially those without legal status, from police or immigration custody to crisis centers or care providers to facilitate trust among this vulnerable group; and solicit input from NGOs in the planning process of the 2019-2021 national action plan.

## PROSECUTION

The government maintained law enforcement efforts. Section 262(a) of the criminal code criminalized sex and labor trafficking and prescribed punishments of up to 10 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. In 2016, the government reassigned a large number of police units to border security duties due to the refugee crisis, and NGOs reported this continued to hinder the number of officers available to conduct trafficking investigations. Authorities investigated four trafficking cases in 2017, a decrease from 25 in 2016. The government initiated prosecutions of two trafficking suspects, compared with three in 2016. Courts convicted nine traffickers in 2017, a decrease from 17 in 2016. Sentences ranged from 2 years to 7 years and 11 months of imprisonment. Experts reported few trafficking cases were brought to trial because of the lack of incentives for victims to participate in the investigation of their traffickers, such as residency permits for victims. Authorities continued cooperation with Romanian authorities in one transnational investigation, and the defendant was convicted in Denmark, receiving a 7-year prison sentence in January 2018. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The national action plan directed the government's Center Against Human Trafficking (CMM) to provide police with instructions on trafficking at the police academy and additional training for police who become investigators, but police reported this training did not occur on a regular basis. CMM was also responsible for providing training on trafficking to additional government officials, including judges.

## PROTECTION

The government maintained efforts to protect victims, but did not make improvements concerning detention of potential victims or the forced repatriation of undocumented victims. Authorities identified 98 trafficking victims in 2017, compared with 121 victims in 2016. Of these, 86 were sex trafficking victims, one was labor trafficking, five were forced to commit crimes, three were trafficked for other forms of exploitation, and three were not registered. Eight victims were men, 86 were women, and four identified as transgender. Three of the identified victims were minors (one of sex trafficking, one of forced criminal activity, and one of which the type of trafficking was not registered), compared with eight in 2016. Of those identified, one was Danish, compared with zero in 2016. Government guidelines for identifying victims required the involvement of multiple government and law enforcement agencies, requiring several interviews of victims who were kept in detention before referral to NGOs. The government maintained a list of indicators for police to reference for initial identification and procedures to guide officials in proactive victim identification. Each police district appointed a trafficking expert, and when police suspected they had a victim in custody, they were required to call CMM to interview suspected victims. CMM was responsible for formal identification of victims of Danish or EU origin or who were documented migrants, and immigration services were responsible for formal identification of undocumented migrant victims following the initial CMM interview. Officials had the authority to detain potential victims for 72 hours and could extend this period when more time was needed to determine victim status or immigration status, or to identify traffickers. NGOs continued to note the onus of victim identification remained on trafficking victims rather than officials' proactive identification and highlighted that many victims came from communities that distrust law enforcement, making them unlikely to voluntarily identify themselves. NGOs also reported language barriers and a lack of cross-cultural understanding during the interview and judicial processes, which resulted in the alienation of many victims, particularly among an increased number of victims from Nigeria. NGOs stated victim identification methods were convoluted and involved NGO partners too late in the process, and authorities were incentivized by current laws and the complex identification process to treat trafficking victims as illegal immigrants subject to penalization. In 2016, the Danish Institute for Human Rights stated victims had been incarcerated pending review of their immigration status and as part of the process for identifying their traffickers. The government continued to distribute guidelines to the police and prosecution service on the withdrawal of charges against victims for crimes committed as a result of being subjected to trafficking; some observers reported increased willingness by prosecutors to drop charges against trafficking victims.

Following identification, CMM offered assistance to all victims, including information on undocumented victims' options for voluntary return, asylum, or humanitarian residence. In 2017, 88 victims accepted support and were referred to government care facilities. Government-operated and government-funded NGO facilities provided trafficking victims medical and psychological care, shelter, and financial, legal, and reintegration assistance, regardless of gender, disability, origin, or immigration status. Shelter provided was separated by gender and age, with adults able to leave shelters unaccompanied and at will. Although these trafficking-specific services existed, victims were sometimes housed with asylum-seekers and refugees. The Danish Red Cross assisted unaccompanied children and child victims in another facility partially funded by the government. Victims were not

permitted to seek employment while receiving assistance, but they could apply for compensation through a state fund and through civil suits against their traffickers; the government did not report if victims pursued these in 2017.

The government provided undocumented trafficking victims a 30-day “extended time limit for departure” (with extension up to 120 days) 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 did not refer to a period of reflection and recovery necessary to determine whether victims will cooperate in the investigation of their cases; rather it was a period of time the victims had to cooperate in their repatriation. In 2016, the Council of Europe criticized Denmark for failing to honor the required 120-day period of recovery and reflection prior to deportation of trafficking victims. The government provided those who accepted the prepared return with up to six months temporary residency and training to prevent re-trafficking. The reflection period and prepared return did not provide means for victims to seek employment, but also did not prevent victims who were legally allowed to work from seeking employment. Victims who participated in the prepared return also had freedom of movement, and largely remained in shelter accommodations provided after their formal identification. In 2017, 13 trafficking victims accepted a prepared return (12 in 2016). Regardless of whether foreign victims accepted the prepared return, the government provided 50,000 kroner (\$8,060) to victims when they were deported. Authorities deported undocumented victims who did not accept a prepared return unless they were assisting in the prosecution of a trafficker. In 2017, immigration services granted temporary residency permits to two identified victims and one potential victim under section 9(c)5 of the Danish Aliens Act, based on their cooperation with police on ongoing investigations and prosecutions. The government also granted one victim an asylum residency permit in 2017. Some victims chose not to participate in the program, reportedly based on the perception it was merely a preparation for deportation. Victims’ debt bondage to their traffickers and lack of protection in their home countries served as significant deterrents from accepting the prepared return. The effective lack of alternatives to removal impeded the ability of law enforcement to pursue traffickers and left victims vulnerable to re-trafficking. NGOs reported the threat of deportation prevented victims from coming forward and led some identified victims to leave shelters before the conclusion of police investigations or court proceedings in order to evade deportation.

## PREVENTION

The government maintained prevention efforts. In addition to 88.3 million kroner (\$14.2 million) allotted for its 2015-2018 national action plan for trafficking protection and prevention programs, and 9.4 million kroner (\$1.5 million) allocated in 2016 to counter-trafficking efforts through 2020, in 2017, the Danish Parliament allocated 63 million kroner (\$10.1 million) for the 2019-2021 national action plan currently in the planning phase. However, NGOs reported concerns their input had not been sought in the most recent planning meetings for the 2019-2021 plan, despite inclusion of NGO input in the previous plan. The government had a protocol to provide training on trafficking to diplomatic and consular staff, but did not provide any such training during the reporting period. The government conducted training for health service providers at clinics, shelters, and hospitals on how to identify

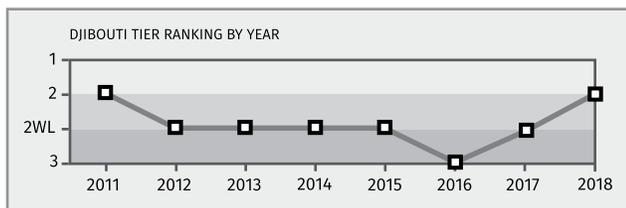
trafficking victims and notify authorities. Authorities continued to train tax and labor inspectors on labor trafficking indicators. Authorities maintained guidelines for the hospitality sector to assist employers in the prevention of labor exploitation. Authorities conducted public information campaigns aimed at curbing demand for trafficking and provided public education about the signs of possible trafficking; however, CMM reported its plans to end this outreach due to an inability to evaluate awareness campaign effectiveness. CMM operated a hotline for reporting trafficking cases in both Danish and English; in 2016, the most recent period for which statistics were available, the hotline received 398 calls, and one victim was identified. The government did not make efforts to reduce the demand for commercial sex.

## TRAFFICKING PROFILE

As reported over the past five years, Denmark is primarily a destination and transit country for men, women, and children subjected to forced labor and sex trafficking from Eastern Europe, Africa, Southeast Asia, and Latin America. Migrants are subjected to labor trafficking in construction, 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 drug trafficking, theft, and other forced criminality. Copenhagen’s relatively small red-light district represents only a portion of prostitution in the country, which includes sex trafficking in brothels, bars, strip clubs, and private apartments. The rise in migrants, asylum-seekers, and refugees entering and transiting Denmark has increased the size of the population vulnerable to human trafficking, though more recently, the number of asylum-seekers and refugees has declined, and the number of victims from Nigeria has increased.

## DJIBOUTI: TIER 2

The Government of Djibouti does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made increasing efforts during the reporting period; therefore Djibouti was upgraded to Tier 2. The government demonstrated increasing efforts by achieving its first ever trafficking conviction and investigating and prosecuting more trafficking cases over the previous reporting period. Government officials also independently identified and referred seven trafficking victims to protective services. The government appointed two ministerial advisors to streamline law enforcement efforts and improve intragovernmental anti-trafficking coordination. However, the government did not meet the minimum standards in several key areas. The government remained without an overnight shelter to host trafficking victims among vulnerable street children and young migrants. Limited coordination and understanding of trafficking among officials continued to impede anti-trafficking investigations and prosecutions. The government did not fully operationalize its national action plan to combat trafficking for the third consecutive year, and victim identification efforts were mostly conducted on an ad hoc basis despite having a formal mechanism in place.



## RECOMMENDATIONS FOR DJIBOUTI

Strictly enforce the anti-trafficking law through investigations and prosecutions of trafficking offenders; widely implement standardized procedures for government personnel to proactively identify potential victims and transfer them to care; continue to expand protective services for victims through partnerships with NGOs or international organizations, and provide protection services as mandated by the anti-trafficking law; open or permit NGOs to operate a 24-hour shelter for all trafficking victims, specifically targeting vulnerable street children; continue to train judges, prosecutors, and police on the distinctions between trafficking and migrant smuggling; implement the extended national action plan; continue the mandatory training program for new police and border guards; and develop and launch a nationwide anti-trafficking awareness campaign.

## PROSECUTION

The government increased its law enforcement efforts to combat trafficking. The 2016 Law No. 133, On the Fight Against Trafficking in Persons and Illicit Smuggling of Migrants, criminalized labor and sex trafficking; it prescribed penalties of five to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. The law considered the involvement of a minor or if a victim was forced into prostitution as aggravating circumstances for which the penalties increased to 20 years imprisonment. Law No.111, Regarding the Fight Against Terrorism and Other Serious Crimes of 2011, remained in effect and also prohibited labor and sex trafficking, and prescribed penalties of 10 to 15 years imprisonment, which were also sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. These two similar laws have some divergent definitions and penalties, which at times caused confusion that sometimes hampered law enforcement, prosecutorial, and judicial officials' ability to effectively prosecute suspected traffickers.

During the reporting year, the government investigated 250 potential trafficking cases; while an increase from nine trafficking cases the previous year, this number also included many trafficking-related crimes like smuggling or domestic abuse. While the government reported prosecuting nine suspected traffickers in six cases, all under the 2016 anti-trafficking law, judges convicted all defendants for smuggling due to insufficient evidence to prove trafficking indicators; it prosecuted and convicted on smuggling charges 10 suspected traffickers in seven cases in the previous reporting period. However, for the first time, the government convicted one individual for forced labor under the 2016 anti-trafficking law, from a case that commenced in July 2013; officials handed down a 20-year prison term during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses in 2017.

During the reporting period, the government appointed a

deputy prosecutor to streamline and ensure effectiveness of all anti-trafficking law enforcement efforts, and the justice ministry added a senior advisor position focused solely on trafficking, in an attempt to increase the number of trafficking cases investigated and prosecuted and strengthen coordination of trafficking efforts, respectively. In addition, Djibouti's police chief created a new unit to investigate child begging, including children forced to do so; the unit investigated an unspecified number of cases during the reporting period. The government continued to provide in-kind contributions to support anti-trafficking trainings facilitated and funded by international organizations. In 2017, an unknown number of law enforcement academy instructors and justice officials participated in two separate training programs, conducted by an international organization, which focused on effective trafficking investigations and intragovernmental coordination, and proper victim interviewing techniques. Additionally, each law enforcement academy in Djibouti maintained training on recognizing trafficking cases, which were incorporated into basic orientation courses. Prosecutorial and justice officials with trafficking expertise provided training to their interagency colleagues on how to differentiate trafficking and smuggling cases, and how to appropriately handle such cases. In a specific example, these trained stakeholders briefed health professionals and other front-line responders on specific trafficking indicators they might encounter and to what entity they should report.

## PROTECTION

The government increased efforts to protect trafficking victims. For the first time, authorities identified and referred to care seven trafficking victims without assistance from any international organizations by employing its formal identification and referral procedures. In addition, the government reported repatriating and assisting a small number of families with children subjected to trafficking in Yemen or Libya. The government continued to grant authority to one international organization to conduct trafficking screenings of all transiting migrants and partnered with this entity to provide water, food, and temporary shelter for roughly 1,300 during the reporting period. The government also broadly provided support, in conjunction with international organizations, to more than 40,000 vulnerable migrants, many of whom were potential trafficking victims. Justice officials widely disseminated several documents to relevant government and civil society stakeholders across the country on the national referral mechanism and how to identify trafficking cases. However, officials outside of the justice ministry and some law enforcement personnel were unaware of the standardized mechanism for identifying and referring victims to care, but rather opted to use trusted points of contact to guide them in managing potential trafficking cases.

Djibouti remains without a shelter specifically for trafficking victims. Nonetheless, during the reporting period, the government provided land for a new Migrant Response Center (MRC) in Khor Angar—an office and short-term living quarters staffed and operated by an international organization along a route near Yemen heavily traversed by migrants; it also maintained two other MRCs in Obock and Loyada. In 2017, the Ministry of Health signed an agreement with an international organization to fund three full-time doctors and three nurses—trained on spotting trafficking indicators—stationed across the country to support migrants and vulnerable Djiboutians. Also during the year, health officials, in partnership with an international organization, launched five mobile clinics in Djibouti's critical regions to provide care for the more than 300 Ethiopians who transited Djibouti daily to reach Gulf States.

The government allocated more than 90 million Djiboutian francs (\$508,475) to relevant ministries, MRCs, transit centers, and local NGOs, which operated counseling centers and other programs that assisted potential trafficking victims during the year; it did not report its funding amount during the previous reporting period. The 2016 anti-trafficking law's provisions for establishment of victim assistance programs for trafficking victims, funded through asset seizure, remained unimplemented for the third consecutive year. The 2016 anti-trafficking law established provisions allowing trafficking victims temporary residency during judicial proceedings and permanent residency as necessary as a legal alternative to removal to countries where victims may face hardship or retribution; it was unclear if these provisions were employed during the reporting year. Additionally, the 2016 law directs that necessary legal assistance and an interpreter, in addition to psychological, medical, and social assistance be provided to victims; the government did not report providing such assistance during the reporting period. The government did not report it detained, fined, or jailed any victims for unlawful acts committed as direct result of their being subjected to trafficking; however, given a lack of a broadly employed proactive screening mechanism, it was likely many trafficking victims, among the vulnerable migrant population, remained unprotected and subjected to punishment during the reporting period.

#### PREVENTION

The government maintained its efforts to prevent trafficking. During the reporting period, the government commenced revisions to its 2015-2022 national action plan, but did not fully operationalize it for the third consecutive year. The anti-trafficking working group continued its operations and, during the reporting period, met monthly under the newly appointed national coordinator for anti-trafficking and anti-smuggling efforts from the interior ministry; as a result, coordination among relevant government agencies improved substantially during the reporting period, which resulted in more holistic protective services for victims and an increased number of investigations and prosecutions of potential trafficking cases. The justice ministry's website featured the government's anti-trafficking efforts throughout the year and publicized articles on human trafficking in addition to a copy of Djibouti's anti-trafficking law. The state-sponsored press also publicized articles on every outreach event in Djibouti, and disseminated informational materials for vulnerable groups including street children and domestic violence victims. In 2017, the government collaborated with an international organization to conduct two awareness-raising events with religious leaders in Tadjourah and Obock; these prefectures provided conference rooms and disseminated invites for both roundtable events. As part of the World Day against Trafficking, the justice minister organized a roundtable discussion on protection of trafficking victims with various ministries, international organizations, and representatives from the diplomatic core; officials provided the venue and refreshments, circulated invitations, and coordinated with the state-sponsored press to report on the event. The government also screened an international organization-sponsored play about human trafficking in Niger, which reached an unknown number of attendees. The Women's Ministry promulgated its hotline for domestic abuse cases, which also included instances of sex trafficking. The government made efforts to reduce the demand for commercial sex acts and forced labor. The government increased the number of law enforcement personnel at nighttime at Siesta beach—a time and location notorious for commercial sex transactions. In March 2018, the inspector general began publicly conducting unexpected inspections at

the sites of foreign companies throughout the country. Through a train-the-trainer program, international experts provided Djiboutian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The coast guard had a separate training for the identification of trafficking at sea. English and Amharic language teachers at the Ministry of Foreign Affairs' training center for diplomatic personnel included information on trafficking and domestic servitude in their course material.

#### TRAFFICKING PROFILE

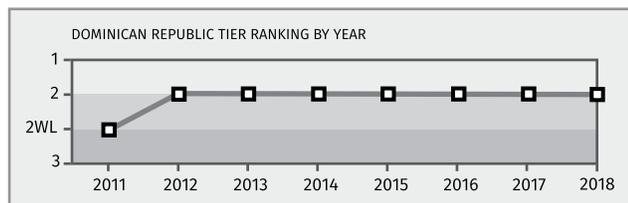
As reported over the past five years, Djibouti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking, although limited data on trafficking cases has complicated efforts to determine the full scope of the phenomenon. Men, women, and children, primarily economic migrants from Ethiopia and Somalia, transit Djibouti voluntarily—albeit illegally—en route to Yemen and other locations in the Middle East, particularly Saudi Arabia. An unknown number of these migrants are subjected to forced labor and sex trafficking in their intended destinations. In 2017, more than 117,000 people embarked on the sea crossing from the Horn of Africa to Yemen, contributing to the highest annual total of the past decade. In addition to this unprecedented influx of migrants, the 2015 crisis in Yemen continued to generate a reverse flow of persons from Yemen to Djibouti. The government allowed over 37,500 people of diverse nationalities to enter freely and take refuge since the start of the Yemeni war; some of them had endured various types of exploitation, possibly including trafficking, before their arrival in Djibouti. Given the protracted instability in Ethiopia's Oromia region that commenced in November 2015, Ethiopians still journeyed on foot from Ethiopia to Djibouti to either claim asylum with their families or continue onward to destination countries in the Gulf, thereby causing a substantial uptick in refugee camp population; austere and overcrowded conditions in refugee camps made this group vulnerable to trafficking.

During the reporting period, officials identified an increasing number of vulnerable minors in Djibouti City, particularly along the road of Siesta Beach. Djiboutian and migrant women and street children are vulnerable to sex trafficking and forced prostitution in Djibouti City, the Ethiopia-Djibouti trucking corridor, and Obock, the main departure point for Yemen. Some migrants intending to be smuggled may be transported or detained against their will and subsequently subjected to trafficking and other forms of abuse in Djibouti. Smuggling networks, some of whose members are likely Djiboutian, sometimes charge exorbitantly high rents or kidnap and hold migrants, including children, for ransom in countries neighboring Djibouti. Parents sometimes compel their children to beg on the streets as a source of familial income; children may also travel from foreign countries—including Ethiopia and Somalia—for begging in Djibouti.

### DOMINICAN REPUBLIC: TIER 2

The Government of the Dominican Republic does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore the Dominican Republic remained on Tier 2. The government demonstrated increasing its efforts

by increasing convictions, training and investigation guidelines for law enforcement personnel, and victim protections during investigations and judicial proceedings, in addition to pursuing criminal charges against complicit officials. The government also reconvened its trafficking commission and increased its public awareness campaigns. However, the government did not meet the minimum standards in several key areas. Although the national police reported a significant increase in investigations, the Attorney General's Office reported fewer investigations and reported a decrease in prosecutions. The government did not pass a new national action plan, fund a full-time victim shelter, or provide comprehensive victim services.



## RECOMMENDATIONS FOR THE DOMINICAN REPUBLIC

Vigorously prosecute and convict traffickers involved in forced labor and sex trafficking, including complicit government officials; fully implement protocols to identify adult and child trafficking victims, including in commercial sex, domestic servitude, and the agriculture and construction sectors, and refer them to protective services; proactively screen for trafficking indicators among Venezuelans, working children, and undocumented or stateless persons at risk of deportation, including those of Haitian descent, to identify victims, refer them to care, and prevent re-trafficking; approve and implement a new national action plan; adequately fund and train law enforcement, including on how to better identify victims of forced labor, particularly in areas outside of Santo Domingo; amend the 2003 anti-trafficking law to remove the requirement to prove force, fraud, and coercion of sex trafficking victims under 18 years of age and consistent with international law; adequately fund and provide comprehensive services for victims; and conduct forced labor and sex trafficking awareness campaigns in Spanish and Creole.

## PROSECUTION

The government increased prosecution efforts. Dominican law criminalized sex and labor trafficking. The 2003 Law on Human Smuggling and Trafficking (Law 137-03) criminalized all forms of labor trafficking and some forms of sex trafficking and prescribed penalties of 15 to 20 years imprisonment and fines. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. However, Article 25 of the Child Protection Code of 2003 criminalized the offering, delivering, or accepting, without regard to means used, anyone under 18 years of age for the purpose of sexual exploitation, forced labor, or any other purpose that demeaned the individual, for remuneration or any other consideration, and prescribed a penalty of 20 to 30 years imprisonment and a fine. These penalties were all sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

In 2017, the Attorney General's Office initiated 17 investigations and prosecuted 20 alleged traffickers, compared with 25

investigations and 40 prosecutions in 2016 and 15 investigations and 49 prosecutions in 2015. The Attorney General's Office secured convictions of 16 defendants in 13 cases, compared to 13 defendants convicted in seven cases in 2016 and 20 defendants convicted in seven cases in 2015; sentences ranged from two to 20 years imprisonment. One convicted trafficker received a suspended sentence. In addition to the above, the national police anti-trafficking department, with NGO assistance, reported it initiated 83 investigations. It did not report a specific number of investigations previously. The national police also conducted seven raids in sex trafficking cases in 2017, versus three in 2016 and none in 2015. The Attorney General's Office also charged 12 foreigners (American, Canadian, German, and Venezuelan) with child sex tourism and convicted four of them; the other eight cases were pending.

The limited number of police officers dedicated to the issue, limited institutional capacity, lack of training and resources, and procedural inefficiency hindered progress. The government's anti-trafficking resources were concentrated in Santo Domingo, resulting in gaps in other areas of the country. An Attorney General's Office review of 2010-2014 trafficking cases revealed a number of gaps in law enforcement efforts: inadequate investigation resulting in a lack of evidence to prosecute; insufficient efforts to secure the cooperation of victims and families; and cases prosecuted under inappropriate provisions of the law. In response to the report, the government improved training on investigation and prosecution in the attorney general's anti-trafficking unit and improved victim protection during investigations and the judicial process by allowing testimony via closed circuit video.

To improve law enforcement efforts, the government increased the number of agents trained in trafficking and who work under the national special prosecutor, from 15 in 2016 to 41 in 2017. The national police conducted 14 training sessions, which included four international trainings and four workshops on trafficking and identification in different police regions; a total of 300 police officers were trained. The government offered anti-trafficking courses at the Military Institute, the Specialized Prosecutor Against High Technology Crimes, Attorney General's anti-trafficking unit (ATU), Judiciary School, Attorney General's School, Superior Defense Institute, and the National Investigator's Department.

Authorities noted a lack of capacity and resources to identify potential labor trafficking cases. The government charged two police officers and two members of the military with sex trafficking; these individuals were suspended from their jobs and were being held in pretrial detention pending the outcome of their court cases. The government cooperated with INTERPOL and governments in Canada, Colombia, Trinidad and Tobago, and the United States on investigations of transnational trafficking cases. In one case, the government sought extradition of a trafficker.

## PROTECTION

The government maintained victim protection efforts. Authorities identified 102 sex trafficking victims—89 female and 13 male; 57 children and 45 adults—compared with 157 victims in 2016 and 101 in 2015. Seventy-five of the victims were Dominican and 27 were Venezuelan. All of the Dominican victims were given food, medical and psychological services, legal assistance, and shelter. The government said 20 of the 27 Venezuelan victims were provided food, medical, psychological, immigration, and legal assistance and shelter; seven of the

victims voluntarily returned to Venezuela with assistance provided by an international organization. The government said 86 of the 102 trafficking victims cooperated with law enforcement. The government provided assistance through its consular and diplomatic missions to four Dominican women exploited abroad, three in Trinidad and Tobago and one in Liberia; upon return to the Dominican Republic, the government provided these victims with additional services.

In collaboration with other government agencies, international organizations, and NGOs, the ATU was structured to provide foreign and domestic trafficking victims accommodation in shelters, psychological, and legal assistance, reintegration and repatriation assistance, medical services, and support for higher education. However, NGOs reported these services were ad hoc and not well coordinated or specialized, and the government often returned child victims to their families without follow-up care or education about the risks of re-trafficking. The government established a fund of 125,000 Dominican pesos (\$2,600) for a shelter in Cotui and 120,000 Dominican pesos (\$2,490) for a shelter in Nizao. The special prosecutor's office had a special fund of 50,000 Dominican pesos (\$1,040) and an investigations fund of 70,000 Dominican pesos (\$1,450) that were also used for victim-related expenses such as transportation, food, shelter expenses, and medications; both of these funds were periodically replenished. Authorities and observers noted the government lacked adequate funding, strong institutional leadership, trained personnel, and equipment to provide adequate victim protection. Experts, however, noted some improved care to teenage victims at a shelter in Jarabacoa.

Government officials reported having protocols to identify and assist adult and child trafficking victims; however, authorities did not fully implement the protocols across all levels of government nationwide. The government previously worked with an NGO to provide training to build capacity to apply the protocols but no longer does so. The government acknowledged the protocols, which were developed in 2015, have not been fully implemented across the government but said that will be included in its national plan. The government said the lack of full implementation has not hindered its work with victim assistance and protection. The government worked with NGOs to screen for potential victims. The government did not fund a shelter to remain open full-time for adult female victims of trafficking. Some observers noted one shelter might not be sufficient to care for victims across the entire country, and placing trafficking victims in the same shelter as domestic violence victims was problematic because they had different problems and needs; others pointed out the need for more transitional housing for victims.

The government reported victims sued their traffickers in 2017, using free legal services provided by the ATU. Five new civil actions against traffickers were filed, while three of the five filed in 2016 were concluded. In two of those three cases, traffickers were required to compensate victims; one received 100,000 Dominican pesos (\$2,080) and the other received 150,000 Dominican pesos (\$3,120). The anti-trafficking law contained victim protection provisions, including restitution; however, no victims obtained restitution in 2016 or 2017, compared to at least one victim in 2015. The government provided compensation to victims of trafficking, including 100,000 Dominican pesos (\$2,080) per person granted to victims of a case in Montecristi. The government provided a residence visa to a Chinese national who was identified as a trafficking victim in 2013. Undocumented Haitian victims faced deportation and other penalties resulting from their irregular immigration status,

increasing vulnerability to trafficking. The government signed an agreement between its foreign ministry, Attorney General's Office, and the National Institute of Migration to create a pilot program for the protection and resettlement of Dominicans who were victims of trafficking abroad.

## PREVENTION

The government maintained prevention efforts. The government reconvened the Inter-institutional Commission Against Trafficking in Persons and Migrants (CITIM), which was overseen by the Ministry of Foreign Affairs and brought together multiple government agencies. CITIM, with input by civil society and international organizations, began drafting a new national anti-trafficking action plan, although this plan was not completed during the reporting period. Observers noted that at the highest levels of government, leaders did not demonstrate strong political will to combat trafficking. The government reported it compiled data on its anti-trafficking efforts and published its annual report. Observers assessed government implementation efforts were uncoordinated and underfunded.

The government provided 100,000 Dominican pesos (\$2,080) funding for the development of four fact sheets in Spanish and Haitian Creole to explain how to identify trafficking and commercial sexual exploitation, bring charges, and refer victims. The government, with the help of an international organization, was developing a public awareness project in nine provinces addressing the prevention, investigation, and prosecution of sexual exploitation and trafficking of children and adolescents. Authorities, however, noted an overall lack of public prevention campaigns focused on trafficking. The government's National Institute of Migration and the women's ministry, designed a new diploma for trafficking training for government officials focused on the care and protection of victims. The education ministry worked with NGOs to educate secondary and university students on trafficking. The National Migration Institute designed a study to research the trafficking of Dominican women abroad. Authorities, however, noted the need to carry out more research on human trafficking in the country.

The government operated a national hotline, which received 234 calls during the reporting period. The government had a National Regularization Plan that offered legal protections to seasonal workers in the Dominican Republic, as well as guaranteed the free transit of thousands of foreign workers who previously may have depended on criminal networks to cross the borders of the Dominican Republic. In addition, the government trained officials in the tourism sector to identify victims of sex tourism. The government maintained a national plan to reduce child sex tourism and a detection system for foreign travelers who are registered sex offenders in their countries. Experts, however, noted child sex tourism was visible on the country's tourist beaches. The government did not report efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic personnel.

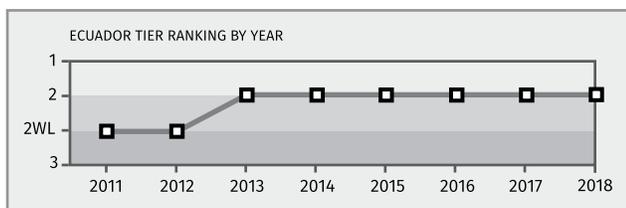
## TRAFFICKING PROFILE

As reported over the past five years, the Dominican Republic is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Large numbers of Dominican women and children are subjected to sex trafficking in the Dominican Republic, the Caribbean, Europe, South and Central America, the Middle East, Asia, and the United States. Foreign national victims from the

Caribbean, Asia, and South America are subjected to trafficking in the Dominican Republic. Commercial sexual exploitation of Dominican children by foreign tourists from the United States, Canada, and Europe, and by Dominican residents persists, particularly in coastal resort areas. 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 particularly Venezuelan women brought to the country to dance in strip clubs who are subjected to forced prostitution. Traffickers lure Dominican women to work in nightclubs in the Middle East, the Caribbean, and Latin America and subject them to sex trafficking. Dominican officials and NGOs documented cases of children forced into domestic service, street vending, begging, agricultural work, construction, and moving illicit narcotics. There are reports of forced labor of adults in construction, agricultural, and service sectors. Populations vulnerable to trafficking include women and girls, working children and street children, migrant workers, Venezuelan migrants, and undocumented or stateless persons of Haitian descent. Haitian women report smugglers often become traffickers for the purpose of sexual exploitation along the border, and observers note traffickers operate along the border with impunity and sometimes with the assistance of corrupt government officials who accept bribes to allow undocumented crossings. Unofficial border crossings remain unmonitored and porous, leaving migrants, including children recruited to work in the agricultural and construction sectors, vulnerable to trafficking. NGOs report police complicity in areas known for child sex trafficking.

## ECUADOR: TIER 2

The Government of Ecuador does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Ecuador remained on Tier 2. The government demonstrated increasing efforts by prosecuting more suspected traffickers and formally establishing and funding the Directorate for the Prevention of Trafficking in Persons and Migrant Smuggling within the Ministry of the Interior (MOI) to coordinate the government's anti-trafficking efforts. However the government did not meet the minimum standards in several key areas. Specialized services to victims remained unavailable in most of the country, the government decreased shelter funding for the second consecutive year, and the government did not approve a revised version of the 2013-2017 national action plan.



### RECOMMENDATIONS FOR ECUADOR

Strengthen the provision of specialized services for trafficking victims, including for adults, and increase funding for services, including for those provided by civil society organizations; vigorously investigate, prosecute, and convict traffickers, including public officials complicit in trafficking; amend

anti-trafficking statutes for consistency with the international definition of trafficking; increase use of the national protocol for protection and assistance to trafficking victims, including identifying trafficking victims among vulnerable populations, such as LGBTI individuals, irregular migrants, and individuals in prostitution; increase anti-trafficking training for police officers, judges, labor inspectors, immigration officials, social workers, and other government officials, particularly to enhance victim identification; partner with civil society to finalize, resource, and implement the national anti-trafficking action plan; enhance interagency coordination; and take steps to retain expertise among law enforcement investigating trafficking cases.

### PROSECUTION

The government maintained law enforcement efforts. Article 91 of the 2014 criminal code criminalized sex and labor trafficking and prescribed penalties ranging from 13 to 16 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as kidnapping. Inconsistent with the definition of trafficking under international law, the law did not establish the use of force, fraud, or coercion as essential elements of an adult trafficking offense. Article 91 defined trafficking broadly to include all labor exploitation, child labor, illegal adoption, servile marriage, and the sale of tissues, fluids, and genetic materials of living persons.

The Directorate for the Prevention of Trafficking in Persons and Migrant Smuggling reported the government initiated 171 investigations into alleged trafficking cases in 2017. The government arrested 44 suspected traffickers and conducted 23 anti-trafficking operations in 2017 (52 operations arresting 56 suspected traffickers in 2016 and 10 operations in 2015). Authorities reported prosecuting 61 cases of trafficking and convicted 31 traffickers, compared with 18 prosecutions and 40 convictions in 2016 and 64 prosecutions and 31 convictions in 2015. The National Police Unit for Crimes against Children and Adolescents (DINAPEN) merged with the anti-trafficking police unit in August 2016 to become the primary law enforcement unit responsible for investigating trafficking cases. Limited resources, limited presence in parts of the country, bureaucratic delays, and the frequent rotation of specialized police hampered law enforcement efforts during the reporting period.

After an NGO alleged officials in Guayaquil issued fraudulent identity documents to adolescent girls allowing them to be exploited in commercial sex, the Attorney General's Office began investigating the case in March 2018. Most complicity cases from prior years remained open, including the 2015 prosecution of a police officer for sex trafficking and the 2013 prosecution of two active and two former police officers for their involvement in sex trafficking. Authorities held a month-long training for 20 members of DINAPEN in November 2017. The MOI provided mandatory specialized training as part of basic curriculum for all DINAPEN officers; however, frequent rotations impede the development and retention of expertise.

### PROTECTION

The government decreased protection efforts. The Attorney General's Office identified and assisted 56 victims (39 sex trafficking victims and 17 labor trafficking victims) during the reporting period, compared to identifying 75 victims in 2016. NGOs identified and assisted an additional 70 potential child trafficking victims, compared to 75 in 2016. It was unclear how many government- and NGO-identified cases involved trafficking

as defined in international law given the overlapping trafficking-related criminal offenses. In partnership with an international organization, the MOI published an anti-trafficking training manual for MOI immigration officials to aid identification of victims especially among the influx of Venezuelan migrants. The government used the “National Unified Protocol for Integral Protection and Assistance to Victims of Trafficking” to refer victims. Authorities regularly referred victims to one of five government ministries responsible for victim assistance and referral, as well as NGOs that provided shelter and assistance.

Authorities, in partnership with NGOs, continued to provide emergency services to trafficking victims, including legal, psychological, and educational support, in addition to shelter for underage female victims. Lack of specialized services and shelters, especially for adult victims of trafficking, continued to be a concern. Male victims had limited options for services through care centers providing ambulatory services by interdisciplinary teams formed by psychologists, social workers, and attorneys. Two NGO-run specialized shelters with limited government funding provided services to adolescent girl sex trafficking victims; there were no specialized shelters for children, adolescent boys, adults, or victims of labor trafficking. At the end of the reporting period, the NGO running one of the two specialized shelters reported the precarious lack of funding might force the shelter to close. Police reported challenges finding shelters for trafficking victims, particularly outside the capital; as a result, police sometimes placed victims in non-specialized shelters or in police barracks until space in a shelter became available. For the second straight year, NGOs reported government funding for victim services decreased compared to the year before.

The Office of the Prosecutor General continued to support a formal witness protection program (SPAVT) and provided immediate support to victims. During the reporting period, the SPAVT program spent \$6,447 to assist 31 victims, a decrease from 47 victims in 2016 and 72 victims in 2015. The government granted a 30-day reflection period allowing victims to receive SPAVT protection while deciding whether to participate in the penal process against their traffickers. Law enforcement reported at least 13 victims participated in investigations. Many victims chose not to participate in investigations due to fear of threats or lack of faith in the judicial system. Foreign victims were entitled by law to the same services as domestic victims. The MOI reported it had mechanisms to repatriate trafficking victims and Ecuadorian diplomatic and consular missions abroad had funding to provide food, lodging, and airplane tickets to Ecuadorian victims seeking repatriation; however, the government did not report using these mechanisms during the reporting period. According to authorities, financial restitution was not available for trafficking victims. The Human Mobility Law guaranteed the non-return of people to countries where their lives or relatives are at risk, including foreign victims of trafficking. Authorities reported they could grant temporary or permanent residency to foreign victims but did not report whether any foreign victims received residency in 2017. During the reporting period, the government was in the process of implementing provisions of the mobility law designed to prevent re-victimization and penalization of victims by establishing a registry of identified trafficking victims and assigning responsibilities to state agencies to provide protection and reintegration in addition to prevention education.

## PREVENTION

The government maintained prevention efforts. The Anti-

Trafficking in Persons Committee was the national coordinating body chaired by the MOI and the anti-trafficking directorate within the MOI served as the Committee’s technical secretariat. In September 2017, the MOI established the Directorate for the Prevention of Trafficking in Persons and Migrant Smuggling to serve as the Committee’s technical secretariat. The directorate replaced the MOI’s ad hoc Anti-Trafficking in Persons Unit and the government assigned the directorate personnel and a budget for personnel and operations. However, civil society organizations continued to note a lack of coordination among government actors. During the reporting period, the government did not approve a revised version of the 2013-2017 national action plan, although the Committee was drafting a new national action plan. National authorities conducted awareness-raising events in public schools and social media campaigns. The MOI also launched a series of illustrated advertisements and social media campaign to raise awareness. In September, authorities from Colombia and Ecuador held a bi-national fair at the principal border crossing to educate the public about trafficking. The criminal code prohibits sex tourism, but the government reported there were no investigations, prosecutions, or convictions of child sex tourists in 2017. The government participated in an exchange of best practices in preventing sex tourism with regional tourism ministries and provided training to staff of 120 hotels on identifying and reporting suspected sex tourism cases in 2017. Travel agents were required to complete a Ministry of Tourism online course on detecting trafficking victims. The mobility law required the Ministry of Labor (MOL) to register all cases of job placement abroad. In January 2018, the MOL announced plans for a system for registration of migrants’ employment contracts so authorities could verify adequate work conditions and salaries. The government did not report efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

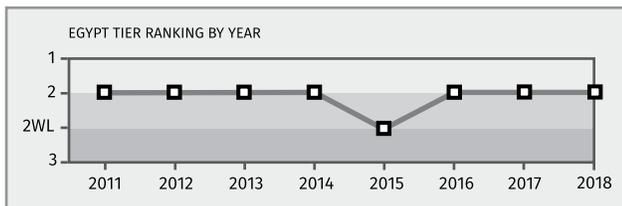
## TRAFFICKING PROFILE

As reported over the past five years, Ecuador is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Ecuadorian men, women, and children are exploited in sex trafficking and forced labor within the country, including in domestic servitude, forced begging, on banana and palm plantations, in floriculture, shrimp farming, fishing, 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. The influx of Venezuelan migrants in Ecuador (an international organization estimated about 800 Venezuelan migrants have arrived in Ecuador each day since December 2017) are particularly vulnerable to human trafficking. Women, children, refugees, and migrants continued to be the most vulnerable to sex trafficking; however, LGBTI individuals remain vulnerable to sex trafficking. Smugglers promising a better life confiscate documents, impose debts, and threaten or force into prostitution migrants from South and Central America, the Caribbean, and to a lesser extent Africa and Asia in Ecuador. Ecuador is also a destination for South and Central American women and girls exploited in sex trafficking, domestic servitude, and forced begging. Haitians migrate through Brazil into Ecuador to seek jobs on banana plantations, where they are vulnerable to forced labor. Traffickers use Ecuador as a transit route for trafficking victims from Colombia and the Caribbean. Traffickers recruit children from impoverished indigenous families under false promises of employment and subject them to forced labor in begging, domestic servitude, in sweatshops, or as street and commercial

vendors in Ecuador or in other South American countries. Ecuadorian children are subjected to forced labor in criminal activity, such as drug trafficking and robbery. Ecuadorian men, women, and children are exploited in forced labor and sex trafficking abroad, including in the United States, and in other South American countries, particularly in Chile. Some Ecuadorian trafficking victims are initially smuggled and later exploited in prostitution or forced labor in third countries, including forced criminality in the drug trade. Allegedly, corrupt Ecuadorian officials have alerted traffickers prior to some law enforcement operations, and some local authorities assisted traffickers to get falsified identity documents, which resulted in victims' lack of confidence in the police and a reluctance to report potential cases.

## EGYPT: TIER 2

The Government of Egypt does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Egypt remained on Tier 2. The government demonstrated increasing efforts by funding the recently established National Coordinating Committee on Preventing and Combating Illegal Migration (NCCPIM & TIP), which managed inter-ministerial anti-trafficking efforts, initiating more trafficking investigations and prosecutions, increasing awareness campaigns; establishing courts in four governorates and dedicating a group of prosecutors to focus exclusively on trafficking cases, and assisting through its special response teams a significant number of street children vulnerable to trafficking. However, the government did not meet the minimum standards in several key areas. The government did not report what services, if any, it provided to identified victims. The government did not implement guidance on victim identification and referral procedures, and as a result, authorities continued to penalize unidentified victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration violations.



### RECOMMENDATIONS FOR EGYPT

Implement standard operating procedures (SOPs) to proactively identify and refer trafficking victims; ensure trafficking victims are not treated as criminals for unlawful acts committed as a direct result of being subjected to human trafficking; provide and allocate adequate resources for protection service—including but not limited to—the national hotline and a dedicated shelter—for victims of all forms of trafficking; increase and track investigations, prosecutions, and convictions of all forms of trafficking and punish offenders, including complicit officials, with sufficiently stringent sentences; increase training for all government officials, including judges in the specialized trafficking courts, on implementation of the anti-trafficking law and victim identification and referral procedures; provide a clear legal basis for NGOs to provide victim services; further

extend legal and employment protections to cover domestic workers; raise awareness of the specialized trafficking courts among judicial and law enforcement officials; encourage trafficking victims to assist in investigations and prosecutions of their traffickers; increase ongoing nationwide awareness campaigns; and increase data collection for human trafficking which disaggregates sex, labor and other forms of trafficking.

### PROSECUTION

The government maintained its anti-trafficking law enforcement efforts. The 2010 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties from three to 15 years imprisonment and fines, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Child Law No.12, as amended, also criminalized sex trafficking and forced labor of children and prescribed sentences of at least five years imprisonment. Articles 80 and 89 of the constitution prohibited sex trafficking, compulsory exploitation, and forced labor.

During the reporting period, the government investigated 144 cases of alleged human trafficking compared to 23 investigations in 2016 and 21 in 2015 but did not disaggregate types of trafficking. Officials referred 41 cases for prosecution for alleged trafficking, but did not provide case details. The government reported convicting three Egyptians in one case in 2017—a decrease compared to five convictions in 2016. Three defendants were each fined \$5,640 and sentenced to ten years, five years and four years in jail respectively for sex trafficking. The media and the government reported arrests of 13 government officials and others allegedly complicit in human trafficking offenses; however, the government did not report efforts to prosecute officials. The government reported firing the Egyptian passport control official allegedly complicit in a labor trafficking and bribery case in a prosecution initiated in the previous reporting period. The case involved two other Saudi Arabian nationals but it is not clear if any of the three defendants have been prosecuted. Some trafficking cases were settled out of court, resulting in a lack of adequate punishment for trafficking offenders. The government requested extradition of one individual from the Libyan government and cooperated with the Sudanese government to extradite several individuals; the government subsequently arrested the defendants in both cases. The government did not report the outcome of its request during the previous reporting period for the extradition of an Egyptian national from Jordan on a potential trafficking case.

The government added four more specialized courts to prosecute human trafficking cases, making a total of eight courts; however, the government did not report whether these courts or the three specialized courts established to prosecute human trafficking cases in the prior reporting period tried trafficking cases during the reporting period. In 2017, the prosecutor general assigned a specialized group of prosecutors trained in Egypt's anti-trafficking law and relevant international conventions to investigate and prosecute trafficking cases. There were 41 trafficking related trainings provided by the government compared with 23 in the prior reporting period. The Ministry of Justice reported that it provided 11 trainings on human trafficking for 321 judges and sent 62 participants to three trafficking related conferences. 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; however, it did not report how many officials received this training. The Ministry of Interior (MOI) conducted 30 training courses on countering trafficking and

added trafficking as a topic within all courses at government-affiliated educational and training institutions, including those for MOI officials and for security forces from African Union countries. The prosecutor general conducted training courses on countering trafficking, migrant smuggling, and illegal migration but the number of anti-trafficking courses was not clear. The government also circulated a trafficking guidelines toolkit for prosecutors investigating trafficking, but did not report how many prosecutors received the kits. The government agency, the Cairo Center for Conflict Resolution and Peacekeeping in Africa (CCCPA) trained foreign nationals on trafficking issues but did not provide details on what nationals it trained or how it funded the training.

## PROTECTION

The government maintained weak protection efforts. The government did not report how many trafficking victims it identified, referred, or assisted during the reporting period. The government did not complete the design of the national victim referral mechanism or report the outcome of efforts to complete guidelines or support training of officials on use of the mechanism, which were initiated in the previous reporting period. The government did obtain agreement from relevant agencies on the basic victim referral mechanism. Outside observers reported, however, that law enforcement and judicial sector employees informally identified victims and provided them access to non-governmental services. The government's anti-trafficking hotline identified 33 potential trafficking cases, a decrease from 65 in the prior reporting period. Observers reported calls to the hotline were often not answered during established operating hours. The government did not report if any of the victims in the 41 potential human trafficking cases sent to the prosecutor or from 33 trafficking hotline complaints were referred to or received protective care. The Ministry of Social Solidarity provided 4,004 street children with medical and psychological assistance and reintegrated 397 street children into their families during the reporting period. The government did not report how many of these children were trafficking victims or who funded the services. NCCPIM & TIP participated in five trainings about trafficking in persons and relevant laws for its new staff provided by an NGO.

Ineffective victim identification and referral procedures contributed to authorities punishing some victims for unlawful acts committed as a direct result of being subjected to human trafficking, leaving victims vulnerable to detention and deportation for illegal immigration or employment violations. NCCPIM & TIP reported that the MOI allowed trafficking victims residency status and reinsertion within local communities, but did not report if any victims received this status during the reporting period. While the government waives all visa overstay fees for refugees and asylum-seekers, it has yet to implement such an exemption for trafficking victims. Law 64/2010 decriminalized trafficking victims for their actions and guarantees repatriation "in an expeditious and safe manner" (article 22). In certain cases involving foreign victims, while the government did not press legal charges for illegal immigration or unauthorized employment, it detained victims administratively until they were deported.

While the anti-trafficking law guaranteed protection of witnesses of trafficking crimes, observers reported that there is neither a formal witness protection program nor established witness protection procedures, so fear of reprisals and pressure from traffickers, especially family members, resulted in victims withdrawing charges. The government did not report if it

provided protection to any witnesses during the reporting period. Continued funding constraints hindered the government's provision of adequate protection services to victims. The government did not have shelter services specifically dedicated to trafficking victims in 2017, but the government-run women's shelters were open to trafficking victims. However, observers noted that shelter services were poor and some were reluctant to place victims in those shelters due to safety concerns and fear of re-traumatizing the victim due to lack of staff training and victim protection. The Ministry of Social Solidarity expanded a program targeted at vulnerable children without shelter, including child laborers, by forming 17 mobile units with rapid response teams including medical emergency specialists to provide medical and psychological care as well as recreational services. The National Council for Women conducted a campaign to increase the number of women who had national ID cards, necessary to access government services.

The government continued to operate numerous facilities for victims of sexual and physical violence, but it did not report if these facilities assisted any trafficking victims during the reporting period. NGOs report that some law enforcement personnel contacted them for help with identifying potential trafficking victims and referring them to services, but these efforts were ad hoc rather than part of a formal process. The government continued to rely on international organizations and civil society to fund victim assistance, and in some cases, it publicly acknowledged and cooperated with NGOs in their efforts to assist victims, but it did not—in turn—provide financial assistance to these organizations, which affected their ability to offer protective services to victims. Moreover, Egypt's Law on Non-Governmental Organizations hindered legal approvals and registrations for NGOs operating in Egypt, thereby impeding their efforts to provide essential services to victims.

## PREVENTION

The government maintained efforts to prevent human trafficking. The government employed a whole-of-government approach against human trafficking through the NCCPIM & TIP using public awareness campaigns, trainings, and capacity building activities. In 2017, the government fully staffed and committed resources to the NCCPIM & TIP, which enabled it to begin planning systematic anti-trafficking efforts including awareness campaigns and trainings for staff in several ministries. NCCPIM & TIP conducted 35 training and awareness-raising campaigns which reached 1740 beneficiaries, including students, educators, and migrants. NCCPIM & TIP also distributed information booklets to government entities involved in identifying or providing services to trafficking victims, including an informational booklet for Egyptians departing for work abroad. Social media messaging from NCCPIM & TIP on the dangers of irregular migration and trafficking reached over 1 million persons during the reporting period, and it partnered with IOM to assess portrayals of trafficking in Egyptian media to better develop and target future awareness campaigns addressing the demand for forced labor and commercial sex acts. The government also provided informational booklets on trafficking to potential migrant laborers and employers suspected of violating labor laws, including trafficking. Observers reported that information about the anti-trafficking hotline was not included in awareness campaigns and it was not reported if there were any referrals for criminal prosecution for labor or sex trafficking. Although the government licenses and oversees labor recruiters, enforcement is not tracked so it is not clear how many trafficking cases were identified or prosecuted. During the reporting period, the government inspected 3,388

establishments, issued formal warnings to 509, and filed police reports against 61 employers. The government continues to raise awareness of the problem of early child marriage but it is not clear if the government took any action against “temporary” or “summer” marriages of girls, primarily with tourists, for the purpose of commercial sex.

The government reported Egyptian diplomats were provided human rights training and information on labor laws and anti-trafficking guidance in their pre-departure courses. The Institute of Diplomatic Studies, a government entity, also held three lectures in its headquarters addressing trafficking topics. The government reported that it trains all soldiers on identifying and interacting with trafficking victims but did not report how these trainings were funded or how many soldiers were trained. The government provided mandatory anti-trafficking training to Egyptian nationals deployed abroad as part of peacekeeping missions.

### TRAFFICKING PROFILE

As reported over the past five years, Egypt is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Egyptian children are vulnerable to sex trafficking and forced labor in domestic service, street begging, and agricultural work. Individuals from 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.

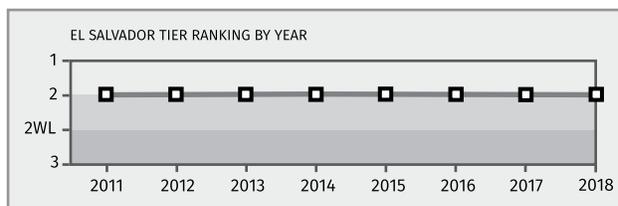
Men and women from South and Southeast Asia and East Africa are subjected to forced labor in domestic service, construction, cleaning, and begging. Foreign domestic workers—who are not covered under Egyptian labor laws—from Indonesia, the Philippines, Sri Lanka, Bangladesh, and Ethiopia are highly vulnerable to forced labor, experiencing excessive working hours, confiscation of passports, withheld wages, denial of food and medical care, and physical and psychological abuse. Women and girls, including refugees and migrants, from Asia, Sub-Saharan Africa, and the Middle East endure sex trafficking in Egypt. Syrian refugees who have settled in Egypt remain increasingly vulnerable to exploitation, including forced child labor, sex trafficking, and transactional marriages of girls—which can lead to sexual exploitation, including sex trafficking, and forced labor. Irregular migrants and asylum-seekers from the Horn of Africa, who transit Egypt en route to Europe, are increasingly vulnerable to exploitation along this migration route. Observers reported an increase in West African migrant trafficking victims, though it was unclear if this was the result of increased victim identification or an actual increase in numbers.

Until 2013, thousands of cases of forced labor and sexual servitude, smuggling, abduction, and extortion of African migrants in the Sinai Peninsula occurred at the hands of criminal groups. International organizations observed the flow of these migrants into the Sinai declined substantially in 2015, due in part to continued Egyptian military operations. Anecdotal reports suggested these criminal groups have relocated from the Sinai to Egypt’s border with Libya, where migrants remain vulnerable to the same abuses, including trafficking. However,

Israeli NGOs reported that Bedouin groups in the Sinai resumed abuse—including trafficking crimes—against asylum-seekers on a limited scale in 2015. According to victim testimonies, Bedouin groups forced approximately 61 Sudanese asylum-seekers to work in agriculture, tree lumbering, and marijuana growing; these groups physically abused the victims, including beatings and deprivation of food and water and extorted money from them for their release. On average, the Bedouin held the victims captive for one month before releasing them.

## EL SALVADOR: TIER 2

The Government of El Salvador does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous period; therefore El Salvador remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting more trafficking cases, including forced labor; opening new offices to provide victim services, and providing services to some girl victims; and adopting and launching the UN Office on Drugs and Crime “Blue Heart” Campaign as part of its awareness-raising efforts. The government did not, however, meet the minimum standards in several key areas. The government did not report progress in investigations of official complicity initiated in previous years, constraining overall efforts to combat trafficking. The government lacked formal procedures to identify trafficking victims among vulnerable groups, including individuals engaged in commercial sex. Services for adults, boys, and LGBTI victims were severely lacking.



### RECOMMENDATIONS FOR EL SALVADOR

Conduct thorough criminal investigations and prosecutions of alleged government complicity in trafficking offenses and convict and punish complicit officials; provide adequate funding for and implement the “Protocol for Intergovernmental Action for the Integral Care of Trafficking in Persons Victims,” paying particular attention to areas where gaps in current assistance exist—adults, boys, and LGBTI victims; 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 commercial sex; strengthen efforts to proactively investigate and prosecute traffickers, and to convict and sentence traffickers, especially for forced labor, including forced criminal activity; enforce laws punishing local labor brokers for illegal practices that facilitate trafficking, such as fraudulent recruitment or excessive fees for migration or job placement; amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law; strengthen anti-trafficking coordination between government entities and with civil society organizations, particularly outside the capital; and fully implement prevention measures such as the “Blue Heart” Campaign.

## PROSECUTION

The government increased law enforcement efforts. The 2014 Special Law Against Trafficking in Persons criminalized sex and labor trafficking and prescribed penalties of 10 to 14 years imprisonment. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious offenses, such as rape. Inconsistent with the definition of trafficking under international law, the law considered the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime; the penalties increased to 16-20 years imprisonment for trafficking offenses involving these factors.

The government investigated and prosecuted both sex trafficking and forced labor. In 2017, authorities investigated 76 cases (73 sex trafficking cases, two forced labor cases, and one domestic servitude case), compared to 55 sex trafficking cases in 2016. Authorities prosecuted nine cases and convicted six sex traffickers in 2016, compared to seven prosecutions and six sex traffickers convicted in 2016. Offenders convicted in 2017 received sentences ranging from 10 to 14 years imprisonment. Notably in 2017, authorities investigated and prosecuted a case of a gang member compelling women and children to engage in forced labor and sexual servitude. The judicial system's inexperience with trafficking cases, overreliance on victim testimony, and threats of reprisal from traffickers impeded efforts to hold traffickers accountable. During the year, the government provided anti-trafficking training to approximately 800 government employees, including police, prosecutors, judges, labor inspectors, immigration officials, physicians, nurses, students, and teachers. The Specialized Human Trafficking and Related Crimes unit of the National Civil Police comprised nine persons focused on trafficking and 23 persons focused on migrant smuggling, sexual crimes, and special or international investigations. The Attorney General's anti-trafficking unit comprised 16 persons, including nine prosecutors. Government officials reported a need to increase staffing and funding, both of which limited their ability to investigate and prosecute cases.

The government reported that in a 2012 case of three prison guards arrested for facilitating sex trafficking, the anti-trafficking unit was unable to locate additional victims to strengthen its case. Regarding a 2009 investigation of trafficking-related complicity by the former head of the prosecutorial anti-trafficking unit, the Attorney General's office reported it made efforts to locate the alleged victims; the investigation remained open at the close of the reporting period.

## PROTECTION

The government maintained victim protection efforts. The anti-trafficking council provided a manual to immigration officials 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 2017, the government reported identifying 72 victims—67 sex trafficking victims (64 of sexual exploitation and three of forced marriage) and five labor trafficking victims (four victims of forced labor and one victim of servitude)—an increase from 53 in 2016. Those identified included 29 women and 38 girls; 67 were Salvadoran and five were from other Latin American countries. Officials observed a gap between knowledge of victim identification procedures and the application of those procedures by first responders.

The anti-trafficking council revised the "Protocol for

Intergovernmental Action for the Integral Care of Trafficking in Persons Victims" required by the national action plan for 2016-2019. The anti-trafficking council also opened 19 offices to provide information and referrals to victims in 15 municipalities across the country. The Ministry of Justice and Public Security's budget for the victims' attention and gender equality area in FY 2017 was \$274,920 while the anti-trafficking council received a separate budget of \$62,108. The government maintained only a single shelter with the capacity for 20-25 girls and housed and offered psychological and medical care to 12 girls in 2017 compared to 15 in 2016. The government did not offer or fund services to the remaining 60 identified victims, rather these victims were assisted by NGOs and churches. 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 provided shelter in a Migrant Attention Center to four adult male Colombian victims identified by immigration officials, but 15 Colombian adult female victims did not receive services. Throughout the investigation and intake process, residents of the center were required to recount their trafficking experience multiple times to various government entities, highlighting a lack of interagency coordination and leading to re-traumatization. Authorities made efforts to screen for trafficking indicators among Salvadorans returned from abroad and repatriated Salvadoran victims could be referred for food and medical attention and the police to investigate their cases, but the government did not report doing so in 2017. The government offered few long-term support or reintegration services to victims, leaving them vulnerable to re-trafficking.

El Salvador's laws provided for restitution and civil compensation awards in trafficking cases; however, victims had to work through the civil courts to receive payment. In 2017, the courts issued no judgements that included restitution or civil compensation. The government reported having procedures to provide witness protection and support, including disguising victims' identities in court and testifying by teleconference, but did not report using these procedures. Identified trafficking victims generally were not penalized for unlawful acts committed as a direct result of being subjected to trafficking; however, both government officials and NGO representatives stated police need additional procedures and training to properly identify, interact with, and protect victims, who were often mistaken for criminals and 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 provided foreign trafficking victims the right to seek residency status, which would allow them to work legally, and such protection was offered to four foreign victims in 2017, who ultimately requested to be repatriated to their country of origin.

## PREVENTION

The government maintained prevention efforts. The government promulgated regulations to further implement the 2014 law, specifically, to facilitate investigations of forced child labor cases and improve coordination between law enforcement and prosecutors. The 2014 law mandated an annual report on government efforts, and the anti-trafficking council provided a report of 2016 efforts, but had not yet provided a report of 2017 efforts. The government, with support from the United States government, launched the UN Office on Drugs and Crime "Blue Heart" Campaign in November 2017, which included billboards and broadcast media. The National Civil

Police established a 24-hour crime-reporting hotline distinct from the 911 emergency hotline, but did not report the number of calls received, trafficking victims identified, or trafficking investigations resulting from such calls. An international organization reported the government formed a sub-commission to address migration policies that could facilitate forced labor, but this body did not release its report before the end of the reporting period. Labor inspectors conducted 698 inspections, but did not identify any cases of forced labor for the second year in a row. The National Civil Police conducted searches at strip clubs and bars for potential sex trafficking and child labor, but did not report identifying any cases. 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. The government provided anti-trafficking training for its diplomatic personnel and troops prior to their deployment abroad as part of international peacekeeping missions. Authorities did not report any specific efforts to reduce the demand for forced labor, but did report efforts to reduce the demand for commercial sex acts. Authorities investigated and prosecuted four individuals who patronized a minor sex trafficking victim for commercial sex acts; however, the court acquitted these individuals, which is under review by the Attorney General. The tourism ministry trained tour guides, businesses, and students in a popular tourist destination to prevent and report trafficking crimes.

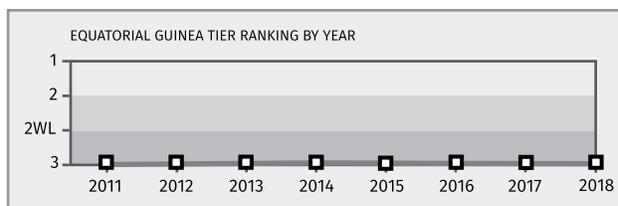
### TRAFFICKING PROFILE

As reported over the past five years, 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. Men, women, and children from neighboring countries—particularly Nicaragua, Guatemala, and Honduras—are subjected to sex trafficking, domestic servitude, and forced labor in construction or the informal sector. Traffickers are increasingly recruiting victims in the regions of the country with high levels of violence and coercing victims and their families through threats of violence. Gangs actively recruit, train, arm, and subject children to forced labor in illicit activities—including assassinations, extortion, and drug trafficking—and force women and children to provide sexual services and childcare for gang members' children. Salvadoran men, women, and children are subjected to sex trafficking and forced labor in Guatemala, Mexico, Belize, and the United States. Salvadorans who irregularly migrate to the United States are subjected to forced labor, forced criminal activity, and sex trafficking en route to or upon arrival. Latin American migrants who transit El Salvador to Guatemala and North America are exploited in sex and labor trafficking. Corruption and complicity, including within the judiciary, legislature, and local government, remained a significant obstacle to law enforcement efforts.

## EQUATORIAL GUINEA: TIER 3

The Government of Equatorial Guinea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Equatorial Guinea remained on Tier 3. Despite the lack of significant

efforts, the government took some positive steps to address trafficking, including investigating two potential trafficking cases; screening some vulnerable populations, including irregular migrants, for signs of trafficking and providing shelter and services to potential victims; continuing public awareness activities and trainings for civil society actors; and revoking companies' business licenses for labor violations. However, the government did not prosecute any suspects and has never convicted a trafficker under its 2004 anti-trafficking law. The government did not report identifying any trafficking victims and did not develop standard operating procedures to identify or refer trafficking victims to care. The government did not provide any trafficking training to law enforcement officials during the reporting period.



### RECOMMENDATIONS FOR EQUATORIAL GUINEA

Research the extent and nature of human trafficking within the country; dedicate resources to implement the national action plan to combat trafficking in persons; develop and implement formal procedures to identify and refer trafficking victims to care, especially victims of child sex trafficking, and among child laborers, undocumented immigrants, and women in prostitution; ensure consistent application of existing procedures for screening foreigners and notifying embassies before deportation to ensure trafficking victims are provided appropriate care and safe, voluntary repatriation; expand the scope of the anti-trafficking public awareness campaign to include outreach campaigns across the country; use the 2004 anti-trafficking law to prosecute and convict traffickers, including complicit officials; train social workers, law enforcement, and immigration officials in the use of trafficking victim identification and referral procedures; increase funding or in-kind support to shelters for trafficking victims, including male victims; regularly convene the inter-ministerial anti-trafficking commission and create technical working groups focused on increasing coordination between government ministries, law enforcement, presidents of the community, and NGOs.

### PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. The 2004 Law on the Smuggling of Migrants and Trafficking in Persons criminalized labor and sex trafficking and prescribed penalties of 10 to 15 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government investigated two cases of suspected child trafficking, compared with one investigation during the previous reporting period; however, both cases were discovered to be illegal adoptions through the course of the investigations.

As in the previous year, authorities did not report any prosecutions and the government has never convicted a trafficker; the district attorney reported prosecuting a total of only 120 criminal cases for any crime during the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit

in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Unlike previous years, the government did not conduct anti-trafficking trainings for law enforcement officials.

## PROTECTION

The government maintained limited efforts to protect victims, but increased efforts to screen vulnerable populations for signs of trafficking. The government did not identify or refer any victims to protective services, and did not have formal procedures to identify or refer trafficking victims. Although the 2004 anti-trafficking law mandated the government to provide legal assistance, psychological and medical care, lodging, food, access to education, training, and employment opportunities to trafficking victims, it did not report providing these services to any trafficking victims, as none were formally identified. However, the government provided funding to an NGO shelter for female victims of violence including likely trafficking victims. Unlike previous years in which officials immediately deported migrants, authorities screened more than 200 irregular migrants intercepted at sea for signs of trafficking and provided temporary shelter, food, and medical services before coordinating with foreign embassies to repatriate the migrants to their countries of origin. Officials increased coordination with foreign embassies, and collaborated on four cases of suspected trafficking victims prior to repatriating the individuals after discovering that they were cases of illegal adoptions. The government had no formal policies to provide foreign trafficking victims legal alternatives to their removal to countries where they might face retribution or hardship.

Police and border officials solicited bribes from detainees—the majority of whom were young foreign men, although children and women were also detained—and deported those who did not pay. In 2017, there were no verified reports of trafficking victims being detained, fined, or jailed for unlawful acts committed as a direct result of their being subjected to trafficking; however, due to a lack of formal victim identification procedures and the reports of officials requiring bribes from detainees, some unidentified trafficking victims were likely penalized.

## PREVENTION

The government increased efforts to prevent trafficking. For the first time in six years, the government convened its anti-trafficking inter-ministerial committee, although the government did not report any follow-on actions. Authorities used multiple media platforms including radio and television to raise public awareness of trafficking. In March 2018, the government began airing anti-trafficking programming on the country's two primary television channels multiple times per day. In November and December 2017, with technical support from an international organization and private sector actors, the government implemented the second phase of its anti-trafficking program, and funded training for more than 170 community leaders across the country, intended to create a civil society network knowledgeable about trafficking and able to identify and prevent human trafficking. This program built on victim identification training for 600 community leaders and law enforcement officials in December 2016. Prostitution is legal in the country and, in an attempt to decrease exploitation of vulnerable individuals, the government continued implementing regulations requiring all commercial sex establishments to register and provide contracts to their

workers. However, the government did not make efforts to reduce demand for commercial sex acts. The Ministry of Labor continued to implement regulations for all companies to sign formal labor contracts with their employees; however, it did not publicize information on companies that were out of compliance. Using these regulations, the general director of the National Financial Research Agency and Ministry of Labor inspected and revoked business licenses for an undisclosed number of Chinese-owned construction companies for labor violations. The government did not implement any programs to address forced child labor despite having 13 labor inspectors dedicated to documenting labor infractions. The government did not provide anti-trafficking training for its diplomatic personnel.

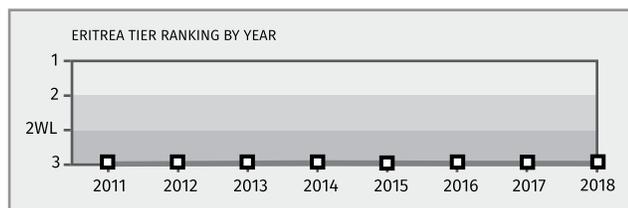
## TRAFFICKING PROFILE

As reported over the past five years, Equatorial Guinea is a source country for women and girls vulnerable to sex trafficking and a destination country for men, women, and children, who may be vulnerable to forced labor. The majority of trafficking victims are exploited in the cities of Malabo, Bata, and Mongomo, where relative wealth and security make the country an attractive destination for central and West African migrant workers. Equatoguinean and foreign women are exploited in commercial sex in these cities, often by foreigners. Lower oil prices and oil production in recent years have caused a deep contraction of the country's economy leading to a decreased government budget for social welfare programming and shrinking formal economic activity. LGBTI youth are often left homeless and stigmatized by their families and society, which increases their vulnerability to trafficking. Children from nearby countries—primarily Nigeria, Benin, Cameroon, Togo, and Gabon—may be subjected to forced labor as domestic workers, market laborers, vendors, and launderers. Women from Cameroon, Benin, other neighboring countries, and the Caribbean are recruited for work in Equatorial Guinea and subjected to forced labor or forced prostitution. Civil society actors report that Ethiopian women are exploited for domestic servitude by family members in Malabo. Chinese women migrate to Equatorial Guinea for work or to engage in prostitution, and some are subjected to passport confiscation, increasing their vulnerability to forced labor. General corruption and complicity by government officials in trafficking-related offenses occurred during the reporting period.

## ERITREA: TIER 3

The Government of Eritrea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Eritrea remained on Tier 3. Despite the lack of significant efforts, the government reportedly took some steps to address trafficking, including unverified claims that it imprisoned some citizens for trafficking crimes, including military officials. However, the government did not share information on its overall anti-trafficking efforts. The government continued to subject its nationals to forced labor in its citizen militia and compulsory national service by forcing them to serve for indefinite or otherwise arbitrary periods under harsh conditions. The government did not report any trafficking investigations, prosecutions, or the identification and protection of any victims. The government did not report holding any complicit officials accountable for trafficking crimes despite many credible reports of such complicity, although there were unverified reports of some officials arrested for enabling those crimes. Authorities did not report any efforts to address the lack

of formal procedures for identifying victims or referring victims to care, nor did the government report providing any services to victims. The government also continued to demonstrate a lack of understanding of the crime, regularly conflating trafficking with transnational migration or smuggling.



## RECOMMENDATIONS FOR ERITREA

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

## PROSECUTION

The government maintained negligible anti-trafficking law enforcement efforts. The Eritrean Penal Code of 2015 criminalized some forms of trafficking in persons. Article 315 criminalized trafficking in women and young persons for sexual exploitation, which was punishable by up to seven years imprisonment; these penalties were sufficiently stringent, but not commensurate with punishments prescribed for other serious crimes, such as rape. Article 297 criminalized enslavement and prescribed penalties of seven to 16 years imprisonment, which were sufficiently stringent. Labor Proclamation 118 of 2001 criminalized forced labor and child labor. Penalties listed in the penal code under article 299 prescribed penalties from six to 12 months imprisonment or a fine up to 50,000 Nakfa (\$3,330).

The government did not report investigating, prosecuting, or convicting suspected traffickers during the reporting period; however, it stated a large number of Eritreans were imprisoned for the crime. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking, but sources indicated Eritrean military officers remained complicit in trafficking offenses. In December 2017, unconfirmed reports claimed the government arrested 44 military officials for conspiracy to subject Eritreans to trafficking. The government did not report providing any trafficking-specific training for judicial, prosecutorial, or law enforcement personnel, and officials continued to conflate transnational migration and human trafficking crimes.

## PROTECTION

The government did not report any efforts to identify or protect trafficking victims. Eritrean officials had no procedures to proactively identify trafficking victims among vulnerable groups, particularly Eritreans deported from other countries and those fleeing the country, primarily to Sudan, Ethiopia, and Djibouti; some of these nationals were vulnerable to being arrested, detained, harassed, or forcibly recalled into national service. The government did not report developing a systematic mechanism for the referral of identified trafficking victims to care. It did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

## PREVENTION

The government did not demonstrate any new efforts to prevent trafficking. It continued to subject its nationals to forced labor in its citizen militia and compulsory national service. In recent years, the government reportedly educated its 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 continued to conflate transnational migration and human trafficking. While the Proclamation of National Service 11/199 prohibited the recruitment of children younger than 18 years of age into the armed forces and applied sufficiently stringent penalties for this crime, reports alleged children younger than age 18 were sent to Sawa military and training academy for completion of their final year of secondary education. The country remained without an independent monitoring body to verify ages of new recruits into governmental armed forces and lacked transparency on efforts to ensure children did not participate in compulsory activities amounting to military service or other forms of forced labor. The government did not report on its efforts to reduce the demand for commercial sex acts or forced labor, or its provision of anti-trafficking training for its diplomatic personnel.

## TRAFFICKING PROFILE

As reported over the past five years, Eritrea is a source country for men, women, and children subjected to forced labor. To a significantly lesser extent, Eritrean adults and children are subjected to sex and labor trafficking abroad. Perennially, thousands of Eritreans who fled the country sought to escape human rights abuses, including arbitrary arrest and detention, lack of due process, and religious persecution; were in search of better economic opportunities; or hoped to avoid the often indefinite periods of the government's forced labor through its national policies and mandatory programs. Eritrea's strict exit control procedures and limited issuance of passports, which compel those who cannot obtain exit visas or documents to travel clandestinely, increase its nationals' vulnerability to trafficking abroad, primarily in Sudan, Ethiopia, and to a lesser extent Djibouti and Libya, with the ultimate goal of seeking asylum in Europe or at a minimum, obtaining refugee status in Ethiopia, Kenya, Egypt, or Uganda; some also strive to reach the United States. Proclamation 82 of 1995 requires persons aged 18 to 40 years to perform compulsory active national service for a period of 18 months – six months of military training followed by 12 months of active military and development tasks in military forces or in a government-run work unit, including the Eritrean defense forces. However, the 18-month timeframe is arbitrary and unenforced; many individuals are not demobilized from government work units after their mandatory period of service but rather forced to serve indefinitely under threats of detention, torture, or familial reprisal. In 2012, the

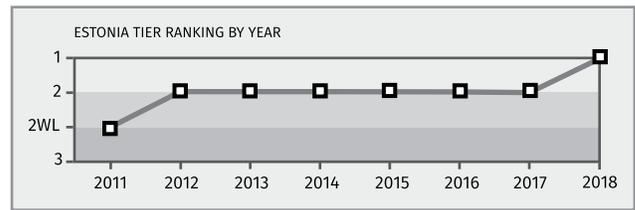
government instituted a compulsory citizen militia, requiring medically fit adults up to age 70 not currently in the military to carry firearms and attend military training or participate in unpaid national development programs, such as soil and water conservation projects. Working conditions are often harsh and sometimes involve physical abuse.

All 12th-grade students, including some younger than age 18, are required to complete their final year of secondary education at the Sawa military and training academy; those who refuse to attend cannot receive high school graduation certificates, attain higher education, or be offered some types of jobs. Government policy bans persons younger than 18 from military conscription; however, according to some organizations outside of Eritrea, the government in some instances includes children younger than age 18 in groups sent to Sawa. Reports from an international organization in previous years indicated some recruits may have been subjected to beatings, abuse, and rape, though there are no confirmed cases of this kind in the current reporting period. 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.

Unaccompanied minors are increasingly at risk of being subjected to violence and exploitation. Children who attempt to leave Eritrea are sometimes detained or forced to undergo military training despite being younger than the minimum service age of 18. Some Eritrean women and girls travel to Gulf States for domestic work but are subsequently subjected to sex trafficking. Smaller numbers of Eritrean women and girls are subjected to sex trafficking in Sudan; reportedly, some Eritrean men are vulnerable to sex trafficking in Israel. International criminal groups kidnap vulnerable Eritreans living inside or in proximity to refugee camps, particularly in Sudan, and transport them primarily to Libya, where they are subjected to human trafficking and other abuses, including extortion for ransom. Some migrants and refugees report being forced to work as cleaners or on construction sites during their captivity. Reports allege Eritrean diplomats, particularly those posted in Sudan, provide travel documents and legal services to Eritrean nationals in exchange for bribes or inflated fees, potentially facilitating their subjection to trafficking. Some Eritrean military and police officers are complicit in trafficking crimes along the border with Sudan.

## ESTONIA: TIER 1

The Government of Estonia fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Estonia was upgraded to Tier 1. These achievements included implementing the Victim Support Act, which allowed victims to receive services without first requiring cooperation with law enforcement and granted access to services for presumed victims who chose not to participate in criminal proceedings. The government also criminalized the knowing procurement of commercial sex from trafficking victims. Although the government meets the minimum standards, it did not provide sufficient specialized training for lawyers, prosecutors, and judges on a victim-centric approach, which hampered prosecution efforts.



## RECOMMENDATIONS FOR ESTONIA

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

## PROSECUTION

The government maintained law enforcement efforts. Sections 133 and 175 of the penal code criminalized sex and labor trafficking. Section 133 criminalized the use of force, fraud, or coercion to induce a person to engage in prostitution, begging, criminal offenses, or other labor and prescribed penalties of one to seven years imprisonment for offenses involving adult victims and three to 15 years imprisonment for those involving child victims. Section 175 criminalized inducing a child to engage in a criminal offense, begging, prostitution, or pornography without requiring a demonstration of force, fraud, or coercion and prescribed penalties of two to 10 years imprisonment. The penalties under both section 133 and 175 were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as rape. In July 2017, the Estonian penal code was amended to criminalize the knowing procurement of commercial sex from trafficking victims.

Police investigated 10 new cases under section 133 in 2017, a decrease from 15 in 2016. Authorities also registered 67 crimes under section 175, compared with 59 in 2016. In 2017, the government prosecuted 16 cases under section 133, an increase from 14 cases in 2016. Authorities also began prosecutions in 57 cases under section 175, an increase from 32 in the previous year. Courts convicted 14 traffickers under section 133 in 2017, an increase from 11 in 2016. All 14 traffickers received prison sentences, which ranged from two to six years. Authorities did not report convicting any traffickers under section 175, compared to eight convictions in 2016. The government continued to provide training for law enforcement officials. Government officials, including labor inspectors, national judges, and prosecutors, participated in international training seminars. The government hosted a two day forum in May 2017 for 100 participants from Nordic and Baltic countries, which supported the Nordic Council of Ministers' program to combat human trafficking. However, observers noted that defense lawyers and victims' legal counsel were often not trained on the legislation. Furthermore, while judges would benefit from specialized training, they were not receptive to it. The government reported that two judges participated in training this year. Authorities cooperated in one transnational investigation. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government increased protection efforts. Amendments to the Victim Support Act and the penal code were implemented in 2017, which allowed NGOs to identify victims and refer them to the Social Insurance Board, permitting victims to receive comprehensive, government-funded, trafficking-specific services without first requiring the victim's cooperation with police or the commencement of criminal proceedings. Victims who cooperated with law enforcement received services for an unrestricted time period while presumed victims who did not participate in criminal proceedings could receive government-funded services for up to 60 days. The law also guaranteed victims access to support and assistance when criminal proceedings were initiated outside of Estonia and an authority of another country identified the victim. Fourteen recognized victims and presumed victims received government-sponsored assistance in 2017, the same as in 2016. Eleven victims were Estonian, three were foreign nationals; 11 victims were women, and three were men. The government newly identified 12 victims in 2017, four of whom chose not to receive victim assistance; the government identified nine victims in 2016. Foreign victims were eligible to receive temporary residence permits, accommodation, and education; the government did not report granting residency permits to foreign victims in 2017.

In 2017, the social security board disbursed approximately €33,960 (\$40,770) for trafficking victims support, whereas the government spent €196,050 (\$235,350) in 2016. In addition, the Ministry of Social Affairs provided approximately €99,500 (\$119,450) to an NGO providing support services to women in prostitution, some of whom may have been sex trafficking victims. Funds were disbursed based on victims' needs, rather than a specific budget. Authorities placed unaccompanied children and child victims in alternative care facilities, including a dedicated center for victims of child abuse, including sexual violence and trafficking. Adult male victims had access to legal counseling and other services. A witness protection law allowed trafficking victims to provide testimony anonymously, but authorities did not report whether this had ever been applied in a trafficking case or whether victims had ever served as witnesses in criminal trials. Six victims received restitution in two separate cases in 2017.

## PREVENTION

The government maintained prevention efforts. Authorities ran a series of campaigns, in Estonian and Russian, designed to increase awareness of labor exploitation, risks of commercial sex, and forced criminality of children. The government continued to fund and implement the 2015-2020 plan for reducing violence, including trafficking. The anti-trafficking working group, comprising 35 government agencies and NGOs, continued to meet regularly and published an annual public report of its activities. The government provided an NGO with approximately €38,000 (\$45,620) to operate an anti-trafficking hotline; the hotline received 377 calls from individuals vulnerable to trafficking during the reporting period and was managed by a multilingual staff. The government provided anti-trafficking training for its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex acts and forced labor.

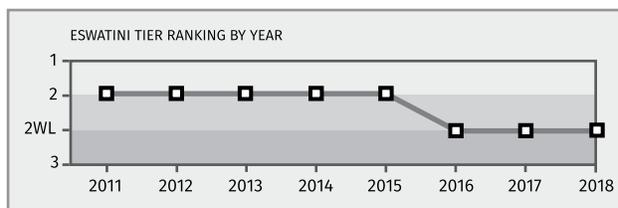
## TRAFFICKING PROFILE

As reported over the past five years, Estonia is a source, transit, and destination country for women and girls subjected to sex trafficking and for men, women, and children subjected to

forced labor. Estonian women and children are subjected to sex trafficking within Estonia and in other European countries. Women are increasingly exposed to trafficking as a result of sham marriages outside of Estonia; the women enter the marriages willingly, but their passports are confiscated and they are forced into prostitution or labor. Men and women from Estonia are subjected to conditions of forced labor within Estonia and elsewhere in Europe, particularly in the construction, cleaning, and social welfare sectors, as well as in seasonal jobs. Estonian children are forced to commit crimes, such as theft, to benefit their exploiters. Men from Ukraine, Moldova, Belarus, and Georgia are subjected to labor exploitation within Estonia, particularly in construction, agriculture, and forestry. Stateless residents in Estonia were especially vulnerable to trafficking. Vietnamese nationals subjected to forced labor and sexual exploitation transit Estonia en route to other EU countries.

## ESWATINI: TIER 2 WATCH LIST

The Government of Eswatini, previously known as Swaziland, does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by investigating and prosecuting trafficking cases; improving implementation of the victim identification guidelines and national referral mechanism; and cooperating with a foreign government in investigating several cases, repatriating victims, and building regional capacity. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not convict anyone on trafficking charges for the sixth consecutive year and labor brokers were unregulated, leading to increased vulnerability to trafficking. Deficiencies in the law continued to leave victims without legal protections, and draft legislation designed to address those gaps remained pending for a third consecutive year. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Eswatini was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Eswatini remained on Tier 2 Watch List for the third consecutive year.



## RECOMMENDATIONS FOR ESWATINI

Enact and implement the draft Trafficking in Persons and Migrant Smuggling Bill or otherwise provide greater legal protections for victims; vigorously investigate and prosecute trafficking crimes, including internal trafficking cases, and convict and adequately punish traffickers whose culpability has been established through the judicial process; implement the national anti-trafficking strategy and action plan; continue training officials on procedures for victim identification and referral guidelines; ensure all victims of trafficking are provided with appropriate and comprehensive care; continue training law enforcement officials and social workers to identify trafficking

victims proactively among vulnerable populations; regulate labor brokers and investigate allegations of fraudulent recruitment; implement a unified system for collecting trafficking case data for use by all stakeholders; and conduct anti-trafficking public awareness campaigns.

## PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The 2009 People Trafficking and People Smuggling (Prohibition) Act prescribed penalties of up to 20 years imprisonment for the trafficking of adults and up to 25 years imprisonment for trafficking children, which were sufficiently stringent, and with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. However, the government did not finalize or adopt implementing regulations for the law. The draft Trafficking in Persons and Migrant Smuggling bill, which would repeal the existing act and provide protections for victims, remained pending for a third consecutive year.

The government investigated 14 suspected trafficking cases—eight cases of forced labor, two sex trafficking cases, and three cases of an unknown type of exploitation—compared with 19 the previous year. The government initiated prosecutions of three alleged traffickers compared with one during the previous reporting period and did not convict anyone on trafficking charges for the sixth consecutive year. Officials continued to confuse crimes involving transnational movement with trafficking offenses. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government partnered with an international NGO to deliver two training sessions. The first trained 35 government officials and front-line responders on how to apply a victim-centered approach and use the national referral mechanism to refer victims to protective services. The second session trained 17 law enforcement officers, 14 magistrates, and 10 judges on the effects of trauma on victim-witnesses, how to avoid re-traumatization, and a discussion of how to overcome common evidentiary challenges through a broader analysis of trafficking cases from the Southern African Development Community (SADC) region. The government continued to provide anti-trafficking training at the police college for all in-service and pre-service officers and trained 598 new police recruits during the reporting period. The government provided technical assistance to the Government of Zimbabwe by facilitating the review and finalization of a new training manual on trafficking in the region. The government cooperated with the South African government in several investigations and participated in regular coordination meetings. In one case, the South African Police Service raided a Chinese-owned factory and identified an unknown number of Swazi labor trafficking victims.

## PROTECTION

The government maintained efforts to identify victims and allocated more funding to provide protective services. The government identified and sheltered 14 potential victims in two NGO-operated shelters, a decrease from 19 the previous reporting period. The government provided victims with basic necessities such as food, clothing, shelter, toiletries, counseling, and medical care in collaboration with NGOs. There were no government-run shelters specifically for trafficking victims and NGO-run shelters had limited ability to house trafficking victims among their general populations due to space constraints. The government increased its allocation to a victim assistance fund

for protective services to 80,000 Swazi emalangenzi (\$6,500). An NGO raised concerns about the government's provision of care for victims of trafficking, citing cases where victims were not allowed to communicate with their families or have freedom of movement.

The government improved its implementation of the victim identification guidelines and national referral mechanism, which were established in 2015. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking. For the second consecutive year, the government did not finalize review of amendments to the immigration act that would provide victims and witnesses of trafficking immunity from prosecution and would formalize residency status for foreign victims, in conformity with the People Trafficking and People Smuggling (Prohibition) Act. While the draft amendments remained under review, the government developed an ad hoc process among relevant ministries to permit identified victims to remain in Eswatini even if discovered to be present illegally. The government facilitated the repatriation of at least five victims during the reporting period; in one case, the anti-trafficking secretariat coordinated with South Africa and an international organization to safely repatriate one victim to Eswatini.

## PREVENTION

The government increased efforts to prevent trafficking. The government updated its national action plan (NAP) through 2020. The task force for the Prevention of People Trafficking and People Smuggling was reestablished in January 2017 after a four-month lapse and met in February, April, and August 2017. In partnership with an NGO, the anti-trafficking secretariat conducted an analysis on capacity gaps in order to improve prosecution, protection, and prevention of trafficking. The task force secretariat conducted public awareness activities at the Eswatini international trade fair, targeting traditional leaders, students, young women, and parents with information on preventing child trafficking and how to report suspected cases. The secretariat conducted sessions on human trafficking at schools with the assistance of teachers and police officers. Department of Immigration officials presented messages on television and radio to raise awareness of trafficking. The secretariat continued its border campaign, placing posters at various land borders and the airport to raise awareness on trafficking. Swazi officials also presented messages targeting young women on television and radio. The government continued to participate in the SADC regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. The government's anti-trafficking hotline continued to receive tips on potential cases; the government did not report how many tips it received or what action it took.

The Ministry of Labor did not have dedicated investigators focusing solely on child labor; however, all labor inspectors were required to investigate child labor issues in the course of their routine inspections. There were no labor inspections conducted solely to address child labor violations in 2017. Labor brokers were unregulated. The government did not make efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

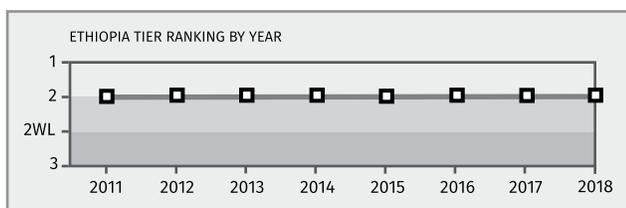
## TRAFFICKING PROFILE

As reported over the past five years, Eswatini is a source, transit,

and, to a lesser extent, destination country for men, women, and children subjected to sex trafficking and forced labor. Swazi trafficking victims come primarily from poor communities with high HIV/AIDS prevalence rates. Swazi girls, particularly orphans, are subjected to sex trafficking and domestic servitude, primarily in Eswatini and South Africa. Swazis are culturally expected to participate in the seasonal weeding and harvesting of the king's fields, and there have been isolated reports that some local chiefs coerce participation in such cultural events. Swazi boys and foreign children are forced to labor in agriculture, including cattle herding, and market vending within the country. Mozambican boys migrate to Eswatini for work washing cars, herding livestock, and portering; some are subjected to forced labor. Traffickers use Eswatini as a transit country to transport foreign victims to South Africa for forced labor. Traffickers reportedly force Mozambican women into prostitution in Eswatini, or transport them through Eswatini to South Africa. Some Swazi women are forced into prostitution in South Africa after voluntarily migrating in search of work. Reports suggest labor brokers fraudulently recruit and charge excessive fees to Swazi nationals for work in South African mines—means often used to facilitate trafficking crimes. Swazi men in border communities are recruited for forced labor in South Africa's timber industry.

## ETHIOPIA: TIER 2

The Government of Ethiopia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Ethiopia remained on Tier 2. The government demonstrated increasing efforts by assisting in the interception of more than 10,000 individuals vulnerable to trafficking and convicting more than 180 traffickers. The government improved oversight of recruitment agencies; more strenuously penalized illegal recruitment activity; and increased its efforts to raise awareness on trafficking and trafficking-related crimes through its community conversations project and media campaigns. However, the government did not meet the minimum standards in several key areas. The government did not sufficiently address internal trafficking, including child sex trafficking, and lacked standard procedures for front-line responders to proactively identify trafficking victims among vulnerable migrants. Protective provisions for male victims remained inadequate, and for the second consecutive year, Ethiopian officials did not allocate funding for the implementation of its national action plan.



### RECOMMENDATIONS FOR ETHIOPIA

Increase efforts to prosecute and convict traffickers for both sex trafficking and internal trafficking offenses; continue to implement and train law enforcement and judicial officials on the anti-trafficking proclamation; develop standardized procedures for the proactive identification and referral of internal

trafficking victims; fully implement the 2016 national referral mechanism and promulgate it to all critical regions; extend protective services to male victims of trafficking; fully implement the overseas employment proclamation, by continuing to strengthen oversight of overseas recruitment agencies, assigning and training labor attaches, and investigating and prosecuting illicit recruiters; expand trafficking 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; incorporate information on human trafficking and labor rights in Middle Eastern and other countries into pre-departure training provided to all migrant workers; ensure awareness campaigns reach all parts of rural Ethiopia; and, allocate funding toward full implementation of the national action plan.

### PROSECUTION

The government maintained its anti-trafficking law enforcement efforts; however, it continued to focus on transnational labor trafficking, with negligible efforts to investigate or prosecute sex trafficking or internal forced labor cases. The 2015 anti-trafficking Proclamation, No.909/2015, criminalized labor trafficking and sex trafficking, prescribing penalties of 15 to 25 years imprisonment and a fine of 150,000 to 300,000 Ethiopian birr (\$5,515 to \$11,030), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. For aggravated offenses, the law increased penalties to 25 years to life imprisonment, along with a fine of 200,000 to 500,000 Ethiopian birr (\$7,350 to \$18,380). Aggravated offenses included any exploitation that was committed against a child, woman, or anyone impaired; resulted in physical or psychological harm; committed using drugs or weaponry; or, carried out by a government official, civil servant, or family member. The Employment Exchange Services Proclamation No.923/2016, which governed the work of licensed labor recruitment agencies, contained various penalties for an employment agency's failure to comply with its provisions, and provided that furnishing falsified evidence or documents or advertisements in order to recruit or deploy a worker entails criminal liability; however, it did not specify what portion of the Criminal Code will apply.

For calendar year 2017, federal and regional justice officials convicted 182 traffickers under the 2015 anti-trafficking proclamation, and 82 verdicts remained pending at the close of the reporting period; this is compared to 640 convictions in 2016 and 69 convictions in 2015, in which some cases in previous years likely involved smuggling and other crimes often conflated with trafficking. The government did not report any investigations, prosecutions, or convictions of public officials allegedly complicit in human trafficking offenses. Financial and capacity constraints continued to impede data compilation by regional police, and poor communication and coordination between the regions and the federal government also hindered effective law enforcement efforts. The government continued to partner with international organizations to conduct and fund trainings for regional and federal government personnel on the 2015 anti-trafficking proclamation, victim-centered investigations, and detecting trafficking crimes. The government spent 1 million Ethiopian birr (\$36,760) to train 110 labor inspectors and funded the purchase of 500,000 Ethiopian birr (\$18,380) worth of monitoring equipment for their inspections.

## PROTECTION

The government modestly increased its efforts to protect trafficking victims. The government continued to partner with international organizations and NGOs to identify and provide services to victims; although it did not allocate funding to these entities, it provided some in-kind support, including land, facilities, staff, and other logistical support services on an ad hoc basis. The 2009 charities and societies proclamation, which prohibits organizations receiving more than 10 percent of their funding from foreign sources from engaging in activities that promote human rights, restricted some NGOs' ability to provide protective services to trafficking victims. The government remained without a formal mechanism to proactively identify potential trafficking victims. In 2017, federal and regional governments intercepted 10,655 persons in the border areas of Ethiopia, the vast majority of whom were intending to depart for work in Gulf states and other African countries, and many were minors—populations most vulnerable to trafficking. The government supported 167 children at risk of, or exploited in, sex trafficking in Amhara. The government continued to jointly operate two migration response centers in Afar and Metema with an international organization, and provided rent-free usage of the facilities. The government maintained operation of child protection units in Addis Ababa and several major cities; staff was trained in assisting vulnerable children, including potential trafficking victims. Police and civil service transport workers—trained to recognize child trafficking victims—referred the majority of intercepted children to local shelters. In 2017, one NGO cooperated with the local police to identify traffickers, and intercepted, rehabilitated, and provided psycho-social support for more than 1,000 internal child trafficking victims. Another NGO—focused on transnational cases—maintained provisions of comprehensive re-integration services, familial reunification, medical care, mental health counseling, legal counsel, food and housing, and vocational training for women and children. There continued to be a dearth of care available for male trafficking victims. During the year, the government, in collaboration with an international organization, repatriated more than 10,000 Ethiopian migrants from Saudi Arabia. In addition, an international organization helped repatriate and provided post-arrival assistance for more than 2,690 Ethiopians from the Gulf states. Since the government lacked funding to repatriate all of its nationals, it assisted with victim identification services in respective countries and sometimes negotiated discounted air fares for returnees. Some Ethiopian diplomatic missions in the Gulf states and Sudan had shelters for trafficking victims on respective mission compounds where they could stay temporarily, and the missions engaged with host government authorities on the individual's behalf.

The 2015 anti-trafficking proclamation established a fund to support victim protection and rehabilitation efforts; however, the government did not report efforts to begin financial allocations to and administration of the fund. Implementation of the national mechanism for referring repatriated trafficking victims to social services remained limited for the second consecutive year. Under the national referral mechanism, the anti-trafficking task force is the lead coordinator for referring trafficking victims to services, but an international organization and other government entities play vital roles. The mechanism incorporates special identification and screening tactics for child trafficking victims, in addition to the profiling of voluntary returnees and deportees at the Bole International Airport. During the reporting period, the anti-trafficking task force, in partnership with an international organization, promulgated the referral mechanism in two critical regions: Tigray and Southern Nations, Nationalities, and People's Region (SNNPR). In addition to

the national referral mechanism, regional governments work with local and federal police to refer victims to shelters and other protective services. However, the government continued to lack standardized proactive screening procedures to detect potential trafficking victims.

While officials reported encouraging victims in some cases to assist in the investigation and prosecution of their traffickers, the number of victims who took an active role in these processes was unknown and it was unclear whether the government provided them legal assistance or other support to facilitate their doing so. The 2015 anti-trafficking proclamation extends to trafficking victims protections outlined under the Witness and Whistleblowers Protection Proclamation (No.699/2010), which included protection from prosecution for crimes committed as a result of being subjected to trafficking. However, Ethiopian law did not provide alternatives to the deportation of foreign victims to countries where they may face hardship or retribution. There were no reports any trafficking victims were deported without proper screening or detained, fined, jailed, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking in 2017; however, the government housed at police stations some victims who were waiting to provide testimony in their respective trafficking cases.

## PREVENTION

The government increased efforts to prevent trafficking. In 2016, parliament approved a second National Human Rights Action Plan spanning 2016-2020, which included various activities to curb trafficking, including a media campaign and increased efforts in urban centers to assist women and child victims; however, for the second consecutive year, the government did not allocate funding dedicated to the action plan's implementation. The anti-trafficking task force increased its activity by meeting monthly and organizing itself into four subgroups focused on awareness raising and monitoring, reintegration, research and evaluation, and prosecution. The Attorney General's Office, in conjunction with an international organization and academic institution, published a trafficking manual, screened an anti-trafficking movie in various districts in Amhara, and conducted a training for task force members on best practices in public awareness-raising. The SNNPR government trained 1,500 employees on generating awareness in their communities and instituted a new program to inform residents on how to collect and protect their new passports. Local and regional state governments, in collaboration with an international organization, continued to host and facilitate hundreds of "community conversations" sessions throughout the country, reaching hundreds of thousands of Ethiopians in attempts to raise awareness of trafficking. Officials in the Amhara region produced television and radio public service announcements and interviews to elevate the public's awareness of the dangers of trafficking, which, in addition to the general public, strategically reached religious and traditional leaders, elders, and media personnel. However, the aforementioned awareness campaigns did not reach all parts of rural Ethiopia, and there remained a serious lack of awareness of the dangers of irregular migration and human trafficking.

The revised employment exchange proclamation came into effect in the previous reporting period—paving the way for greater oversight of private employment agencies, placement of labor attachés in Ethiopian embassies abroad, and establishment of an independent agency to identify and train migrant workers; however, the revised proclamation was still not fully implemented during the current reporting period.

Two new components of the proclamation stipulated rules for licensing and advertising for overseas employment, in addition to penalties for employment agencies that contravened the revised employment proclamation (e.g. false advertisement, passport confiscation, and rights violations). In January 2018, the government ceased its 2013 ban on the recruitment of low-skilled domestic workers to the Middle East; since the lifting of the ban, labor officials received 300 applications for private employment agencies to commence operations in Ethiopia. The revised proclamation required employment agencies to deposit 1 million Ethiopian birr (\$36,760) in a bank as insurance, which would be used to assist and repatriate trafficking victims. The government applied stringent application requirements and determined only 20 agencies were in compliance and merited licensing. In 2017, the government employed 2,560 labor inspectors who carried out approximately 55,000 labor inspections at formal work sites; however, it did not report numbers of license or agency suspensions or labor law violations as a result of these inspections. For the second consecutive year, the government remained in negotiation with Saudi Arabia and the United Arab Emirates on bilateral employment agreements; Ethiopia had such agreements in place with Qatar, Kuwait, and Jordan. These agreements require signatories to commit to ethical recruitment, legal remedies against those who violate the law, and equal protection of Ethiopian workers, to include equal wages for equal work, reasonable working hours, and leave time. Memoranda remained in place with neighboring African countries—particularly Djibouti, and on an ad hoc basis with Kenya and Sudan—and aimed to address joint border management to include repatriation assistance for trafficking victims; however, these did not explicitly address workers' rights.

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, which is subject to fraud. The government did not report efforts to reduce the demand for commercial sex acts or child sex tourism during the reporting period. Together with clothing designers, the government developed a certification program to label clothing as child labor-free so buyers can support businesses that do not use child labor. A foreign donor and facilitator provided Ethiopian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

## TRAFFICKING PROFILE

As reported over the past five years, Ethiopia is a source and, to a lesser extent, destination and transit country for men, women, and children subjected to forced labor and sex trafficking. Scarce economic opportunities and dire poverty coupled with familial encouragement compels thousands of Ethiopians, including a substantial percentage of minors, to transit, primarily via Djibouti or Somalia, to Yemen and onward to Saudi Arabia; increasingly to cross the border illegally into Kenya, destined for South Africa for flights to Ecuador with a final destination of the United States or Canada; or, least commonly of the three routes, to travel through Sudan and Libya with the hope of crossing the Mediterranean and ultimately reaching Europe. Reports suggest that along these three routes, irregular Ethiopian migrants who began their journeys voluntarily are subsequently vulnerable to sexual exploitation or forced labor in transit countries and in their intended destinations. An international organization reported an uptick in the number of minors traveling along the eastern migration route towards Yemen, hoping to reach Saudi Arabia. Typically, young men

and women migrate west via Sudan aiming for Europe, while young women tend to travel through Eritrea or Djibouti to secure domestic work in Saudi Arabia. The Ethiopian government lifted its October 2013 ban on domestic worker employment in the Gulf states in January 2018; the ban has contributed to irregular migration and trafficking. Saudi Arabia remains the primary destination for irregular migrants, representing 80-90 percent of Ethiopian labor migration; reportedly, over 500,000 Ethiopians reside there. From March to November 2017, Saudi Arabia offered an amnesty period, declaring that all irregular migrants can voluntarily leave the country; an international organization reported more than 100,000 migrants returned to Ethiopia during this timeframe, of which nearly 65,000 were deportees and more than 70 percent male. Many Ethiopian women working in domestic service in the Middle East are subjected to severe abuses, including physical and sexual assault, denial of salary, sleep deprivation, passport confiscation, and confinement. Ethiopian women who migrate for work or flee abusive employers in the Middle East are also vulnerable to sex trafficking. Ethiopian men and boys migrate to the Gulf states and other African nations, where some are subjected to forced labor.

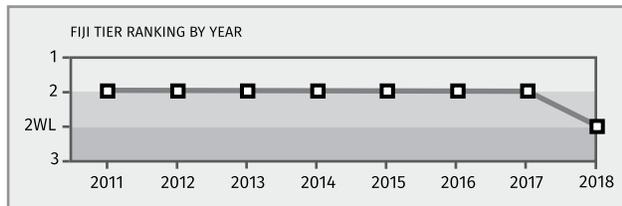
An international organization reported the severe drought in 2015-2016 increased instances of internal trafficking. Furthermore, ongoing displacement among Ethiopia's regions created vulnerability to trafficking. For example, following protracted conflict in the Oromia region in late 2016, Djibouti reported a sharp increase in ethnic Oromo asylum-seekers entering the country. Current accounts document ethnic Tigrayans move from the Amhara region into Tigray to escape ethnically-based unrest in Amhara. Internally displaced persons—a population vulnerable to trafficking—numbered more than one million in 544 displacement sites across nine regions.

Families continue to play a major role in financing irregular migration, and may force or coerce their children to go abroad or to urban areas in Ethiopia for employment. An international organization assesses that most traffickers are small local operators, often from the victims' own communities, but that well-structured, hierarchical, organized crime groups are also responsible for irregular migrants becoming highly susceptible to trafficking. Labor recruiters target young people from Ethiopia's vast rural areas with promises of a better life. Girls from Ethiopia's impoverished rural areas are exploited in domestic servitude and commercial sex within the country, while boys are subjected to forced labor in traditional weaving, construction, agriculture, and street vending. Addis Ababa's central market is the site of numerous brothels, where some young girls are exploited in commercial sex. Ethiopian girls are exploited in domestic servitude and commercial sex in neighboring African countries, particularly Djibouti and Sudan. Ethiopian boys are subjected to forced labor in Djibouti as shop assistants, errand boys, domestic workers, and street beggars, in addition to forced criminality. Child sex tourism continues to be a problem in major hubs, including Addis Ababa, Bahir Dar, Hawassa, and Bishoftu.

## FIJI: TIER 2 WATCH LIST

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

significant efforts during the reporting period by investigating six trafficking cases, prosecuting three suspected traffickers, providing services to six victims, providing anti-trafficking training to police recruits, and acceding to the 2000 UN TIP Protocol. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not convict any traffickers for the third consecutive year or dedicate sufficient resources to officials leading anti-trafficking efforts. It did not proactively screen for trafficking victims among vulnerable groups, particularly children exploited in sex trafficking, or take steps to implement its anti-trafficking national action plan. Therefore Fiji was downgraded to Tier 2 Watch List.



### RECOMMENDATIONS FOR FIJI

Dedicate and increase resources for the police anti-trafficking unit; develop and implement formal victim identification and referral procedures; proactively screen vulnerable groups, such as foreign migrant workers on fishing vessels, those allegedly involved in prostitution, and exploited children, for trafficking; increase efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers, including by improving interagency coordination; amend the Crimes Act to criminalize all forms of trafficking in persons, including forced labor; update and implement the 2011 anti-trafficking national action plan; designate a government agency responsible for coordinating victim services; make efforts to allow identified trafficking victims to work and earn income while assisting with investigations; and increase dissemination of labor and sex trafficking awareness campaigns.

### PROSECUTION

The government maintained law enforcement efforts. The 2009 Crimes Act criminalized some forms of labor trafficking and all forms of sex trafficking. Sections 112-117 criminalized trafficking in persons but, inconsistent with international law, required either transnational or domestic movement in order to constitute a trafficking offense. These articles prescribed penalties of up to 20 years imprisonment for movement-based trafficking offenses involving adult victims, and up to 25 years imprisonment for those involving child victims; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes, such as kidnapping. While sections 103 and 118 criminalized slavery and debt bondage respectively, all forms of labor trafficking were not criminalized under the Crimes Act. The law prescribed penalties of up to 25 years imprisonment for slavery, and penalties of up to one year imprisonment for debt bondage involving an adult victim and up to two years imprisonment for those involving a child victim; the penalties for slavery were sufficiently stringent, while the penalties for debt bondage were not. Sections 226 and 227 criminalized the buying or selling of children for "immoral purposes," which included prostitution, and prescribed penalties of up to 12 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as

kidnapping. Section 106 criminalized sexual servitude by means of force or threat and prescribed penalties of up to 15 years imprisonment if the offense involved an adult victim, and up to 20 years imprisonment if the offense involved a child victim; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as kidnapping. Section 107 criminalized "deceptive recruiting for sexual services," including inducing and maintaining individuals in prostitution through deceptive means, and prescribed penalties of up to seven years imprisonment if the offense involved an adult victim and up to nine years imprisonment if the offense involved a child victim; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as kidnapping.

The police anti-trafficking unit investigated six new cases in 2017 (five in 2016); five cases involved labor trafficking and one involved child sex trafficking. The government initiated prosecutions of three alleged traffickers (three in 2016) and obtained zero trafficking convictions for the third consecutive year. The police anti-trafficking unit did not have dedicated or adequate resources to effectively conduct trafficking investigations and other anti-trafficking activities. Weak interagency collaboration between police and prosecutors impaired the government's pursuit of trafficking cases. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

### PROTECTION

The government decreased efforts to identify and protect victims. The police anti-trafficking unit identified six trafficking victims (nine in 2016), including five Filipino men who were subjected to forced labor in construction. Despite reports of child sex trafficking, the government identified only one Fijian child subjected to sex trafficking for the second consecutive year. The government provided shelter for the foreign victims in government safe houses and provided mental health treatment for the child victim. Police officials reported using informal guidelines to identify potential trafficking victims and the government reported providing training for labor inspectors on victim identification, which it did provide in the previous reporting period. The government continued to fund anti-trafficking training for new police recruits, but authorities did not proactively identify victims of trafficking among vulnerable populations; all victims identified during the reporting period were initially referred to police by members of civil society. There were no reports that officials detained, fined, or otherwise penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, however the lack of proactive screening may have resulted in the penalization of unidentified victims. The government did not develop a formal mechanism to refer victims to services as set out in its national anti-trafficking action plan, and did not designate an agency to coordinate victim services. The government made available accommodation, legal aid, medical care, interpreters, and allowances for basic necessities. The government apportioned funds to operate safe houses for trafficking victims, asylum-seekers, and migrants awaiting deportation; four children's homes operated by the government were available to shelter victims younger than 21 years of age. The government did not offer legal alternatives to foreign victims' removal to countries in which they would face retribution or hardship or allow foreign victims to work

while assisting with investigations. Victims had the right to file for civil remedies, but none took advantage of that legal right.

## PREVENTION

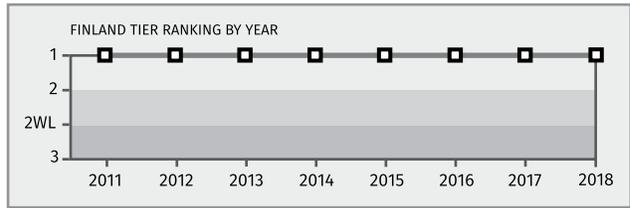
The government maintained efforts to prevent trafficking. The government completed an anti-trafficking national action plan in 2011 but had not taken steps to implement the plan. The interagency trafficking task force has not been active since 2012. The police anti-trafficking unit conducted public awareness campaigns and seminars aimed at children and parents. Immigration and labor officials conducted awareness programs targeted at Fijians who work overseas to prevent labor exploitation. Immigration officials did not routinely take steps to investigate or verify the legitimacy of employers of migrant workers. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training to Fijian military personnel prior to their deployment abroad as part of international peacekeeping missions. The government acceded to the 2000 UN TIP Protocol during the reporting period.

## TRAFFICKING PROFILE

As reported over the past five years, Fiji is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Fijian women and children are subjected to sex trafficking and domestic servitude. Family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels have allegedly exploited Fijian children in sex trafficking. Some Fijian children are at risk of human trafficking as families follow a traditional practice of sending them to live with relatives or families in larger cities, where they may be subjected to domestic servitude or coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees. Women from China, Thailand, and other East Asian countries are exploited in illegal brothels posing as massage parlors and spas, local hotels, and private homes. Fijian adults working overseas, including in Australia and New Zealand, are vulnerable to forced labor, particularly in the construction and agriculture industries. Workers from South and East Asian countries are subjected to forced labor in small and informal farms and factories, construction, and on fishing vessels that transit through Fiji or board fishing vessels (mainly China and Taiwan-flagged) from Fiji ports and waters.

## FINLAND: TIER 1

The Government of Finland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Finland remained on Tier 1. The government demonstrated serious and sustained efforts by creating a national referral mechanism and allocating funds for its implementation. The government also prosecuted more suspected traffickers. Although the government meets the minimum standards, a shift in focus to terrorism and immigration depleted law enforcement anti-trafficking resources and led to the pursuance of some trafficking cases under non-trafficking statutes, which affected victims' access to services and residency benefits.



## RECOMMENDATIONS FOR FINLAND

Vigorously investigate and prosecute sex and labor trafficking cases using the trafficking statute and impose strong sentences on convicted traffickers; expand access to victim services regardless of whether an alleged perpetrator is prosecuted and irrespective of the statutes under which an alleged perpetrator is being prosecuted; increase the number of judges and police who specialize in trafficking cases and allocate sufficient resources to law enforcement units for trafficking investigations; expand efforts to train law enforcement officials, prosecutors, and judges on applying the trafficking law; implement the national referral mechanism for all sectors of the government and train officials in its use to proactively identify potential victims and refer them to services; develop, publish, and implement a national action plan for 2018; and expand worker protection laws to include seasonal workers on commission.

## PROSECUTION

The government increased law enforcement efforts. Law 1889-39 of the penal code criminalized sex and labor trafficking and prescribed sentences of up to six years imprisonment with fines. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government continued to use laws against pandering, discrimination, and usury, among others, to investigate and prosecute some suspected traffickers; the penalties for these crimes were generally far less severe than those for trafficking crimes. In 2017, the government reported initiating 77 investigations of trafficking cases (including 22 labor and 30 sex trafficking cases), compared with 74 cases in 2016 (including 16 labor and 35 sex trafficking cases). Authorities initiated prosecution of 11 cases (approximately two thirds labor and one third sex trafficking) involving an unknown number of suspected traffickers in 2017 (four and eight, respectively, in 2016). Finnish courts convicted six traffickers, five for labor and one for sex trafficking, (six in 2016); sentences ranged from 12 months to 29 months imprisonment. Finnish authorities collaborated with Spanish police to prosecute and convict a Finnish resident, who coordinated the transport of Nigerian women through Spain to Finland for the purposes of sexual exploitation. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

A shift in focus to combating illegal immigration and terrorism strained law enforcement anti-trafficking resources and effectiveness. Consequently, there was one law enforcement official dedicated to investigating trafficking, compared with three in previous years. Experts called for specialized anti-trafficking law enforcement units and for further training for judges. The government designated four special prosecutors from different regions to handle serious crimes, including trafficking cases, and provided annual training for prosecutors. Law enforcement and border guard personnel received anti-trafficking instruction as part of their basic training; law enforcement personnel received additional trafficking awareness training throughout their careers. Furthermore, a law

enforcement working group composed of the prosecutor's office, border guard, police, and other government agencies met every second month to share best practices on combating trafficking. The national network of anti-trafficking experts participated in regional meetings to discuss anti-trafficking efforts.

## PROTECTION

The government increased protection efforts. The government provided both direct care and funding for third-party care through an asylum reception center that coordinated the national victim assistance system. Police were required to refer potential victims to the assistance system immediately upon identification, where they were eligible for emergency assistance. The national victim assistance system admitted 127 potential trafficking victims in 2017 (including 58 labor and 46 sex trafficking victims), of which 14 were children; most were exploited prior to their arrival in Finland. Comparably, the assistance system admitted 130 victims in 2016 (21 were children). The majority of victims who sought assistance were subjected to work-related exploitation. The assistance system experienced a surge in the number of asylum-seekers referred, most notably Nigerian women, who account for the majority of sex trafficking victims. The government created a national referral mechanism for victim identification and assistance and allocated €505,000 (\$606,240) for implementation and related programs, including trainings, victim support services, and research. The government also allocated €125,000 (\$150,060) for the development of separate referral guidelines for health professionals and social workers. Despite these measures, law enforcement and immigration officials noted victim identification remained a challenge for the government.

Finnish law required law enforcement to pursue the cases of victims subjected to trafficking within Finland specifically as trafficking crimes in order for victims to continue receiving services through the assistance system beyond the initial emergency. Services offered include psychological, medical, and legal assistance and shelter. There was one government-funded shelter specifically for trafficking victims, though it accepted only women and their children. Most trafficking victims sheltered in private accommodations. Child services assigned unaccompanied child victims a guardian to serve as a legal representative. Finnish children who could not return to their families were placed in foster care, while unaccompanied migrant children were placed in a migrant reception center specifically for children. In 2017, the government spent €955,000 (\$1.1 million) on trafficking victim assistance and protection, compared with €815,800 (\$979,350) in 2016. In addition, the government allocated approximately €515,000 (\$618,250) for services and projects to multiple organizations. Local municipalities provided additional funding for victim services for Finnish citizens.

Finnish law allowed foreign victims a six-month reflection period during which they could receive care and assistance while considering whether to assist law enforcement, and the law allowed legal residents a three-month reflection period. Victims could receive renewable temporary residence permits, which were valid for six to 12 months and allowed victims to seek employment. The government offered continuous residence permits to three victims in particularly vulnerable positions in 2017 (six in 2016). Authorities provided temporary residence permits to one trafficking victim and renewed 13 permits. In instances where victims did not possess a national passport, the government could grant a temporary alien passport. According to officials, all victims accepted into the assistance system

consented to cooperate with police in the prosecution of their traffickers; however, in cases where victimization occurred outside of Finland, which was the case for the majority of victims identified, and the conditions of the relevant jurisdiction made law enforcement cooperation unlikely, police did not open a criminal investigation. Although there was no formal witness protection program, courts had the authority to conceal witnesses' identities and police could place victims in temporary safe locations.

## PREVENTION

The government increased prevention activities. The national anti-trafficking coordinator implemented the national action plan for 2016-2017; the government provided €280,000 (\$336,130) for implementation. The national coordinator maintained a government-wide coordination structure of trafficking prevention offices within each ministry and engaged regularly with NGOs. The national coordinator departed his position in February 2018; the government was in the process of filling the position at the end of the reporting period. The non-discrimination ombudsman, in her capacity as the national rapporteur, began a new research project assessing trafficking cases in Finland to evaluate how victims use the assistance system. With government funds, an international organization created an anti-trafficking curriculum for educational organizations and guidelines for trafficking victim identification for passenger ferry personnel in the Baltic Sea and employers of seasonal workers. The government allotted €20,000 (\$24,010) for the development of guidelines for private sector employers to detect labor trafficking. The national assistance system maintained a hotline and website in multiple languages exclusively for trafficking victims. In response to the vulnerability facing berry pickers, who were not covered under worker protection laws, the government conducted assessments of berry industry companies to prevent labor exploitation and required companies to agree to a general code of conduct. The government convened with representatives from the private sector and NGOs to share risk assessment tools that could expose labor trafficking within subcontracting supply chains. Finland's laws against child sex tourism had extraterritorial reach, although the government did not investigate or prosecute any perpetrators. The government provided anti-trafficking training to its troops prior to their deployment abroad as part of international peacekeeping missions.

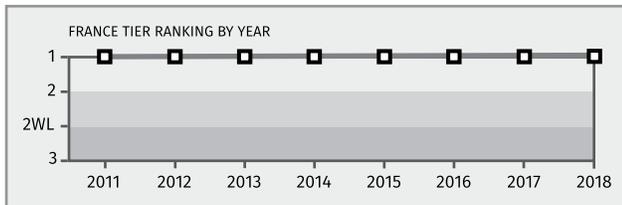
## TRAFFICKING PROFILE

As reported over the past five years, Finland is a transit, destination, and limited source country for women and girls subjected to sex trafficking and for men and women subjected to forced labor. Traffickers operate from abroad using threats of violence, debt leverage, and other forms of coercion. Victims originate primarily in Eastern Europe, West Africa, and Asia. Authorities report a surge in potential trafficking victims among rejected asylum-seekers returning to Finland under the Dublin Agreement, including a rise in the number of individuals exploited prior to their arrival in Finland, such as Nigerian women who account for the majority of sex trafficking victims. Reports indicate new victims entering the system include young men who had been subjected to the practice of *bacha bazi* in their home countries prior to moving to Finland. Foreign-born workers and immigrants, many of whom arrive in Finland legally, are especially vulnerable to exploitation in the construction, restaurant, agriculture, metal, and transport industries, and as cleaners, gardeners, and domestic workers. Law enforcement note most labor trafficking involves small-

scale operations in businesses such as restaurants and massage parlors, rather than larger criminal syndicates. Seasonal berry pickers, many of whom are Thai, are especially vulnerable to labor exploitation.

## FRANCE: TIER 1

The Government of France fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore France remained on Tier 1. The government demonstrated serious and sustained efforts by increasing international assistance and capacity building to prevent trafficking and adopting a new law requiring large companies to create plans to prevent labor exploitation by sub-contractors. Although the government meets the minimum standards, it lacked coordinated and comprehensive data on trafficking, some child victims of forced begging and criminality were arrested and prosecuted without being screened for trafficking indicators, and children identified by the government as victims experienced a significant variance in the quality of shelters. The government did not report the number of prosecutions or sentences for the reporting period, making it difficult to assess its law enforcement efforts.



### RECOMMENDATIONS FOR FRANCE

Create an inter-ministerial body solely focused on trafficking; increase funding and resources for anti-trafficking coordination and victim assistance; improve the quality of shelters and specialized assistance for child victims; screen for trafficking indicators all women and children arrested for soliciting and inhabitants of informal migrant camps; coordinate and centralize the collection of trafficking data across the government; develop a second national action plan for all forms of trafficking; train all incoming law enforcement officers to screen all individuals in prostitution for trafficking indicators; improve victims' access to restitution; strengthen victim protection for child victims of forced begging and theft; and ensure the reflection period is offered to all victims, including victims of forced begging and criminality.

### PROSECUTION

The government maintained enforcement efforts. Article 225-4 of the penal code criminalized sex and labor trafficking and prescribed penalties of between seven years and life imprisonment for trafficking offenses. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious offenses, such as rape. The government investigated 264 cases in 2017 (259 in 2016), involving 771 suspects (816 in 2016). In 2016, the most recent year in which complete data was available, 48 were convicted for trafficking, compared with 71 in 2015. The government did not report complete sentencing data but confirmed several cases in which traffickers received stringent

sentences during the reporting period. For instance, in January 2017, a court in Bordeaux sentenced a couple to two years in prison for forcing two Bulgarian women into sex trafficking. In February 2017, a court in Paris sentenced a trafficker to three years in prison with one year suspended and ordered him to pay €1,550 (\$1,860) to his victims. In June 2017, a court in Carpentras sentenced a man to six years in prison with two years suspended and a second man to two years in prison with one year suspended for forced prostitution and forced domestic servitude. In December 2017, a court in Marseille sentenced a French man to seven years imprisonment and €9,160 (\$11,000) in damages for forcing one child and one woman into prostitution.

Two bodies investigated trafficking crimes: the Ministry of Interior's Central Office for Combating Human Trafficking (OCRTEH), consisting of approximately 25 investigators, was responsible for cases of sexual exploitation and the Central Office for Combatting Illegal Labor (OCLTI), consisting of 40 investigators, was responsible for labor exploitation. OCRTEH continued training programs for police, civil servants, NGOs, and the hospitality sector. In March 2018, the Ministry of Justice (MOJ) trained prosecutors and judges on the implementation of the anti-trafficking statute. The government collaborated in international investigations, including with EUROPOL, INTERPOL, and the United Kingdom, and it extended its joint investigation team mandate with Bosnia. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

### PROTECTION

The government maintained protection efforts. In 2017, the government identified 894 victims of exploitation, compared with 1,118 in 2016. The victims identified in 2017 included 293 French, 132 Nigerian, 112 Romanian, 68 Chinese, 58 Brazilian, and 231 were other nationalities. Approximately 15 percent of victims were minors. In June 2017, the governmental Mission against Human Trafficking (MIPROF) and the National Supervisory Body on Crime and Punishment released the results of a large-scale 2015 survey completed by 13 NGOs, which was intended to serve as a model for future annual data collection on victims. The survey provided the most comprehensive information on victim demographics to date and found 88 percent of victims were women, 10 percent men, one percent transgender, and the remainder unidentified. Children accounted for nine percent of victims, of whom 78 percent were female. The majority were victims of forced prostitution (81 percent), followed by forced domestic servitude (10 percent), forced labor (four percent), forced criminality (four percent), and forced begging (one percent).

The government had formal procedures for identifying victims and an NGO-run referral mechanism. The Ministry of Solidarity and Health, and the City of Paris provided funding for the Ac-Se system, an NGO-managed network of 45 NGO-run shelters and 23 specialized NGOs assisting adult victims of sex and labor trafficking. Ac-Se assisted 79 trafficking victims in 2017, compared with 82 in 2016, providing them shelter, legal, medical, and psychological services. Seventy-four were victims of sex trafficking, one of labor trafficking, and three were forced to commit a petty crime. The government maintained Ac-Se's budget at €220,000 (\$264,110) for 2018. Local governments provided French language classes to victims, and some victims could qualify for subsidized housing and job training programs. The government, through the national employment agency,

provided some foreign victims a stipend of €340 (\$410) a month; civil society reported the conditions for being granted a stipend were not uniform and varied by region. 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 trafficking victims were referred to the child welfare services (ASE) system. GRETA reported the existing ASE shelters varied in quality of care and many were not suited for the special assistance needs of child trafficking victims. During the reporting period, six child trafficking victims received services from ASE shelters. The office of the protection of refugees' social workers, staff, senior protection officers, and 100 new refugee protection officers received training on victim identification and assistance protocols. The government continued to operate a hotline for children in abusive situations, including trafficking. In 2017, hotline operators received 1,550 calls related to trafficking. Ac-Se, with assistance from 60 partner organizations, operated a separate hotline during the reporting period. The hotline received more than 900 calls and on average referred 50 trafficking cases a year to Ac-Se for assistance. The government distributed pocket-sized victim identification indicator guides to border police and NGOs and developed detailed internal training manuals for educators and security forces who encounter child trafficking 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 MOJ also held a seminar on victim identification procedures for members of the judiciary. Newly assigned border police and cybercrime investigators received victim identification training.

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. Criminal trials for trafficking or aggravated pimping could be heard in private at the victim's request. GRETA reported child victims of forced begging and criminality had been arrested and prosecuted without being screened for trafficking indicators by law enforcement officials. Victims could receive a 30-day reflection period during which they could decide whether to lodge a complaint or participate in criminal proceedings against a trafficker; however, some authorities were not familiar with the reflection period and did not offer it. Victims were eligible for temporary residence permits, regardless of whether they cooperated with police investigations. Trafficking victims were also eligible for international protection under refugee status or subsidiary protection status in cases where victims had a credible fear of retaliation, including from public authorities in their country of origin, if returned. Victims were eligible to receive restitution through the Crime Victims Compensation Program. The compensation request process often took several years to complete, and many victims had requests in progress.

## PREVENTION

The government increased prevention efforts. MIPROF coordinated government-wide anti-trafficking efforts and the prevention of violence against women. MIPROF's anti-trafficking steering committee was composed of national, regional, and local governments, as well as NGOs. The government's national action plan to counter trafficking expired in May 2017; however, its 2017-2019 national action plan for mobilization against all violence against women included measures to counter trafficking, most notably the creation of multidisciplinary regional commissions to counter prostitution, pandering, and trafficking. Eleven departments had developed commissions by the end of the reporting period. Authorities,

civil society, and GRETA reported the national action plan to counter trafficking was not fully implemented due to a lack of funding and MIPROF's dual mission diluted efforts against other forms of trafficking outside of sexual exploitation. The government's human rights commission continued to serve as the independent rapporteur for trafficking. In July 2017, the rapporteur published an assessment of the recently expired national action plan to counter trafficking, which recommended the creation of an inter-ministerial body solely dedicated to trafficking, increased financial and human resources to combat trafficking, and uniform processes for victim identification, among others. The government lacked comprehensive and centralized data on trafficking. In March 2017, parliament adopted a new bill, which required large companies (more than 5,000 employees) to create plans to mitigate risks against labor exploitation of sub-contractors. The government did not report investigating or prosecuting any cases of child sex tourism. The government-funded programs through airlines and tourism operators describing the penalties for child sex tourism and funded poster and pamphlet campaigns by NGO partners to reduce the demand for child sex tourism. The Ministry of Foreign Affairs researched and reported on indicators of child sex tourism abroad and monitored increases in the crime. The government continued to fund a regional technical advisor on trafficking to the UNODC and OSCE. OCRTEH provided training to Nigerian law enforcement, the MFA funded anti-trafficking capacity building programs across Africa's Gulf of Guinea region, and the government supported victim support operations in Libya. The government provided anti-trafficking training to all peacekeeping troops prior to their deployment abroad on international peacekeeping missions and MIPROF produced a new manual for all security forces stationed abroad. The government did not provide systemic anti-trafficking training for its diplomatic personnel, although consular officials received training on identifying forced domestic servitude.

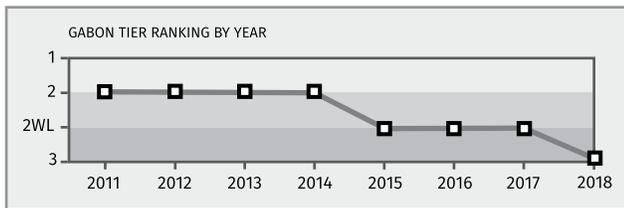
## TRAFFICKING PROFILE

As reported over the past five years, France is a destination, transit, and a limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims from Eastern Europe, West and North Africa, Asia, and the Caribbean are subjected to sex trafficking and forced labor. Sex trafficking networks controlled by Nigerians, Bulgarians, Romanians, Chinese, and French citizens force women into prostitution through debt bondage, physical force, and psychological coercion, including the invocation of voodoo and drug addiction. The number of children exploited in commercial sex has increased in recent years. Children are forced to commit crimes, mainly petty theft, often as part of larger criminal networks. Children, primarily from Romania, West and North Africa, and the Middle East, are victims of sex trafficking in France. The government estimates the majority of the 30,000 people in prostitution in France, about 90 percent of whom are foreign, are likely trafficking victims. 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 of male victims for sex and labor trafficking has increased. Nigerian trafficking networks use migrant and drug trafficking routes through Libya and Italy to transport girls to France. Some migrants who could not pay their smugglers are held in debt bondage. Traffickers force children living in migrant camps in northern France to commit crimes, including facilitating smuggling to the United Kingdom. Vietnamese migrants are held in makeshift migrant camps awaiting transit

to the United Kingdom for labor exploitation. Chinese victims often enter France on short-term student or tourist visas.

## GABON: TIER 3

The Government of Gabon does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Gabon was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including identifying more child victims compared with the previous reporting period and referring them to care, and providing resources to some shelters, particularly those that serve children at higher risk of becoming trafficking victims. However, the government did not convict any traffickers and, for the fifth consecutive year, it did not enact a proposed amendment to criminalize adult trafficking. It also decreased for the fourth consecutive year the amount of funding allocated for victim services; did not increase efforts to identify, refer, or provide services to adult victims; and did not conduct any public awareness raising campaigns.



### RECOMMENDATIONS FOR GABON

Increase efforts to prosecute and convict traffickers, including complicit officials and sex traffickers; use existing penal code articles criminalizing forced labor to investigate, prosecute, and convict traffickers who exploit adults in forced labor; draft and enact legislation to criminalize all forms of trafficking; expand training for social workers, law enforcement, labor inspectors, and judicial staff to include the identification and investigation of adult trafficking; increase financial or in-kind support to government-run and NGO shelters; increase communication among ministries to facilitate improved case management and data collection; reinvigorate collaboration with foreign governments to investigate transnational trafficking cases and repatriate foreign victims; train social workers and service providers on best practices in the provision of care for trafficking victims; expand the existing inter-ministerial committee's mandate to include adult trafficking, and include efforts to address adult trafficking in the next national action plan; expand awareness-raising campaigns to include information on adult trafficking; and develop a system to track cases and publicize relevant law enforcement and victim protection statistics, including on trafficking offenses prosecuted under other articles of the penal code.

### PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Existing laws did not criminalize all forms of human trafficking. Law 09/04 to Prevent and Combat Child Smuggling criminalized selling children, subjecting them to debt bondage, and bringing them into the country and unlawfully employing them, and prescribed penalties of a "custodial sentence" and a fine of 10 million to 20 million Central African CFA francs (CFA) (\$17,610 to \$35,220). Title 1, article 4 of the Gabonese labor code criminalized forced labor and prescribed penalties

of one to six months imprisonment or a fine of 300,000 to 600,000 CFA (\$530 to \$1,060). Neither law provided sufficiently stringent sentences. Penal code article 261 criminalized adult and child sex trafficking and prescribed penalties of two to five years imprisonment and a fine. Law 21/63-94 also criminalized forced prostitution of adults and prescribed penalties of two to 10 years imprisonment. These penalties were sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. For the fifth consecutive year, the government did not pass the 2013 draft amendment to law 09/04 to criminalize the trafficking of adults and explicitly criminalize sex trafficking.

The government reported investigating one trafficking case but did not report initiating any prosecutions, a decrease from eight investigations and prosecutions in the previous reporting period. The government did not convict any traffickers for the fifth consecutive year. Only the high court was authorized to hear trafficking cases because it is a crime equivalent to murder; however, the high court was backlogged with cases and did not routinely meet, in part because of a shortage of funding. In addition, due to a lack of training and widespread corruption, the prosecutorial judges tasked with investigating trafficking cases often did not investigate cases brought to their attention, creating significant obstacles to prosecuting trafficking crimes. Furthermore, data on anti-trafficking law enforcement efforts was limited, in part due to poor communication between ministries. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns. Some judges received bribes from alleged traffickers and actively delayed or dismissed trafficking cases. The government did not report efforts to investigate a Gabonese diplomat posted to the United Kingdom in 2016, alleged to have exploited a worker in domestic servitude. During the reporting period, the inter-ministerial committee conducted a two-day training for immigration officials on identifying and investigating trafficking cases. In contrast with previous years, the government did not report cooperation with foreign law enforcement on transnational trafficking cases.

### PROTECTION

The government increased efforts to identify and assist child victims, while efforts to protect adult victims remained negligible. Officials identified and referred 65 child labor trafficking victims to shelters that provided medical, legal, and psychological care, compared with 15 in 2016. The government did not report identifying any adult trafficking victims, and provided no specific trafficking-related services. The government decreased funding to NGOs that provided shelter and services to victims for the fourth consecutive year, and there continued to be a lack of shelter space to accommodate all trafficking victims. The government continued to fund two NGO-run shelters offering services to orphans and street children vulnerable to trafficking, providing an unknown amount of funding and in-kind support, including funding for social workers, medical support, psychological services, legal assistance, tuition, and food and furniture vouchers. However, the government did not report referring any child trafficking victims to these facilities. Other NGOs assisting trafficking victims relied primarily on donations from churches and private companies to finance their services, and some government workers used personal funds to assist victims. The same services were available for male, female, foreign, and Gabonese victims, including those repatriated from abroad. There were no government or NGO-

run shelters specifically designated for adult victims, although adult victims could potentially access government services for victims of domestic abuse or other forms of violence; however, the government did not report such victims doing so during the year. Some shelters could have provided services to adults and some allowed child trafficking victims to remain after they reached 18 years of age; however, the government did not report referring any adults to such facilities during the reporting period. Officials have the authority to permit adult male victims to leave shelters unchaperoned but not adult female victims, allegedly for their safety.

The Ministry of Family, Social Protection, and National Solidarity, in coordination with foreign embassies, assisted in the repatriation of 42 foreign child trafficking victims. Gabonese authorities reported that a lack of cooperation with source-country governments on funding the repatriation of foreign victims identified in Gabon greatly lengthened the repatriation process; foreign trafficking victims remained in Gabonese shelters on average between six months and three years before repatriation. If victim repatriation was not an option, the Ministry of Social Affairs could provide a victim with immigration relief and resettle them in Gabon, but the government did not report any victims utilizing this legal alternative. The government encouraged victims to cooperate with authorities to provide testimony for the prosecution of alleged traffickers. Prosecutors, police, and magistrates routinely took victims' testimony at the time of the arrest of the suspected traffickers or identification of the victim, an approach that is neither victim-centered, nor considered the most effective. While the government has sought restitution for trafficking victims in the past, it did not report doing so during the reporting period. Victims could file civil suits against their traffickers, but there were no known cases of such action, in part due to lack of knowledge of the option. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of being subjected to trafficking; however, due to negligible effort to identify adult trafficking victims, some victims may have remained unidentified in the law enforcement system.

## PREVENTION

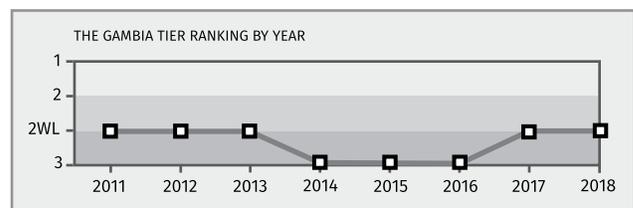
The government decreased prevention efforts. The inter-ministerial child trafficking committee continued to investigate child trafficking offenses, but insufficient funding severely hampered its efforts. The government drafted a five-year action plan to combat child trafficking in 2016, but the government has not validated it. The plan did not include actions to address adult trafficking. Unlike in previous years, the government did not conduct any awareness-raising campaigns to sensitize the public on the dangers of trafficking. Unlike the previous year, the government collaborated with an international organization to prevent trafficking through the training of border officials. The government did not make any discernible efforts to reduce the demand for commercial sex acts or forced labor. The government, with foreign donor support, provided anti-trafficking training to approximately 450 Gabonese troops prior to their deployment abroad on an international peacekeeping mission in the Central African Republic. The government investigated 37 Gabonese peacekeepers who allegedly sexually exploited civilians. In addition to receiving military disciplinary action, the government referred suspects in eight cases to the civilian court system for prosecution. The government did not provide anti-trafficking training for its diplomatic personnel.

## TRAFFICKING PROFILE

As reported over the past five years, Gabon is primarily a destination and transit country for West and Central African men, women, and children subjected to forced labor and sex trafficking and—to a lesser extent—a source country for children subjected to forced labor and sex trafficking. Boys are forced to work as street vendors, mechanics, or in microbus transportation and the fishing sector. Girls are subjected to domestic servitude and forced labor in markets or roadside restaurants. Gabonese children are exploited as market vendors in eastern provinces of the country. West African women are forced into domestic servitude or prostitution in Gabon. Some foreign adults seek the help of smugglers for voluntary labor migration to Gabon but are subsequently subjected to forced labor or prostitution after arriving via plane or boat with falsified documents. Some victims transit Gabon en route to Equatorial Guinea. Traffickers appear to operate in loose, ethnic-based criminal networks, at times involving female traffickers—some of whom are former trafficking victims—in the recruitment and transportation of victims from their countries of origin. In some cases, families willingly give children to intermediaries who fraudulently promise education or terms of employment they ultimately do not provide, instead subjecting the children to forced labor through debt bondage. Some traffickers procure falsified documents for child trafficking victims to make them appear older than 18 years old to avoid prosecution under the child trafficking law. Some traffickers operate outside the capital to avoid detection by law enforcement.

## THE GAMBIA: TIER 2 WATCH LIST

The Government of The Gambia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying and providing services to an increased number of potential trafficking victims, assisting with repatriation of Gambian child trafficking victims exploited abroad, and continuing efforts to prevent child forced begging in Quranic schools. However, the government did not demonstrate increasing efforts compared to the previous reporting period. It did not initiate any trafficking investigations, complete any trafficking prosecutions, or sufficiently fund the National Agency Against Trafficking in Persons (NAATIP), which severely impeded its ability to investigate trafficking reports and implement the anti-trafficking national action plan. Therefore The Gambia remained on Tier 2 Watch List for the second consecutive year.



## RECOMMENDATIONS FOR THE GAMBIA

Adequately fund NAATIP so it can investigate all reported trafficking cases and implement the anti-trafficking national action plan; direct and fund law enforcement to investigate all alleged trafficking cases brought forward by civil society, including cases of child sex tourism; vigorously investigate, prosecute, and convict traffickers, including complicit

government officials; develop and train government officials on standard procedures to identify trafficking victims, including among people in prostitution and other vulnerable groups; train law enforcement, prosecutors, and judges to investigate and prosecute all forms of trafficking using the 2007 Trafficking in Persons Act; raise awareness of child sex trafficking among civil society, including how to report cases; amend the labor law to extend protections to domestic workers; allow trafficking victims to leave shelters at will; and increase funding and training for social workers to provide trafficking victims adequate social services.

## PROSECUTION

The government maintained modest anti-trafficking law enforcement efforts. The 2007 Trafficking in Persons Act, as amended in 2010, criminalized labor and sex trafficking and prescribed penalties of 50 years to life imprisonment and a fine. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government continued investigating five suspects in one labor trafficking case from 2015 and referred two of the suspects for prosecution, but did not initiate any new investigations during the reporting period; this is compared with two case investigations last year, including the case from 2015. The government initiated two labor trafficking prosecutions and did not secure any convictions, although the two prosecutions were ongoing at the end of the reporting period. This is compared with one prosecution and one conviction in the previous reporting period. The five suspects under investigation were accused of fraudulently recruiting 59 Gambian women for forced labor in Lebanon and Kuwait. Despite NGOs referring potential child sex trafficking cases to law enforcement, officials did not investigate any suspects in these cases. With donor funding, NAATIP trained law enforcement on the 2007 act; however, authorities acknowledged law enforcement and judicial personnel continued to lack adequate resources and training to investigate and prosecute trafficking offenses. Official corruption remained a problem. Despite reports of official complicity in human trafficking offenses under the previous administration, the government did not report any investigations, prosecutions, or convictions of former government employees for complicity in human trafficking offenses.

## PROTECTION

The government maintained modest efforts to identify and protect trafficking victims. The government identified and referred at least 91 potential trafficking victims to care, compared with identifying and referring 42 potential trafficking victims to care the previous reporting period. Among the 91 potential victims, law enforcement identified 88 Quranic students from Senegal, Guinea-Bissau, and Sierra Leone living in an abandoned building. The Department of Social Welfare (DSW) and the immigration department repatriated all of the children. The lack of formal identification procedures and screening for trafficking victims remained concerns; while law enforcement would in practice refer minors exploited in commercial sex to DSW for care, officials did not screen adults in prostitution for sex trafficking. Some border control agents had knowledge of trafficking and screened for trafficking among adults traveling with several minors. DSW operated a shelter for trafficking victims, abandoned children, and victims of domestic violence. The Ministry of Health allocated two million dalasi (\$42,550) to the DSW shelter in 2017 and paid the salaries of 38 staff, the same as in 2016. The shelter offered 24-hour services, including

counseling, to children, adults, males, and females; authorities did not allow victims to leave without a chaperone. The shelter could assist Gambian victims who had been exploited abroad after their repatriation, as well as both foreign and domestic victims. DSW also operated a drop-in center for street children. Shelters were concentrated around the capital, leaving some victims in rural areas without access to assistance. Many shelters lacked social workers trained to assist trafficking victims. Gambian authorities assisted with repatriation and family reunification for three Gambian children exploited in other West African countries. At the close of the reporting period, the government was in the process of securing funds to provide vocational training for nine trafficking victims repatriated from Lebanon in 2016.

The 2007 act allowed foreign victims to obtain temporary residence visas for the duration of legal proceedings, but there were no other legal alternatives provided in cases in which foreign trafficking victims removed to their countries of origin may have faced hardship or retribution. Victims could obtain restitution and file civil suits against their traffickers, but there were no reports that any such cases were filed during the reporting period. Although there were no reports that police detained, fined, or jailed trafficking victims for acts committed as a result of being subjected to trafficking, law enforcement did not screen for trafficking when detaining adults in prostitution, among other vulnerable groups, so trafficking victims could have remained unidentified in the law enforcement system.

## PREVENTION

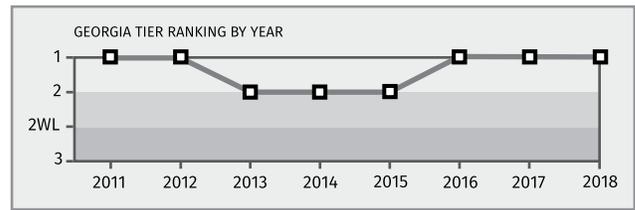
The government maintained uneven prevention efforts. The Ministry of Justice continued to allocate 150,000 dalasi (\$3,190) per month to NAATIP for salaries and administrative costs. Unlike the previous year, however, it did not provide additional funding for implementation of the 2016-2020 anti-trafficking national action plan. NAATIP met quarterly with donors and continued to rely on them for additional support. With funding from international organizations, NAATIP conducted television and radio public sensitization campaigns. The Ministry of Education continued to encourage reputable Quranic school teachers to educate students and not force them to beg by providing monthly cash transfers and food rations to 15 schools that it regularly verified did not employ forced begging. The ministry also provided science, math, and English teachers to broaden the schools' curricula, which benefited an estimated 1,000 children. During the reporting period, DSW created a sixth adolescent neighborhood watch group to monitor urban areas near tourist resorts for possible cases of child abuse or child sexual exploitation. DSW continued to lead and provide transportation allowances to all six groups; however, none of the groups reported identifying child sex trafficking victims or suspected child sex tourists. The government operated a 24-hour trafficking-specific hotline in four languages, but it did not receive any trafficking reports during the reporting period. Despite past reports of women exploited through fraudulent labor recruitment, the government did not have effective policies to regulate foreign labor recruiters or penalize them for fraudulent recruitment. Domestic laborers were not protected under the national labor law, rendering such workers vulnerable to exploitation. The government did not make efforts to reduce the demand for commercial sex acts or forced labor or to reduce the demand for child sex tourism. The government did not report providing training to its diplomatic personnel. The government provided anti-trafficking training to Gambian troops prior to their deployment abroad as part of international peacekeeping missions.

**TRAFFICKING PROFILE**

As reported over the past five years, The Gambia is a source and destination country for women and children subjected to forced labor and sex trafficking. Within The Gambia, women, girls, and—to a lesser extent—boys are subjected to sex trafficking, forced labor in street vending, and domestic servitude. Women and children from West African countries are recruited for commercial sexual exploitation in The Gambia. Poor families may encourage their children to endure such exploitation for financial gain. Reporting from an international organization indicates the number of boys exploited in commercial sex trafficking is growing. The majority of these victims are subjected to sexual exploitation by child sex tourists, primarily from Britain, Germany, Scandinavia, the Netherlands, and Canada. Observers believe organized sex trafficking networks use European and Gambian travel agencies to promote child sex tourism. Sex traffickers increasingly host child sex tourists in private residences outside the commercial tourist areas of Banjul, making the crime harder to detect. Gambian boys attend Quranic schools in The Gambia, Guinea-Bissau, and Senegal, and some corrupt teachers force their students into begging, street vending, and agricultural work. NGOs identified Gambian children in forced labor in neighboring West African countries and Mauritania. Traffickers have allegedly exploited Sierra Leonean children as “cultural dancers” in The Gambia. Gambian women are subjected to forced labor and sex trafficking in the Middle East, including Lebanon and Kuwait. Authorities have identified Gambian trafficking victims in Egypt, UAE, and Finland. During the reporting period, an international organization repatriated at least 1,734 Gambians from Libya, many of whom were vulnerable to trafficking.

**GEORGIA: TIER 1**

The Government of Georgia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Georgia remained on Tier 1. The government demonstrated serious and sustained efforts by updating law enforcement guidelines for victim identification, including on the treatment of victims, screening for indicators at border posts, and victim-centered interview practices. The government identified more victims and continued to provide comprehensive care. During the year, the government created and issued a grant for an NGO to organize awareness-raising activities in 10 cities and separately provided a new allocation to two NGOs to identify and support the reintegration of street children. Although the government meets the minimum standards, victim identification remained inadequate for children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors. As in previous years, the labor inspectorate operated with an unclear mandate, which inhibited inspectors’ ability to effectively investigate employers. No trafficking victims have ever received restitution from their traffickers and observers reported the government lacked public transparency, as it did not provide public assessments of its own anti-trafficking efforts.



**RECOMMENDATIONS FOR GEORGIA**

Improve efforts to proactively identify trafficking victims, particularly street children and Georgian and foreign victims in vulnerable labor sectors; further incorporate the labor inspectorate in anti-trafficking efforts with a clear mandate that establishes roles and responsibilities and enables unannounced inspections of employers; vigorously investigate, prosecute, and convict traffickers under article 143; increase law enforcement capacity to investigate complex cases, including advanced training for money laundering, organized crime, and digital evidence; improve measures to guarantee victims’ access to compensation, including asset seizure, informing victims of their rights to compensation, and legal assistance; increase transparency of the inter-ministerial trafficking coordination council and provide public assessments; fully implement the law that provides street children with free government identification; create interagency strategies for reducing vulnerability and countering forced begging; and target awareness-raising campaigns about the existence of human trafficking, legal recourse, and available protection services to vulnerable groups.

**PROSECUTION**

The government maintained law enforcement efforts. The Law on Combating Trafficking in Persons and article 143 of the criminal code criminalized all forms of trafficking and prescribed penalties ranging from seven to 20 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The law defined trafficking broadly to include illegal adoption without the purpose of exploitation. The government investigated 23 new cases (16 in 2016). The government prosecuted four defendants, all for sex trafficking, compared to one for sex trafficking and one for forced begging in 2016. The government convicted four traffickers (one in 2016); traffickers received sentences between 10 and 13 years imprisonment. In addition, the government extradited two alleged traffickers.

The government maintained several specialized units, including the Anti-Trafficking and Illegal Migration Unit within the Central Criminal Police Department and four mobile groups and task forces under the Ministry of Internal Affairs (MOIA). Observers reported the task force in Adjara was understaffed, faced regular staff turnover, and lacked experienced investigators and female investigators. Experts reported the government continued to develop capabilities to investigate trafficking cases but required additional advanced training for complex cases involving money laundering, organized crime, and digital evidence. The government reported the inability to conduct anti-trafficking efforts within the breakaway territories of Abkhazia and South Ossetia. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. All police cadets received basic training on trafficking issues.

## PROTECTION

The government slightly increased protection efforts. The government identified 12 victims (three victims in 2016); 10 victims of sex trafficking and two victims of forced labor (three sex trafficking victims in 2016); all victims were female in 2016 and 2017; and one was a child. The government updated law enforcement guidelines for victim identification, including the treatment of victims, screening for indicators at border posts, and victim-centered interview practices. Mobile groups and task forces screened 682 individuals working at hotels, bars, nightclubs, and bathhouses for trafficking indicators and another 55 individuals deemed as “high-risk” from working at businesses that violated labor standards. Authorities also screened 3,085 Georgian nationals deported from other countries for trafficking indicators at the international airport and border crossings. A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures for identifying and referring victims to services. Law enforcement officially recognized victims who participated in investigations and the Permanent Group assessed and officially recognized victims who declined to participate in investigations. The Permanent Group comprised a five-member board of non-governmental and international organization representatives and was required by statute to convene and assess a potential victim within 48 hours. An NGO provided initial psychological care and temporary shelter for potential victims awaiting official victim status, but an international organization reported an increase in identified victims would cause delays in the 48-hour identification period and constraints in accommodating potential victims. Observers reported the NRM worked effectively and demonstrated strong cooperation between law enforcement and victim assistance agencies; however, victim identification of children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors remained inadequate.

The government operated two specialized shelters and provided medical aid, psychological counseling, legal assistance, childcare services, reintegration support, and a one-time financial payment of 1,000 lari (\$380) to victims. Child trafficking victims received the same assistance specialized for minors, in addition to custodial care, education, and family reintegration programs. The government allocated 211,600 lari (\$81,070) to the anti-trafficking shelters in Tbilisi and Batumi and other victim assistance programs, compared to 269,220 lari (\$103,150) in 2016. Victims could initially stay at the shelter for three months, which could be extended upon the victim’s request; the government-run shelters accommodated two victims identified in 2017. The government-run shelters staffed a nurse, social worker, lawyer, and psychologist and offered separate sections for men, women, and children. Shelter staff chaperoned victims when leaving the shelter but victims could request to leave the shelter unchaperoned. In addition to equal services for domestic and foreign victims, the government reported foreign trafficking victims were eligible for renewable one-year residence permits with the ability to seek legal employment. The law prohibited penalizing trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking; the government reported no such penalization in 2017. The government provided repatriation assistance to Georgian victims returning to Georgia and foreign victims wishing to leave Georgia; three victims received repatriation assistance to return to their home countries in 2017.

The government reported encouraging victims to assist law enforcement with investigations and prosecutions, although their assistance was not required to receive government

support; eight victims assisted law enforcement (three in 2016). The Prosecutor General’s Office’s Victim-Witness Coordinators provided counsel to victims from the beginning of the investigation through the end of the court proceedings. Observers reported prosecutors and judges applied victim-centered approaches to prevent re-traumatization during trial. The law allowed recorded testimony or testimony by other technological means; the Ministry of Justice (MOJ) reported none of the trials required such measures in 2017. Victims could pursue financial restitution through civil suits but no trafficking victims have ever received restitution from their traffickers. Observers highlighted the failure to freeze and seize criminal assets as an obstacle to pursuing restitution from traffickers.

## PREVENTION

The government increased prevention efforts. The Interagency Council on Combating Trafficking in Persons (TIP Council) monitored implementation of the 2017-2018 national action plan, but observers reported the TIP Council did not provide public assessments and lacked public transparency. In October, the government created and issued a 25,000 lari (\$9,580) grant to an NGO to organize awareness-raising activities in 10 cities. The government continued to disseminate leaflets on various trafficking issues at border crossings, tourism information centers, metro stations, and public service halls throughout the country. Government officials funded and participated in a number of television, radio, and print media programs to raise awareness. The government organized anti-trafficking information meetings in villages and towns, presenting to different target groups, including primary school and university students, minorities, internally displaced persons, and journalists. The government continued to fund an anti-trafficking hotline operated by MOIA and another hotline operated by the State Fund that received calls from trafficking victims. The hotlines received 118 calls in 2017 and led to the identification of one victim.

MOJ provided 54,000 lari (\$20,690) to two NGOs to identify and support the reintegration of street children; the NGOs identified 105 children living on the streets. Authorities provided three street children with government identification, as authorized in a June 2016 law providing free identification documents to street children, which allowed them to receive public assistance, including health and education services for children who are undocumented foreign citizens. MOJ issued 13 temporary identification documents to homeless children, one permanent identity card and five passports to known or suspected trafficking victims. The Law on Labor Migration regulated the operation of labor recruitment agencies; however, the labor inspectorate continued to have an unclear mandate due to a lack of substantive labor laws and unclear authority to conduct unannounced inspections. The labor inspectorate inspected 64 businesses and fined 610 foreign laborer recruiters for failing to provide information on the Georgian citizens assisted to find work outside the country and hosted three meetings with private businesses to explain signs of trafficking, legal consequences, and other forced labor issues. The government did not report efforts to reduce the demand for commercial sex and forced labor. The government provided anti-trafficking training for its diplomatic personnel and its armed forces prior to deployment as peacekeepers.

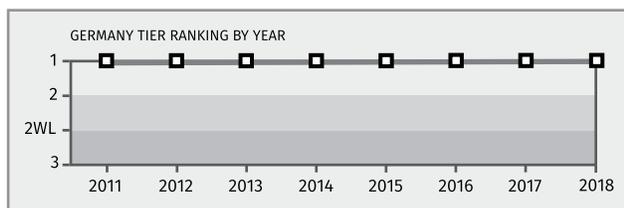
## TRAFFICKING PROFILE

As reported over the past five years, Georgia is a source, transit, and destination country for women and girls subjected to

sex trafficking and men, women, and children subjected to forced labor. Traffickers recruit victims with false promises of well-paying jobs in tea processing plants, hospitals, salons, restaurants, and hotels. The majority of identified trafficking victims are young, foreign women seeking employment. Women and girls from Georgia are subjected to sex trafficking within the country, in Turkey, and, to a lesser extent, in China and the United Arab Emirates. Georgia is also a transit country for women from Kyrgyzstan, Tajikistan, and Uzbekistan exploited in Turkey. Women from Azerbaijan and Central Asia are subjected to forced prostitution in the tourist areas of the Adjara region and larger cities like Tbilisi and Batumi in saunas, brothels, bars, strip clubs, casinos, and hotels. Georgian men and women are subjected to forced labor within Georgia and in Turkey, United Arab Emirates, Egypt, Cyprus, and Iraq. Georgian, Romani, and Kurdish children are subjected to forced begging and 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.

## GERMANY: TIER 1

The Government of Germany fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Germany remained on Tier 1. The government demonstrated serious and sustained efforts by strengthening criminal statutes on trafficking, convicting more labor traffickers, and sentencing some traffickers to longer prison terms. Although the government meets the minimum standards, the high number of suspended sentences for trafficking convictions, with only 30 percent of convicted traffickers in 2016 serving prison time and a high number of convicted labor trafficking perpetrators receiving only fines, undercut efforts to hold traffickers accountable. Approximately half of identified victims did not receive specialized care and NGOs noted inadequate availability of assistance for adult male and child victims, including insufficient accommodation options. Prostitution is legal in Germany and, although the government increased protections for commercial sex workers through laws regulating the prostitution industry, there were limited efforts to reduce the demand for commercial sex.



## RECOMMENDATIONS FOR GERMANY

Sentence convicted traffickers to punishments proportionate to the severity of the crime for both labor and sex trafficking; extend more specialized care and services based on trafficking victims' specific needs, particularly for youth and male victims; increase the number and percentage of victims who receive government-funded services; increase efforts to address labor trafficking through proactive identification of victims and public awareness campaigns on criminal code reforms; increase the capacity of investigators, prosecutors, and courts to minimize

delay in bringing cases to trial; increase cooperation on anti-trafficking standards across the 16 federal states; conduct awareness campaigns targeting beneficiaries of forced labor, and targeting clients of prostitution in order to reduce the demand for commercial sex; develop and implement a strategy to fully implement and enforce the new law regulating the prostitution industry and increasing protections for commercial sex workers; ensure government procurement policy addresses trafficking in supply chains; and implement programs under general OSCE standards and guidelines toward eliminating trafficking in supply chains.

## PROSECUTION

The government maintained law enforcement efforts. The criminal code criminalized sex and labor trafficking under sections 232 and 233, and punishments prescribed range from six months to 10 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Amendments enacted in 2016 went into effect on July 1, 2017, including provisions criminalizing forced begging and other types of coerced criminal behavior and imposing stronger penalties when victims are under age 18. For sex trafficking the law did not require proof of force or coercion to prosecute perpetrators for victims under age 21. The law also imposed criminal penalties for knowingly purchasing sex from a trafficking victim. The complex wording and scope of section 233 reportedly resulted in prosecutors sometimes charging suspected traffickers with offenses considered easier to prove than coercion in labor and sex trafficking.

In 2016, the most recent year for which comprehensive statistics were available, police identified 551 sex and labor traffickers, compared to 597 traffickers in 2015. Of these, courts convicted 72 defendants, compared to 77 convictions in 2015. Courts sentenced 38 defendants to prison terms greater than one year in 2016, although suspended 24 of those sentences where the prison term was less than two years. Within those investigations were 524 suspected sex traffickers, a slight decrease from 573 sex traffickers investigated in 2015; 28 percent of suspects were German citizens. State and federal authorities completed 365 pre-trial sex trafficking investigations in 2016, compared to 364 in 2015. The government prosecuted 90 defendants for sex trafficking in 2016, compared to 89 in 2015. Courts convicted 60 sex traffickers in 2016, compared to 72 in 2015 and 79 in 2014. Government statistics for all crimes in multi-offense cases reported only the longest sentence imposed and, therefore, did not include cases in which a defendant was found guilty of trafficking but received a longer sentence by being convicted for a different offense, which may have lowered the reported number of trafficking offenses. The criminal code allowed suspension of prison sentences under two years, a provision which is commonly used across the spectrum of offenses, and especially for first-time offenders. Convicted traffickers frequently avoided imprisonment and received suspended sentences or fines, which weakened deterrence, undercut efforts of police and prosecutors, and created potential security and safety concerns, particularly for trafficking victims who cooperated with investigations and prosecutions. Of the 60 convictions, 35 received suspended sentences and served no prison time, four received fines, and 21 (or 35 percent) received prison terms, a slight increase in prison sentences that were not suspended compared to 2015. Of 21 defendants sentenced to serve prison time, sentences ranged from nine months to five years, with 12 defendants sentenced to prison terms between two and five years. Of 27 defendants sentenced to prison terms

between one and two years, courts suspended 24 sentences and only three defendants served prison time, all for sex trafficking. In comparison, a higher percentage of defendants convicted of rape in 2016 served prison time (57 percent for rape compared to 35 percent for trafficking), and on average received longer prison terms. In 2017, courts sentenced four traffickers to seven years imprisonment, marking an increase from prison sentences issued in 2015 and 2016, which ranged between two and five years. One of the defendants sentenced to seven years imprisonment was convicted in the highly publicized “Artemis” brothel case in Berlin that followed an investigation involving 900 law enforcement personnel.

For labor trafficking, police identified 27 individuals suspected of labor trafficking in 2016, compared to 24 in both 2015 and 2014. The government investigated 12 cases in 2016, compared to 19 in 2015. Authorities prosecuted 19 labor traffickers in 2016, compared with 12 in 2015. Courts convicted 12 traffickers, compared with five in 2015 and eight in 2014. Three of these traffickers received a suspended sentence, eight received a fine, and only one received a prison term. Of the 72 combined convictions for labor and sex trafficking, 10 were against persons between age 18 and 21, wherein the court is required to consider the maturity level of the offender and then determine whether to apply juvenile or adult criminal law. In 2016, asset seizures from defendants increased significantly. Authorities seized €2.5 million (\$3 million) in assets from suspected traffickers, compared to €512,000 (\$614,650) in 2015. The revised law eased the burden of proof and time limits for asset seizure.

Although sex trafficking cases were frequently led by prosecutors with experience assisting victims through trial processes, labor trafficking cases were mostly assigned to financial, economic, or organized crime sections with less experience with trafficking or victim-centered prosecutions. According to NGOs, the duration of the average criminal investigation for any criminal prosecution remained too long, sometimes years, and police in many jurisdictions lacked sufficient staff to process the workload in a timely manner. The Berlin state-level police added a third specialized human trafficking investigation unit in 2018 in an attempt to address this need. Judges generally could not be compelled to take mandatory training, viewed as infringement of judicial independence. However, many judges and prosecutors continued to participate in the German Judicial Academy’s annual anti-trafficking training which covers the sexual exploitation of women and children in connection with cross-border crime. Officials in various German states, including Lower Saxony, Bavaria, and North-Rhine Westphalia, also organized judicial trainings on trafficking, including emphasis on victim-centered approaches. The Federal Criminal Police organized specialized seminars to educate investigating officers on trafficking. Police academies in various German states had incorporated trafficking courses into their training. Federal and state-level police collaborated with EUROPOL and foreign governments, notably Romania, Bulgaria, and Nigeria, conducting trainings and investigating trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government maintained victim protection efforts. In 2016, the most recent year for which comprehensive statistics were available, authorities identified 536 trafficking victims, an increase from 470 in 2015. In this total, there were 488 sex trafficking victims in 2016, an increase from 416 in 2015.

More than two-thirds of sex trafficking victims were German nationals, followed by Hungarian, Bosnian, and Romanian victims. There was an increase in the number of victims from Africa, mostly Nigeria. Of the sex trafficking investigations concluded in 2016, police initiated 60 percent of the cases, mostly from third party tips, while victims initiated contact in the remaining 40 percent of cases. For labor trafficking, the government identified 48 victims in 2016, compared to 54 in 2015, with one-fourth in the construction sector. The majority of these victims (25) came from Ukraine, following a major investigation spanning five German states. The Federal Agency for Migration and Refugees (BAMF) continued measures to identify potential victims in the asylum protection system and made referrals to counseling centers. Each of the 50 BAMF offices across the country included at least one representative to assist in identifying and supporting potential victims of trafficking.

The government-funded services through the government-funded NGO Network Against Trafficking in Human Beings (KOK), also charged with coordinating and overseeing victim support efforts. The government mandated counseling centers, operated by NGOs, to provide services to both labor and sex trafficking victims, although many provided such services only to female sex trafficking victims. NGOs operated centers in 45 cities, providing or facilitating shelter, medical and psychological care, legal assistance, vocational support, and other services. Trade union-affiliated and migrant counseling centers coordinated with trafficking NGOs to offer some support to labor trafficking victims. There was limited comprehensive or long-term support available across the centers for children and male trafficking victims. Some counseling centers focused on male victims in their programming, although no designated accommodations were available for them. An October study by KOK noted that for all groups there remained challenges providing adequate accommodation. Government funding for the KOK’s management operations was €343,000 (\$411,760) for 2017, an increase from €316,000 (\$379,350) in 2016. Funding for actual services to trafficking victims and survivors came from state governments and private contributions, and no national total was available. For example, the Bavarian government provided €563,000 (\$675,870) in 2016 for victim support, and North-Rhine-Westphalia funded €1 million (\$1.2 million) for eight counseling centers. Government-funded counseling centers or youth welfare organizations together provided assistance to approximately 34 percent of victims identified, while 55 percent did not receive specialized care, and there was no information on the remaining 11 percent of victims.

The government offered undocumented victims a reflection period of three months to decide if they would testify in court, although in some jurisdictions such as Berlin, the period was routinely extended to six months. Victims who agreed to testify were allowed to remain and work in Germany beyond the reflection period, which was limited to the duration of the trial. Victims who faced injury or threats to life or freedom in their countries of origin or in cases of humanitarian hardship could apply for residence permits. Family members were eligible for residency in certain circumstances. State interior ministries circulated instructions on completing an application for humanitarian residence permits for victims, and NGOs confirmed the application system seemed to work in practice. The law entitled victims to an interpreter and a third-party representative from a counseling center to accompany them to all interviews. The law also exempted trafficking victims from criminal prosecution for minor crimes committed during the course of their trafficking. Subject to certain requirements, victims could join criminal trials as joint plaintiffs, and were

entitled to free legal counsel and pursuit of civil remedies; however, victims often had difficulty obtaining compensation in practice. Under law revised in 2017, a court could award compensation and damages as part of the criminal proceeding without a separate civil action.

## PREVENTION

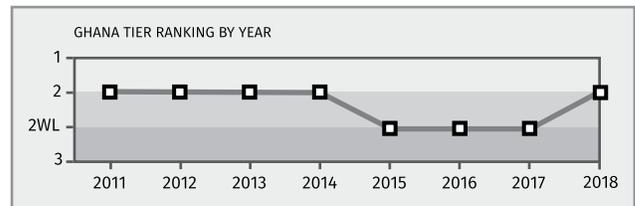
The government maintained efforts to prevent trafficking. Germany had no formal national action plan as recommended by GRETA; however, three distinct federal-state working groups (Labor Trafficking, Sex Trafficking, Exploitation of Children and Trafficking) met several times during the year and disseminated best practices, provided input and evaluation on the government's efforts, and collaborated with anti-trafficking coordination bodies at state and local levels. Officials noted anti-trafficking strategies were developed at the state level and then coordinated between states. Working with NGOs, the government co-funded and implemented various public awareness campaigns, including media and film production, poster contests and exhibitions, and brochures on identifying labor trafficking. The government, in cooperation with an NGO, continued to hold informational events for domestic workers on their rights. Authorities also conducted annual in-person interviews with domestic workers employed by embassies in Berlin without the presence of their employers. The government continued to fund a hotline in 17 languages for women affected by violence that received more than 100 calls from potential trafficking victims in 2016. The revised law required registration of those involved in the legal commercial sex industry and background checks on brothel management employees. However, the government did not make significant efforts to reduce the demand for commercial sex or forced labor. The government-funded bilateral and EU anti-trafficking programs in source countries in 2017, notably in Nigeria and Burkina Faso. The Labor, Economic, and Development Ministries collaborated on programs to comply with OSCE guidelines on trafficking in supply chains. The government did not provide anti-trafficking training for its diplomatic personnel, but did so for troops prior to deployment on international peacekeeping missions.

## TRAFFICKING PROFILE

As reported over the past five years, Germany is a source, transit, and destination country for women, children, and men subjected to sex and labor trafficking. Most identified sex trafficking victims in Germany are EU citizens, primarily Bulgarians, Romanians, and Germans, although victims also come from most other regions of the world, particularly China, Nigeria, and other parts of Africa. Labor trafficking victims are predominantly European, including Ukrainians, Bulgarians, Poles, and Romanians, as well as Afghans, Pakistanis, and Vietnamese. Traffickers exploit victims of forced labor at construction sites, hotels, meat processing plants, seasonal industries, restaurants, and as caregivers in private homes. Roma and foreign unaccompanied minors were particularly vulnerable to trafficking, including forced begging and coerced criminal behavior. The large influx of migrants during the 2015 and 2016 refugee crises, and a continuing flow of irregular migrants northward from Mediterranean crossings, continue to strain government resources at all levels and among agencies responsible for combating trafficking. Several foreign governments also reported German citizens engaged in sex tourism abroad.

## GHANA: TIER 2

The Government of Ghana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Ghana was upgraded to Tier 2. The government demonstrated increasing efforts by validating and implementing the national anti-trafficking action plan and expending funds allocated for the plan; prosecuting and convicting labor and sex traffickers under the Human Trafficking Act; increasing interagency cooperation in efforts to remove child victims from trafficking situations; adopting systematic procedures for identifying and referring trafficking victims for services; and conducting and providing support for anti-trafficking public awareness activities. However, the government did not meet the minimum standards in several key areas. The government did not adequately address corruption and political interference in trafficking investigations and prosecutions or convene the inter-ministerial board responsible for anti-trafficking policy and administration of the human trafficking fund. The lack of sufficient resources for effective investigation and evidence collection and the shortage of state attorneys hindered prosecutions, and the courts failed to hold some convicted traffickers accountable with sentences strong enough to deter the crime. The limited availability of shelter spaces for children and the absence of any shelter for adult victims severely hampered the government's ability to protect and provide services to identified victims and impeded some officials from taking action to remove potential victims from trafficking situations.



## RECOMMENDATIONS FOR GHANA

Provide increased resources to enable police and immigration service investigators, in cooperation with social welfare workers, to respond in a timely way to reports of suspected sex or labor trafficking, gather and preserve evidence effectively, and protect potential victims; increase efforts to address corruption and other interference that impede the investigation and prosecution of trafficking crimes; provide increased resources to support comprehensive trauma-informed care and reintegration services for adult and child trafficking victims in government-operated shelters; develop and provide specialized services for child and adult victims of sex trafficking; increase efforts to ensure attorney general prosecutors review human trafficking case dockets with investigators and lead the prosecution of human trafficking cases; hold traffickers accountable through prosecution and conviction under the anti-trafficking act and sentencing that is strong enough to deter others from committing these crimes; amend the 2015 implementing regulations for the 2005 Ghana Anti-Trafficking Act to remove the option of a fine in lieu of imprisonment in cases where the trafficker is a parent or guardian of the child victim; implement standard operating procedures (SOPs) for law enforcement, social welfare personnel, and labor inspectors throughout Ghana to proactively identify trafficking victims and refer them to protective services; increase efforts to identify and assist Ghanaian migrant workers who are in trafficking situations

in other countries and investigate and prosecute recruitment agents and others suspected of participating in their trafficking; continue to implement the national plan of action against trafficking with dedicated resources, including administration of the human trafficking fund to expand victim services; provide advanced training to law enforcement on evidence collection in trafficking cases and to prosecutors and judges on pursuing cases under the anti-trafficking act; and implement systematic nationwide collection and reporting of data on investigations, prosecutions, victims identified by enforcement and protection agencies, and assistance provided.

## PROSECUTION

The government increased its anti-trafficking law enforcement efforts. The 2005 Human Trafficking Act, amended in 2009, criminalized sex and labor trafficking. The Human Trafficking Act prescribed penalties of a minimum of five years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. However, the 2015 regulations for this Act provide specific guidance on sentencing depending on the circumstances; in general the term is not less than five years and not more than 25 years, but if a parent, guardian or other person with parental responsibilities facilitates or engages in trafficking, they are liable to a fine, a term of imprisonment of not less than five years and not more than 10 years, or both. By allowing for a fine in lieu of imprisonment, these prescribed punishments are not commensurate with those for other serious crimes, such as rape.

The government reported initiating 113 total investigations into suspected human trafficking during calendar year 2017, compared to 138 investigations in 2016. Of the 113, the Ghana Police Service (GPS) Anti-Human Trafficking Unit (AHTU) reported conducting 91 investigations of potential trafficking crimes, compared with 118 investigations in 2016. Of these 74 were labor trafficking investigations, most of which were trafficking within Ghana, and 17 were sex trafficking investigations, all of which involved cross border trafficking. The Ghana Immigration Service (GIS) reported investigating 22 suspected trafficking cases compared with 20 cases in 2016; of these, 18 were labor trafficking cases and four were sex trafficking. The government reported investigating five recruitment agents for suspected human trafficking during the reporting period, compared to three in 2016. As in past years, the government did not prosecute or convict any recruitment agents for fraudulent offers of employment and/or excessive fees for migration or job placement in 2017. The government reported initiating 29 prosecutions against 56 alleged traffickers, compared to 11 prosecutions involving 11 defendants in 2016. The government prosecuted 46 defendants for alleged labor trafficking and 10 defendants for alleged sex trafficking. The government prosecutions included 26 by the GPS involving 52 defendants, compared to eight GPS prosecutions in 2016. The GIS initiated prosecutions against three suspected traffickers, one allegedly involved in child labor trafficking and two allegedly involved in sex trafficking, under the Immigration Act due to insufficient evidence to proceed with trafficking charges, compared to three defendants prosecuted by the GIS in the prior year. The GIS also continued prosecuting one alleged labor trafficker charged in 2016. The government reported a state attorney initiated prosecution of one alleged trafficker in high court and a state attorney continued a 2014-initiated prosecution of an Egyptian national and a Ghanaian conspirator for suspected illegal labor recruitment and human trafficking. The GPS also transferred three suspected traffickers to Nigerian authorities after the court

case was delayed due to the judge's illness and the lack of shelter. The government did not provide information on prosecutions initiated in prior years, which were stalled reportedly due to a lack of evidence, reluctance of victims to testify, or inability to locate the defendant. In 2017, the government convicted six traffickers, all of them prosecuted by the GPS under the anti-trafficking act; this compares to zero convictions under the anti-trafficking act and seven convictions for suspected trafficking offenses under other statutes that resulted in lesser penalties in 2016. The GIS convicted three individuals for immigration violations such as possessing false documents and deceiving public officials; these cases which were initially reported as suspected labor trafficking and sex trafficking crimes. Sentences imposed for the trafficking act convictions varied by the court hearing the case and ranged from six months imprisonment with a fine and victim restitution to five years imprisonment. A circuit court sentenced two traffickers convicted of forced labor to imprisonment of five years; a district court sentenced two traffickers convicted of forced labor to imprisonment of one year; and a circuit court sentenced two traffickers convicted of sex trafficking to six months imprisonment and payment of 10,000 cedis (\$2,210) in restitution to the victims and a fine of 3,600 cedis (\$800) or, if in default, a sentence of three years imprisonment. The district courts sentenced three individuals convicted of immigration act violations to fines of 600 to 1,200 cedis (\$130 to \$270). The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, officials acknowledged, and NGOs and other organizations continued to report, general corruption within the police and judicial system as well as political interference with police investigations and prosecutions of suspected human trafficking as ongoing concerns.

Throughout the year, the GPS and GIS personnel reported a lack of adequate facilities, operating funds for logistics and investigative equipment, as well as appropriate shelter facilities for identified victims, which hampered or delayed investigative operations to remove potential victims from exploitative situations. State attorneys declined to prosecute several suspected trafficking cases due to inadequate evidence collection by police. While the Attorney General's (AG) Department continued to report a shortage of prosecutors, police prosecutors, who lack formal legal training and whose actions in cases are limited by procedural rules not applicable to state attorneys, initiated all but one of the trafficking prosecutions. The government supported introductory anti-trafficking training for 313 GIS recruits and 54 cadets, as well as a refresher course for 107 officers at the GIS training school; and provided in-kind support for numerous donor-funded training programs for hundreds of investigators, prosecutors, judges, social service personnel, labor officers, and journalists during the reporting period.

## PROTECTION

The government increased efforts to identify and assist victims. The government reported identifying 579 potential victims of trafficking compared to 163 potential victims identified during the previous year. The GPS reported identifying 339 potential victims compared with 121 potential victims in 2016. Of these, 310 were potential victims of labor trafficking, most of whom were boys and many of whom were intercepted while being transported in groups within Ghana; 29 females were identified in suspected sex trafficking cases, nearly all of whom were adults. The GIS identified 215 females as potential trafficking victims compared with 42 in 2016. Of these, 203 were potential victims of labor trafficking and 12 were potential

victims of sex trafficking; nearly all of these potential victims were adults and many were intercepted while in transit to overseas employment. The Ministry of Gender, Children and Social Protection (MOGCSP) and the Department of Social Welfare (DSW) reported identifying 25 potential victims of labor trafficking, nearly all of whom were boys. Of the victims identified by the GPS and GIS, 32 were foreign national victims of labor or sex trafficking in Ghana, including 23 Nigerian sex trafficking victims. Ghanaian law enforcement collaborated with Nigerians residing in Ghana and the Nigerian foreign ministry and anti-trafficking authorities on the repatriation of the Nigerian citizens. In addition, the Ministry of Foreign Affairs and Regional Integration (MFARI), MOGCSP, GIS, and GPS cooperated in facilitating the repatriation of approximately 35 Ghanaian trafficking victims identified abroad, primarily in Middle East, by liaising with the victims' families, international organizations, and the government in the destination countries. Private citizens and international organizations continued to take primary responsibility for funding the return of Ghanaians exploited in trafficking situations abroad.

The government reported providing counseling and referring 560 of the 579 potential victims of trafficking for care during the reporting period; however, the government did not provide details about the care for most victims. With the combined support of the Human Trafficking Secretariat and GPS totaling 13,200 cedis (\$2,920), DSW provided short-term care for 31 child victims of trafficking in a shelter for abused children in Osu, where they received psycho-social and educational services. This shelter lacks security and is co-located with a girls correctional facility and a juvenile pre-trial detention facility with no structural barrier protecting the victims from criminal offenders. The government also provided a total of 22,600 cedis (\$5,000) to three NGOs to support shelter and care for 95 child victims of trafficking and two adult female victims and their children. GIS provided 97,930 cedis (\$21,670) to support the protection of adult victims. The government also reported it allocated 22,200 cedis (\$4,910) to a children's shelter operation fund and 30,000 cedis (\$6,640) for future operation of a shelter for adults that was under renovation in 2017. The government continued to rely on private facilities operated by NGOs and faith-based organizations to provide the care and treatment for most child trafficking victims in Ghana, for which it did not provide support. Working in cooperation with an international organization, the government contributed to the renovation of the only government shelter previously dedicated for child trafficking victims, but the facility remained closed due to incomplete renovations and pending approval of a memorandum of understanding between the MOGCSP and the donor organization outlining the government's support for the shelter's operations. Nonetheless, the overall shelter capacity for child labor trafficking victims was limited and most shelters did not provide services for child sex trafficking victims, which hampered efforts to remove potential child trafficking victims from exploitative situations. The absence of any shelter for adult victims of trafficking severely hampered the government's ability to provide services to adults. For immediate protection in some cases the government supported ad hoc shelter in safe houses for adult female victims and in two cases provided shelter for two female victims and their children in a shelter for children; no services were provided for adult male victims of trafficking. The MOGCSP established a toll free hotline in mid-December to facilitate access to social welfare programs, including services for human trafficking victims; it reported receiving 30 calls, one of which was referred to the GPS AHTU.

NGOs reported improved cooperation with national, regional,

and local government officials in response to NGO reports of suspected child trafficking and during law enforcement-led operations that were coordinated with the navy, marine police, and local social welfare workers, who were responsible for screening victims, securing care orders through the district courts, and arranging placement for child victims. The government collaborated with an international organization and NGOs to finalize and begin implementation of SOPs for screening, identifying, and referring victims during the reporting period. Ghanaian law permits victims of trafficking to pursue restitution by filing a civil suit. The government did not report any such suits or whether the traffickers ordered to pay restitution to two victims complied with the order. 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 that officials fined, detained, or penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking; due to the lack of full implementation of formal victim identification procedures, however, some victims may have remained unidentified in the law enforcement system.

## PREVENTION

The government increased anti-trafficking prevention efforts. With input from stakeholders and support from an international organization as well as its own resources, the government finalized, validated, and began implementation of its National Plan of Action for the Elimination of Human Trafficking in Ghana, 2017-2021 (NPA), which includes activities under four objectives aligned with the "4P" paradigm of prosecution, protection, prevention, and partnership. Of the approximately 1.5 million cedis (\$331,860) allocated for implementation of the plan in 2017, the government released 730,000 cedis (\$161,500) in 2017, and expended 150,000 cedis (\$33,190) to disseminate the NPA and support numerous human trafficking public awareness activities at the national, regional, district, and community levels. The government deposited 500,000 cedis (\$110,620) into the human trafficking fund. Expenditure of these funds awaited inauguration of the Human Trafficking Management Board (HTMB), the inter-ministerial committee mandated to meet at least quarterly, administer the fund, advise the MOGCSP on anti-trafficking policy, promote prevention efforts, and facilitate the protection and reintegration of trafficking victims. The HTMB, dissolved in January due to the change in government, did not meet in 2017. The Human Trafficking Secretariat lacked sufficient personnel and government funds to fulfill its mandate to conduct monitoring and evaluation, data collection, and research related to trafficking. With donor support, government representatives of the Human Trafficking Secretariat, GPS, GIS, DSW, and state attorneys worked collaboratively with an international organization to develop systematic data collection methods to compile and report governmental anti-trafficking activities; however, the new methods were not implemented. The local government authorities in 32 communities in three regions partnered with an NGO to conduct community-level training on child trafficking prevention and identification and appropriate care for child trafficking victims.

In response to continued reports of sex and labor trafficking, as well as serious physical abuse of Ghanaian women recruited for domestic work and hospitality jobs in the Middle East, in June the Minister of Employment and Labor Relations banned the issuance of work permits for jobs in the Middle East, and subsequently formed a cabinet-level committee with MFARI,

Ministry of the Interior, and MOGCSP to examine recruitment processes. Since the ban, the GIS, which was responsible for examining exit permits issued by the Labor Department before a Ghanaian worker departed the country for foreign employment, reported an increase in Ghanaian workers' use of land borders to access airports outside of Ghana in order to fly to the Middle East. With foreign donor support, the government collaborated with an international organization to train recruitment agencies to identify emigrants vulnerable to trafficking and conduct a session on safe migration in the Brong Ahafo region. The government negotiated a bilateral agreement with the Government of Qatar that is under review by the AG. The government did not report on its efforts to implement the labor recruitment agreement signed with Jordan in 2016. Ghana also signed a cooperation agreement with other West African countries on the fight against child trafficking and the worst forms of child labor in the cocoa sector. 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 report providing anti-trafficking training for its diplomatic personnel.

### TRAFFICKING PROFILE

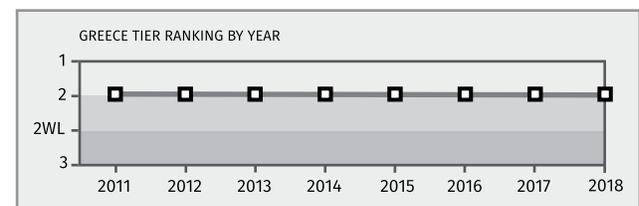
As reported over the past five years, Ghana is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Ghanaian boys and girls are subjected to forced labor within the country in fishing, domestic service, street hawking, begging, portering, artisanal gold mining, quarrying, herding, and agriculture, including cocoa. Donor-funded research focused on the fishing industry on Lake Volta indicated that more than half of the children working on and around the lake were born in other communities and many of these children are subjected to forced labor; not allowed to attend school; given inadequate housing and clothing; and are controlled by fishermen through intimidation, violence, and limiting access to food. Boys as young as five years old are forced to work in hazardous conditions, including deep diving, and many suffer waterborne infections; girls perform work on shore such as cooking, cleaning fish, and preparing fish for market, and are vulnerable to sexual abuse. A study of the prevalence of child trafficking in selected communities in the Volta and Central Regions indicated that children from nearly one-third of the 1,621 households surveyed had been subjected to trafficking, primarily in fishing and domestic servitude. Child trafficking in the fishing industry is often facilitated by parents who receive a payment and organized traffickers who target vulnerable communities; girls exploited in domestic servitude are often sent via relatives or middlemen to work in harsh conditions. Boys aged 13-16 years who finished primary school in northern areas of Ghana are vulnerable to forced labor in agriculture, including in cocoa-growing areas; their transit is often facilitated by middlemen or relatives. Children living in northern regions sent by their parents to work in the south during the dry season are vulnerable to forced labor in agriculture and other sectors. Ghanaian girls, and to a lesser extent boys, are subjected to sex trafficking in urban areas across Ghana. Though reports are declining, some Ghanaian girls are subjected to forced servitude as part of a ritual to atone for sins of a family member. Ghanaian girls and young women from the rural northern regions move to urban centers throughout Ghana to seek work as porters; they are at risk for sex trafficking and forced labor.

Ghanaian women and children are recruited and sent to the Middle East, West Africa, and Europe for forced labor and

sex trafficking. Unscrupulous agencies arrange transport of Ghanaians seeking employment in Europe through neighboring African countries, where they are subjected to sexual exploitation and held involuntarily by traffickers who extort funds from the victims. Recruiters entice Ghanaian women and girls with offers of good paying jobs in domestic service or the hospitality industry in countries in the Middle East and attempt to circumvent the ban on recruitment for such jobs by arranging travel across land borders to access airports for flights to the region. After their return, many of them report being deceived, overworked, starved, abused, molested, and/or forced into prostitution. Ghanaian men are also recruited under false pretenses to go to the Middle East, where they are subjected to forced labor and forced prostitution. In recent years, a few Ghanaian men and women were identified as victims of forced labor in the United States. Nigerian women and girls who are lured to Ghana by the promise of a good job are coerced into prostitution to pay exorbitant debts for transportation and lodging. Some Ghanaian and Nigerian labor migrants are coerced into prostitution by traffickers who demand more money for transit and document costs. Children from West African countries are subjected to forced labor in Ghana in agriculture or domestic service. Ghana is a transit point for West Africans subjected to sex trafficking in Europe, especially Italy and Germany. Corruption and bribery in the judicial system hinder anti-trafficking measures.

## GREECE: TIER 2

The Government of Greece does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Greece remained on Tier 2. The government demonstrated increasing efforts by establishing formal procedures for the national referral mechanism, and investigating and convicting more traffickers. However, the government did not meet the minimum standards in several key areas. The government lacked proactive identification efforts, particularly for forced labor and unaccompanied children, and specialized support for victims remained inadequate or inaccessible. Court proceedings often lasted two to six years and lacked victim-centered approaches, hindering cooperation from victims and key witnesses.



### RECOMMENDATIONS FOR GREECE

Increase proactive identification efforts for victims of forced labor and victims among vulnerable populations and refer them to specialized services; strengthen specialized services including shelter and psycho-social support for all victims, including children, adult males, and victims in rural areas; vigorously investigate, prosecute, and convict traffickers, including officials complicit in trafficking; decrease the length of court proceedings for trafficking cases; develop policies for victim-centered prosecutions and implement witness protection provisions already incorporated into law to encourage

victims' participation in investigations and prosecutions; take concrete steps to expedite the victim identification process and consistently include psychologists and social workers; provide training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions, particularly in rural areas and for non-specialized staff; train first responders on victim identification and the national referral mechanism; standardize data collection and produce accurate data on anti-trafficking efforts; consistently inform victims of their right to compensation; and draft a national action plan for combating trafficking.

## PROSECUTION

The government increased law enforcement efforts. Article 323A and article 351 of the criminal code criminalized sex and labor trafficking and prescribed penalties of up to 10 years imprisonment and a fine between €10,000 (\$12,000) to €50,000 (\$60,020). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Police investigated 21 cases with 147 suspects (25 cases with 97 suspects in 2016), 20 cases of sex trafficking and one case of forced labor (18 sex trafficking cases and seven forced labor cases in 2016). The government prosecuted 26 defendants (32 defendants in 2016), 21 defendants for sex trafficking and five defendants for forced labor (25 for sex trafficking and seven for forced labor in 2016). Courts convicted 37 traffickers in 26 cases (11 traffickers in eight cases in 2016), 35 for sex trafficking and two for forced labor (10 for sex trafficking and one for forced labor in 2016). Of the 33 convictions for which the government provided sentencing data, 31 received prison sentences of more than 18 months. Eleven sex traffickers received prison sentences between 18 months and nine years with fines ranging between €1,000 (\$1,200) to €50,000 (\$60,020). Nineteen sex traffickers received prison sentences between 10 years and 20 years with fines ranging between €25,000 (\$30,010) and €71,300 (\$85,590). One labor trafficker received four months imprisonment and another received 10 years with a fine of €50,000 (\$60,020). The government sentenced one trafficker to community-based rehabilitation and could not provide sentencing data for four traffickers. Courts also issued six convictions at the second instance (one in 2016); sentences ranged from three years and a small fine to six years and €10,000 (\$12,000).

The Hellenic Police Unit maintained an Anti-Trafficking Unit (ATU) within the Organized Crime Division composed of two units with 37 officers in Athens and 10 officers in Thessaloniki that investigated trafficking and vice crimes and 12 smaller units across municipalities that investigated trafficking and organized crime. ATU officers conducted joint inspections with labor inspectors on 206 companies and regularly inspected brothels, bars, and massage parlors. However, observers reported the 12 smaller units often consisted of one appointed officer to handle trafficking cases among many other duties and lacked the resources and staff to conduct proactive investigations. NGOs continued to report good cooperation with law enforcement and excellent cooperation with ATU. The government maintained two specialized public prosecutors in Athens; one attached to the first instance court and the other to the appeals court. The government trained front-line officers on trafficking issues, but observers reported non-specialized law enforcement and government officials, particularly in rural areas, lacked an understanding of trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking; still, corruption and official complicity in trafficking crimes remained concerns. Observers

reported traffickers likely bribed state certified interpreters to alter the content of victim statements or influence their testimony. In 2016, the government prosecuted two police officers involved in an organized criminal group that sexually exploited women. The government extradited four suspected traffickers in 2017 (three to Switzerland in 2016) and prepared extradition for two individuals. The government shared information with 14 European countries on trafficking cases.

## PROTECTION

The government maintained victim protection efforts. The government identified 38 victims (46 in 2016); 35 victims were subjected to sex trafficking and three to forced begging (26 to sex trafficking, nine to forced labor, and eleven to forced begging in 2016); 24 were adults and 14 were children (30 adults and 16 children in 2016); 34 were female and four male (30 females and 16 males in 2016); and four victims were Greek and 34 were foreign citizens (11 Greeks and 35 foreign citizens in 2016). Statistics included some, but not all, potential victims identified by non-law enforcement entities. First responders followed standard operating procedures for identifying victims. The government, separately and in cooperation with international organizations and NGOs, trained law enforcement, immigration officers, social service workers, labor inspectors, airport staff, and health workers on victim identification. The government reported increased identification efforts targeting migrants and asylum-seekers and slightly improved interagency coordination at migrant reception centers; authorities identified three potential victims in reception centers. However, observers continued to report some cases of inadequate or hasty screening procedures and vulnerability assessments at migrant entry points and camps. ATU and civil society conducted proactive identification efforts, but most government efforts were reactive and identification resulted only from victims self-identifying. GRETA reported a lack of identification efforts for victims of forced labor, particularly in the agriculture sector, cleaning and domestic service, and the tourism industry. Proactive identification among vulnerable unaccompanied children also remained inadequate, including for forced begging and forced criminality. The law mandated public prosecutors to officially recognize victims based on information collected by law enforcement, or a psychologist and a social worker if a victim did not want to cooperate with law enforcement; public prosecutors officially certified all 38 identified victims in 2017 (four in 2016). Official victim status entitled foreign victims to a renewable one-year residence and work permit, but potential victims without this status had access to equal support and assistance; public prosecutors officially certified 38 victims (four in 2016). Observers reported the government did not consistently use psychologists and social workers for identification procedures and procedures often took six to 12 months for victims to receive official status. Observers also reported the government did not recognize potential victims who were exploited abroad but identified in Greece, creating obstacles in accessing support entitled by law.

The government maintained a national referral mechanism and, in 2017, created and disseminated a manual for identification procedures and standard referral forms. The government also held regular working group meetings to further define roles and responsibilities among law enforcement, government agencies, and NGOs; the labor inspectorate appointed five staff members to participate in the working groups. NGO-run support services reported improved cooperation and increased referrals from law enforcement, but some police officers remained reluctant to refer victims to NGO-run support services. The government,

in cooperation with NGOs, provided shelter, psycho-social support, medical care, legal aid, and reintegration support. The government was unable to determine how much funding was spent on victim protection and did not allocate funding to civil society. The government maintained a cooperation agreement with three NGOs to house, protect, and assist vulnerable women and children, including trafficking victims, and allocated three buildings to use as shelters. Observers reported a lack of specialized shelters for trafficking victims; only one NGO-run shelter provided shelter specifically for female trafficking victims. The government provided shelter and general support services to trafficking victims through two agencies: the General Secretariat for Gender Equality operated 19 shelters and 40 counseling centers for female victims of violence and the National Social Solidarity Center operated two long-term shelters, an emergency shelter, and two Social Support Centers for vulnerable populations in need of assistance. Victims in rural areas had little access to support services and were often accommodated in police stations, hospital wards, or received no assistance. Male victims could be accommodated in an NGO-run shelter for sexually exploited men or short-term government shelters for asylum-seekers or homeless persons. Government-run shelters, NGO-run shelters, and facilities for unaccompanied minors accommodated child victims but did not provide specialized support. Observers reported overcrowded facilities for child victims and GRETA reported authorities held unaccompanied children in police cells up to several months due to a lack of shelters. Victims who did not apply for official recognition could receive a residence and work permit by applying for asylum on humanitarian grounds; the government issued 15 residence permits (23 in 2016). Observers reported the process to receive residence permits took time, but the government granted victims a temporary document that prevented deportation or detention.

The government may have deported, detained, or restricted freedom of movement of some trafficking victims due to inadequate identification efforts. Experts reported a lack of victim-centered approaches, including cases of law enforcement conducting interviews described by victims as interrogations. There were also reports of authorities not adequately informing victims about court proceedings and lacking interpretation services for foreign victims. Court proceedings often lasted two to six years, which hindered cooperation from victims and key witnesses. The government did not provide funding for travel and other expenses for victims to attend court hearings and observers reported traffickers might have paid bribes to repatriated trafficking victims to preclude them from testifying. The law entitled victims to mental health professionals during court proceedings and the use of audiovisual technology for remote testimony, but many courts lacked the capabilities to deploy these resources and many judges continued to require victims to appear in front of their trafficker in court, causing re-traumatization. Observers reported judges lacked sensitivity and an understanding of the impact of psychological trauma on victims' ability to consistently and clearly relate the circumstances of their exploitation and inappropriately dismissed as unreliable victim testimony. The law provided for witness protection and non-disclosure of the witness' personal information; however, observers reported no trafficking victims had received full witness protection privileges to date and courts sometimes revealed victims' identities during proceedings. The law entitled victims to file civil suits against traffickers for compensation but no victims to date had received compensation or received restitution from their traffickers. The government reported trafficking victims had never applied for compensation.

## PREVENTION

The government increased efforts to prevent trafficking. The Office of the National Rapporteur on Human Trafficking (ONRHT) continued to coordinate government wide anti-trafficking efforts despite lacking sufficient resources. The government monitored anti-trafficking efforts but did not have a national action plan and did not make assessments publicly available. ONRHT continued the development of a national database for trafficking statistics. ONRHT organized and funded its third national two-day anti-trafficking awareness festival and signed a memorandum of cooperation with a network of businesses to promote forced labor free supply chains through awareness raising activities. The government held awareness raising events for public transportation staff and passengers and provided airtime for free public service announcements for NGOs and government agencies on trafficking issues. In March 2017, the European Court of Human Rights ruled that Greece failed to protect 42 Bangladeshi victims on a strawberry farm near the town of Manolada in a forced labor case in 2013. The court ordered Greece to pay each of the applicants who had participated in the proceedings between €16,360 and €20,360 (\$19,640 and \$24,440). The government continued efforts to reduce the demand for commercial sex and forced labor.

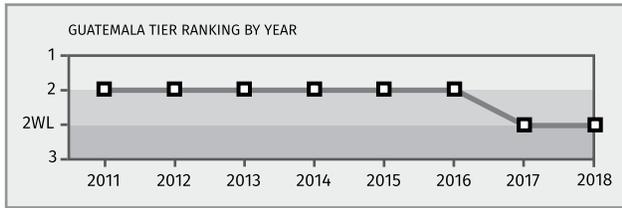
## TRAFFICKING PROFILE

As reported over the past five years, Greece is a destination, transit, and, to a 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, Russia, Nigeria, and China are subjected to sex trafficking in unlicensed brothels, on the street, in strip clubs, in massage salons, and in hotels. Victims of forced labor in Greece are primarily children and men from Eastern Europe, South Asia, and Africa. Migrant workers from Bangladesh, Pakistan, and Afghanistan are susceptible to debt bondage, reportedly in agriculture. 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. Unaccompanied children, primarily from Afghanistan, engage in survival sex and are vulnerable to trafficking. Recruiters target migrants in refugee camps from their own countries. Most migrants and asylum-seekers are believed to rely on smugglers at some point during their journey and in some instances are forced into exploitation upon arrival in Greece.

## GUATEMALA: TIER 2 WATCH LIST

The Government of Guatemala does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by developing its national anti-trafficking action plan for 2018-2022, prosecuting and convicting more traffickers, opening a new regional anti-trafficking unit, and publishing its victim protection protocol in several Mayan dialects. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government identified fewer trafficking victims for the second consecutive year; did not address underlying problems in the nation's shelters providing

for children, including trafficking victims; and specialized victim services remained inadequate given the scope of the problem and lack of services for adult victims. Corruption and complicity remained significant concerns, inhibiting law enforcement action. Therefore Guatemala remained on Tier 2 Watch List for the second consecutive year.



**RECOMMENDATIONS FOR GUATEMALA**

Review shelter standards and operations in shelters providing for child trafficking victims nationwide and address overcrowding, abuse, and neglect; investigate and hold government officials criminally accountable for complicity in trafficking; improve access to and quality of specialized services for adult victims; sustain efforts to identify trafficking victims, particularly among vulnerable populations, such as working children, returning migrants, individuals in prostitution, and children apprehended for illicit gang-related activities; fully implement the 2018-2022 national anti trafficking action plan; increase training for judges, who under Guatemalan law have the sole responsibility to refer victims to care, and ensure all victims are referred quickly to appropriate care facilities; investigate and prosecute trafficking offenses, with increased focus on suspected cases of forced labor and domestic servitude; allocate and disburse funding for specialized victim services, including those administered by NGOs; increase efforts to investigate, prosecute, and convict child sex tourists and others engaged in sex trafficking of children; as part of developing a cadre of specialized prosecutors and judges outside of the capital, increase training to law enforcement and criminal justice officials so that forced labor and sex trafficking cases are investigated and prosecuted as trafficking according to the international definition of trafficking; provide reintegration and witness protection support to victims; and target prevention activities toward the most vulnerable populations, including indigenous communities.

**PROSECUTION**

The government increased law enforcement efforts. The anti-trafficking law of 2009 criminalized sex and labor trafficking and prescribed penalties from eight to 18 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law did not consider the use of force, fraud, or coercion as an essential element of an adult trafficking offense. The law defined trafficking broadly to include labor exploitation and illegal adoption without the purpose of exploitation.

The government initiated investigations of 254 complaints of trafficking-related offenses in 2017, compared to investigations of 243 complaints in 2016. In previous years, the government did not specify how many of the total offenses were specifically trafficking rather than related offenses; however, in 2017, the government reported 127 of these complaints were specifically trafficking in persons offenses. Authorities prosecuted 52 defendants for sex trafficking and forced labor

compared to 43 defendants in 2016. Authorities secured 19 convictions, including for forced labor in 2017, compared to 13 convictions in 2016, with sentences ranging from eight to 15 years imprisonment. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses, despite significant concerns of official complicity and corruption. The government opened a 12-person regional anti-trafficking unit in Quetzaltenango, Guatemala’s second largest city, which had jurisdiction over eight departments and 38 percent of the country’s population, including those closest to the Mexican border. Some judges, especially in the interior, lacked adequate training to apply forensic evidence in prosecutions, which led to cases tried as sexual assault rather than trafficking. Guatemalan officials trained police academy recruits, crime scene experts, prosecutors, and judges on trafficking indicators and processing trafficking cases.

**PROTECTION**

The government decreased efforts to identify and protect victims. The government and NGOs identified 316 trafficking victims in 2017, a significant decrease compared to 484 in 2016 and 673 in 2015. Reported data did not specify the types of trafficking involved in those cases. Of the 316 trafficking victims identified, 292 were children and 24 were adults. The government made efforts to address child forced labor by conducting a simultaneous operation against 36 tortilla vendors and identified 22 possible child labor victims and arrested nine alleged traffickers. The Secretariat against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) provided training, published in several Mayan dialects, and continued to implement the inter-institutional protocol for the protection and attention to victims of human trafficking, first published in 2016. While some government officials continued to implement another protocol to identify potential forced labor victims during labor inspections, NGOs expressed concern the labor ministry did not proactively look for indicators of forced labor, including in the agricultural sector where workers were particularly vulnerable to forced labor.

Guatemalan law required judges make all referrals to public or private shelters. The attorney general published a new victim assistance protocol and victims’ bill of rights in 2017 with the goal of improved investigation and prosecution while maintaining victim services. In 2017, judges referred 210 victims to care facilities for assistance compared to 256 victims referred in 2016. In practice, judges did not make timely referrals, delaying access to needed assistance. Judges at times referred child victims to their families, leaving some vulnerable to re-trafficking, as family members often were involved in their exploitation. Authorities repatriated eight trafficking victims in coordination with foreign consular officials and in accordance with an established protocol. The government screened returning unaccompanied children for trafficking indicators using Secretariat of Social Welfare (SBS) protocols for the attention and reception of such children in two government shelters. The government provided 17.6 million quetzals (\$2.4 million) in funding for three government shelters, as well as NGOs that provide specialized services, mostly for child trafficking victims. The three government run shelters housed 89 trafficking victims (80 girls, seven boys, and two women) in 2017, compared to 77 in 2016.

NGOs housed and provided services to 127 trafficking victims, including victims of sex trafficking and forced labor, adults and children, female and male victims. Observers reported NGOs

provided the highest quality and most comprehensive care for child victims, including food, housing, medical and psychosocial services, education, and reintegration services. One NGO shelter provided services to adult female victims, but did not allow freedom of movement for such victims. SVET shelters also provided such services in cooperation with other government agencies and implemented improvements to provide vocational training leading to certifications in computer programming and cooking. SBS shelters provided basic services, including food and housing, and more advanced services, such as health care, vocational education, and therapy. The quality and availability of specialized victim services remained uneven due to a lack of services for adult and male victims. NGO shelter operators expressed concern for victims' safety and vulnerability to re-trafficking 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. The government prosecuted seven government officials for offenses including, but not limited to, abuse of power, neglect of their duties, and maltreatment of minors for the March 2017 fire in an overcrowded government-managed shelter, which resulted in the deaths of 41 girls and injuries to others. The shelter had previously faced allegations of corruption, sexual exploitation, and a UN investigation into the shelter's management. Following the fire, Guatemala's president called for a restructuring of the country's shelter system, and in March 2018 the government published a new 2017-2032 action plan on the protection of children and adolescents, which includes an objective of protecting trafficking victims and children in state-run institutions.

Authorities encouraged victims to assist in the investigation and prosecution of traffickers and made options available for private testimony. Victims residing in government facilities did not receive adequate legal support or witness protection. Prosecutors cited the lack of appropriate protection options for adult victims as an impediment to pursuing prosecutions in cases involving adults. Judges may order restitution when sentencing traffickers, and victims also had the right to file civil claims for compensatory damages and harm suffered as a result of being subjected to trafficking; the government did not report any victims who received restitution or a civil damages award, compared to seven victims who received restitution in 2016. The government did not recognize children forced to engage in criminal activity as trafficking victims; officials acknowledged some of these victims may have been prosecuted or otherwise treated as criminals. Guatemalan law provided legal alternatives to the removal of foreign victims who may face hardship or retribution upon return to their home countries, but all known foreign victims opted for repatriation. Foreign victims had the same access to care as domestic trafficking victims. The government repatriated five Guatemalan trafficking victims identified in other countries.

## PREVENTION

The government maintained prevention efforts. SVET served as the secretariat for the interagency anti-trafficking commission, coordinated government efforts against trafficking, and held 13 meetings attended by both government officials and NGOs. In 2017, SVET initiated 13 departmental networks, adding to the 11 existing networks, which identified trafficking cases and conducted prevention activities. The anti-trafficking commission, with technical assistance from international partners, developed and published its national anti-trafficking action plan for 2018-

2022. The plan assigned specific goals and responsibilities to relevant government agencies. The government conducted a wide range of initiatives to educate potential victims, the public, government officials, and tourists about the dangers, causes, and consequences of trafficking, including by partially funding the "Blue Heart" campaign for a second year. SVET also ran prevention campaigns on trafficking awareness and sex tourism targeting students, visitors to hospitals, activists, airport security officials, tourist police, businesses, tourism operators, and travelers. The government did not investigate, prosecute, or convict any suspected sex tourists who purchased commercial sex with children during the reporting period. The government developed draft regulations related to labor recruiting of Guatemalan workers. The government worked with NGOs and international partners to promote a campaign to prevent fraudulent recruitment of migrant workers and worked with the private sector to promote policies to exclude products made with forced labor in efforts to reduce the demand for forced labor. The government demonstrated efforts to reduce the demand for commercial sex. The government provided anti-trafficking training to its diplomats and to Guatemalan troops prior to their deployment abroad on international peacekeeping missions.

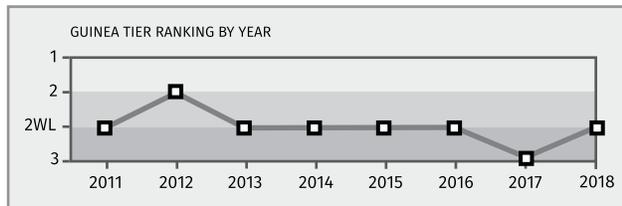
## TRAFFICKING PROFILE

As reported over the past five years, Guatemala is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Guatemalan women, transgender persons, 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, as well as Guatemalan men, patronize child sex trafficking victims for commercial sex acts. 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 exploited in forced labor within the country, often in agriculture or domestic service, and in the garment industry, and domestic service in Mexico, the United States, and other countries. Domestic servitude in Guatemala sometimes occurs through forced marriages. Indigenous Guatemalans, including children, are particularly vulnerable to and exploited in forced labor, including in tortilla making shops. Guatemalan children are exploited in forced begging and street vending, particularly within Guatemala City and along the border with Mexico. Criminal organizations, including gangs, exploit girls in sex trafficking and coerce young males in urban areas to sell or transport drugs or commit extortion. Some Latin American migrants transiting Guatemala en route to Mexico and the United States are subjected to sex trafficking or forced labor in Mexico, the United States, or Guatemala. Police, military, and elected officials have been placed under investigation for paying children for sex acts, facilitating child sex trafficking, or protecting venues where trafficking occurs.

## GUINEA: TIER 2 WATCH LIST

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. The government made key achievements during the reporting period; therefore Guinea was upgraded to Tier 2 Watch List. These achievements included prosecuting, convicting, and sentencing to imprisonment

significantly more sex and labor traffickers than in the previous reporting period; allocating modest funding to provide shelter and services to identified trafficking victims; and drafting a new national action plan. Despite these achievements, the government did not provide sufficient funding to the Office for the Protection of Gender, Children, and Morals (OProGen), the police unit responsible for trafficking investigations, and did not allocate a budget to the anti-trafficking committee (CNLTTPA) for the second consecutive year, hindering prevention efforts. It did not report referring all identified trafficking victims to care. In addition, despite the prevalence of child forced begging in Quranic schools, Guinean authorities have never prosecuted a *marabout*—a Quranic teacher—for child forced begging.



### RECOMMENDATIONS FOR GUINEA

Vigorously investigate, prosecute, and convict suspected traffickers, including complicit officials and some *marabouts*, and prescribe sufficiently stringent sentences; expand victim care by increasing financial or in-kind support to NGOs that provide victim services; increase funding for OProGen and the CNLTTPA to allow them to fulfill their mandates; train magistrates and prosecutors in the lower courts on the new trafficking articles in the 2016 penal codes; develop and train officials on systematic procedures to identify trafficking victims and refer them to services; regularly convene the CNLTTPA, and provide it sufficient resources; increase efforts to raise public awareness of trafficking, including of internal child forced labor, forced begging in Quranic schools, and adult trafficking; provide OProGen and labor inspectors the resources and training necessary to regulate recruitment agencies, and investigate cases of fraudulent recruitment; respect victims' rights during trafficking investigations; amend the penal code to remove sentencing provisions that allow fines in lieu of imprisonment and increase penalties prescribed for forced begging; designate a single point of contact within the Ministry of Justice to ensure all convicted traffickers serve their prescribed sentences; and enhance collaboration and information sharing among all government agencies involved in combating trafficking.

### PROSECUTION

The government increased anti-trafficking law enforcement efforts. Article 323 of the penal code, as amended in 2016, criminalized labor and sex trafficking. Article 324 prescribed penalties of three to seven years imprisonment, a fine, or both for adult trafficking, and five to 10 years imprisonment, a fine, or both for child trafficking. These penalties were sufficiently stringent. By allowing for a fine in lieu of imprisonment, the penalties for sex trafficking were not commensurate with those prescribed for other serious crimes, such as rape. Article 344 of the penal code separately criminalized forced begging and prescribed penalties of one to three years imprisonment and a fine; these penalties were not sufficiently stringent.

The government investigated 44 cases, prosecuted 18 suspects, and convicted 18 traffickers in four cases, a significant increase from five investigations, prosecuting four suspects, and convicting three traffickers the previous reporting period.

OProGen had the lead for investigating trafficking cases, and the General Secretary for Special Services, Counter-Narcotics, and Combating Organized Crime could investigate transnational trafficking cases. Among the 44 investigations, the general secretary's office identified at least seven transnational trafficking networks, and law enforcement launched 18 investigations into pandering, including child sex trafficking. In one case, a judge convicted six individuals—including an imam—for fraudulently recruiting at least 18 women for forced prostitution in Kuwait. A second judge convicted eight bar owners for pandering of minors. Sentences among the 18 convicted traffickers ranged from four months suspended to five years imprisonment; 17 traffickers received non-suspended sentences, and eight traffickers received sentences of at least two years imprisonment. The government did not report if it continued investigations from the previous reporting period into an alleged recruiter who sent women to Egypt for domestic servitude or three *marabouts* for alleged child forced begging. Authorities reported police frequently intercepted convoys of children allegedly destined for forced begging, and while they removed the children, they did not investigate the alleged traffickers. Corruption among law enforcement and the judiciary—suspected to be especially prominent among labor inspectors, customs directors, and heads of police stations—allegedly impeded anti-trafficking efforts. The government reported one investigation into three airport officials who were allegedly complicit in sending Guinean women to Kuwait for forced prostitution; the investigation was ongoing at the close of the reporting period.

The government did not report allocating any funding to OProGen to investigate trafficking cases and transport victims to NGOs for care, a significant decrease from the previous reporting period, when it had allocated 256 million Guinean francs (\$28,430). Lack of general knowledge about trafficking and the trafficking provisions of the 2016 penal code persisted among government officials, especially judges and prosecutors in lower courts, but the government did not provide any training during the reporting period.

### PROTECTION

The government decreased efforts to identify, but modestly increased efforts to protect, trafficking victims. The government identified 10 trafficking victims and intercepted 16 children en route to exploitation, compared to identifying 107 children en route to exploitation in the previous reporting period. The government also reported identifying an unknown number of children in domestic servitude, although it did not report removing any of those children from their situations of exploitation. The government did not have formal procedures to identify trafficking victims or refer them to care, so victim identification and protection measures remained extremely weak. No government center or shelter could assist victims, so the government continued to rely on NGOs and foreign donors to finance and provide the majority of victim care. In a positive change from the previous reporting period, the government disbursed 50 million Guinean francs (\$5,550) to an NGO to provide shelter, food, medical assistance, and psychological support to at least 26 trafficking victims; this NGO operated three shelters that cared for vulnerable children, including trafficking victims. The shelters cared for both foreign and domestic victims, although they did not provide trafficking-specific services. Law enforcement referred child trafficking victims to NGOs on an ad hoc basis. Some OProGen officials brought victims to their private homes until space became available in NGO shelters. Government health facilities and social workers could at times provide medical and psycho-

social services. Officials acknowledged the lack of training for authorities on victim identification and referral affected victim care. With donor funding, the government provided shelter, food, psycho-social support, toiletries, and some money to vulnerable migrants returned from Libya, some of whom had been exploited in trafficking.

The government did not encourage trafficking victims to participate in the investigations or prosecutions of their traffickers; in some cases, law enforcement interrogated victims during investigations. Reports indicated victims and their parents were reluctant to file claims against traffickers due to a lack of confidence in the judicial system. The 2016 penal code allowed NGOs to become plaintiffs on behalf of victims. Articles 392-396 of the child protection code provided child trafficking victims the right to legal representation and a ministry-appointed guardian, but due to the lack of financial and human resources, these services were not available during the reporting period. While victims could legally obtain restitution from the government and file civil suits against their traffickers, the government did not provide victims with sufficient knowledge of the process to enable them to do so. The government did not have formal policies to provide temporary or permanent residency to victims from countries where, if repatriated, they would face hardship or retribution, but it could provide work and residence permits to such victims on an ad hoc basis; the government did not report any victims requested these services during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of being subjected to trafficking; due to a lack of formal victim identification procedures, however, some trafficking victims may have remained unidentified in the law enforcement system.

## PREVENTION

The government maintained efforts to prevent trafficking. CNLTTPA continued to meet sporadically, but not all members consistently attended meetings, and the committee lacked coordination and communication. For the second year, the government did not finalize a decree that would allocate an operational budget to CNLTTPA, so it lacked funding to perform many of its planned activities. Despite these shortcomings, CNLTTPA enacted an emergency action plan to provide shelter and services to 26 trafficking victims and conduct awareness-raising campaigns. In partnership with the Ministry of Social Action and NGOs, CNLTTPA organized three sensitization campaigns targeting local communities along Guinea's borders with Sierra Leone and Senegal, common routes for traffickers bringing children to Senegal for forced begging. The lack of local-level coordination on anti-trafficking efforts and the lack of training for officials outside the capital continued to hinder progress. The government had policies to regulate foreign labor recruiters and hold them civilly and criminally liable for fraudulent recruitment, but neither OProGen nor the Ministry of Labor had the resources or the trained personnel to implement such policies consistently. The government did not make discernible efforts to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training to its diplomatic personnel. The government, in partnership with foreign donors, provided anti-trafficking training to Guinean troops prior to their deployment abroad as part of international peacekeeping missions.

## TRAFFICKING PROFILE

As reported over the past five years, Guinea is a source, transit, and—to a lesser extent—destination country for men, women,

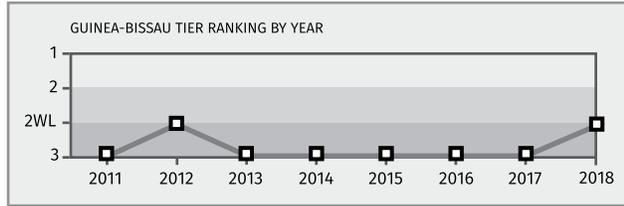
and children subjected to forced labor and sex trafficking. Women and children are the most vulnerable to trafficking. Parents send girls to intermediaries who subject them to domestic servitude and sex trafficking, sometimes in motels and restaurants in Conakry. Traffickers exploit boys in begging, street vending and shoe shining, forced labor in gold and diamond mines, and in herding, fishing, and agriculture, including farming and on coffee, cashew, and cocoa plantations. Some government entities and NGOs allege that within Guinea, forced labor is most prevalent in the mining sector. Traffickers subject men, women, and children to forced labor in agriculture. Reports indicate children are sent to the coastal region of Boke for forced labor on farms. Children from villages in Middle and Upper Guinea may be more vulnerable to trafficking due to the region's lack of schools and economic opportunities. Some traffickers take children with parents' consent under the false pretenses of providing an education and exploit them in forced begging in Quranic schools in Senegal—via Koundara—Mauritania, and Guinea-Bissau, or forced labor in West African gold mines. Some corrupt *marabouts* force Bissau-Guinean boys to beg in Guinean Quranic schools. Guinean children are exploited in forced labor in Cote d'Ivoire. Guinea is a transit country for West African children subjected to forced labor in gold mining throughout the region. A small number of girls from West African countries migrate to Guinea, where they are exploited in domestic service, street vending, and—to a lesser extent—sex trafficking.

Guinean women and girls are victims of domestic servitude and sex trafficking in West Africa, Europe, and the Middle East, as well as the United States. Guinean-Egyptian trafficking networks fraudulently recruit women for domestic work in Egypt and exploit them in prostitution. During the reporting period, several airline companies with service to North and East Africa and the Middle East began to serve Conakry; authorities identified an increased number of trafficking networks fraudulently recruiting Guinean, Liberian, and Sierra Leonean women for work abroad, using the Conakry airport to transport victims to exploitative situations in Kuwait and Qatar. There have been reports some Guinean men marry Guinean girls, take them to Angola, and sell the girls to local brothels while the men work in diamond mines. In previous years, authorities have identified Guinean forced labor victims in Finland, Guinean boys exploited in commercial sex in the Netherlands, and Thai and Chinese women in forced prostitution in Guinea. During the reporting period, an international organization repatriated more than 3,756 Guineans from Libya and northern Mali, and the organization estimated more than 560 were victims of trafficking. The lack of data on trafficking in Guinea renders it difficult to assess the size and scope of the problem.

## GUINEA-BISSAU: TIER 2 WATCH LIST

The Government of Guinea-Bissau does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore Guinea-Bissau was upgraded to Tier 2 Watch List. These achievements included launching its first trafficking investigations since 2015, identifying its first trafficking victims in 10 years, and referring the identified victims to NGOs for care. The government also partnered with an NGO to raise awareness of child forced begging among border communities and child sex trafficking

in the tourism industry. Despite these achievements, however, a lack of dedicated resources and high-level engagement continued to stymie working-level anti-trafficking action. The government did not allocate a budget to the Judicial Police, which prevented it from investigating trafficking cases outside of Bissau, including reports of child sex tourism in the Bijagos. The inter-ministerial committee remained without sufficient funding to implement prevention activities, and credible reports of complicity in trafficking investigations continued to go uninvestigated. Guinea-Bissau has never prosecuted or convicted a trafficker.



### RECOMMENDATIONS FOR GUINEA-BISSAU

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including *marabouts* who subject boys to forced begging and hotels that facilitate child sex tourism in the Bijagos; allocate an operating budget to the Judicial Police, and approve the opening of a second office in the Bijagos; develop and train law enforcement on formal written procedures to identify and refer trafficking victims to services; increase communication between law enforcement bodies, and train officials on the 2011 anti-trafficking law and how to refer trafficking cases to the Judicial Police; increase funding for NGOs to ensure all identified victims—especially child forced beggars—are repatriated and receive services, minimizing the potential for re-trafficking; increase efforts to coordinate repatriations of trafficking victims with the Government of Senegal; develop an effective national anti-trafficking program through regular meetings of the anti-trafficking committee and allocation of funding for its activities; significantly increase efforts to raise awareness of human trafficking, especially forced begging and child sex trafficking; hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged trafficking offenses and efforts to interfere with ongoing investigations; and, in collaboration with NGOs, allocate adequate space and facilities for a victim shelter in Bissau.

### PROSECUTION

The government increased law enforcement efforts. Public Law 12/2011 criminalized sex and labor trafficking and prescribed penalties of three to 15 years imprisonment and the confiscation of any proceeds from the crime. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated 22 cases of child trafficking but did not prosecute or convict any suspects for trafficking offenses, an increase from no investigations, prosecutions, or convictions the previous reporting period. Of the 22 cases, 20 cases involved child domestic servitude and two involved transporting children to Senegal for forced begging. Notably, in one case the National Guard arrested two *marabouts* for transporting children to Senegal, allegedly for exploitation in forced begging. Law enforcement sent all investigations to the judiciary for prosecution at the end of the reporting period; however, victims often dropped their cases because they did not want to pursue charges against their traffickers, who were

often family members. The government has never prosecuted or convicted a trafficker. The government did not investigate, prosecute, or convict any government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained concerns, inhibiting law enforcement action during the reporting period. Observers reported some police and border guards might have accepted bribes from traffickers, and officials have reportedly closed investigations into child sex tourism.

The government did not provide specialized training to law enforcement on investigating and prosecuting trafficking crimes, and some law enforcement and judicial officials remained unaware of the 2011 anti-trafficking law. The Judicial Police provided general child protection training to new members of its Women and Children Brigade, a 10-person unit charged with investigating crimes against women and children, including trafficking. The unit possessed only one vehicle and did not receive an operating budget, largely limiting its efforts to Bissau. The Judicial Police continued efforts to open a second office in the Bijagos and awaited a decision from the Ministry of Justice at the close of the reporting period. The National Guard and local police in rural areas had neither the training nor the capacity to investigate trafficking crimes and did not always refer such cases to the Judicial Police, which impeded investigations into child forced begging in eastern regions and child sex trafficking in the Bijagos. In addition, police and judges preferred to resolve intra-familial labor and abuse cases—which could include forced child labor and child sex trafficking by family members—through non-judicial means. When parents broke such agreements and police transferred the cases to court, officials noted community leaders often pressured courts to drop the cases.

### PROTECTION

The government increased efforts to identify and protect victims. The government identified 22 trafficking victims and 53 potential victims in 2017 and referred all victims for care, compared with not identifying any trafficking victims the previous reporting period. The National Guard took an increasingly active role intercepting Bissau-Guinean children destined for forced labor and forced begging in Senegal; it intercepted 53 such children, and referred them to an NGO for care. The Judicial Police identified 22 child trafficking victims and referred all to NGOs for services; the Judicial Police then reunited the children with their families. In cases when an NGO could not respond immediately, police officers used personal funds to house and feed victims. The government relied on NGOs to provide nearly all victim services. NGOs assisted both domestic and foreign victims. The government did not have formal procedures to identify trafficking victims or refer them to care. The government contributed 5 million West African CFA francs (FCFA) (\$8,890) annually to an NGO that cared for at least 156 additional child forced begging victims returned from Senegal during the reporting period. The NGO's two 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 trafficking-specific services. While NGOs led victim protection efforts, police accompanied NGOs on family reintegration missions. While all trafficking victims returned from Senegal received some care, NGOs in Bissau reported that both law enforcement officials and NGO staff sometimes left forced begging victims identified in Guinea-Bissau with their exploiters because there were no shelters available. The government did not have formal policies to encourage victims to participate in

investigations or prosecutions against their traffickers. Victims could not obtain restitution from the government or file civil suits against their traffickers. There were no legal alternatives to removal to countries in which victims would face hardship or retribution. There were no reports the government detained, fined, or otherwise penalized trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking; due to the absence of written procedures to identify trafficking victims, however, it was possible some were inadvertently penalized.

**PREVENTION**

The government increased efforts to prevent trafficking. The inter-ministerial committee—which was headed by the Institute of Women and Children (IMC) and included government agencies, NGOs, and religious groups—met semi-regularly during the reporting period but lacked funding for anti-trafficking activities, which weakened its response to trafficking and development of an effective national anti-trafficking program. The government had a 2015-2018 national action plan to address trafficking but did not have resources to implement it during the reporting period. Individual ministries worked with NGOs and civil society groups to raise awareness of trafficking among ministry officials, regional governors, and religious leaders, and to strengthen partnerships on anti-trafficking efforts across the region. In a new effort to educate the public on trafficking, the National Guard and an international organization traveled to 75 villages in source regions for children exploited in forced begging to raise awareness of trafficking and how to report suspected cases to police. IMC and the Ministry of Tourism began implementing a code of conduct against sexual exploitation in the tourism sector by increasing public awareness of child sexual exploitation in Bissau and the Bijagos, encouraging hotels to combat these crimes, and building the capacity of tourism inspectors. Through a plan drafted the previous reporting period, IMC, the Ministry of Justice, and an NGO provided birth registration to 190 child forced begging victims returned from Senegal and their siblings. The labor inspectorate, housed within the Ministry of Labor, Civil Service and Public Administration, did not receive regular funding from the government and lacked resources to investigate violations nationwide. In addition, the government did not have the means to inspect local Quranic schools to ensure they did not force children to beg. The Judicial Police operated a hotline to report crimes, although it was not free and did not report receiving any trafficking cases during the reporting period. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel.

**TRAFFICKING PROFILE**

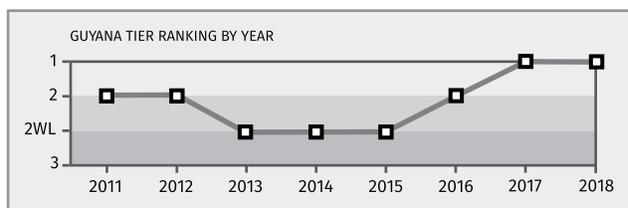
As reported over the past five years, Guinea-Bissau is a source country for children subjected to forced labor and sex trafficking and a destination for West African boys exploited in forced labor, including forced begging. The extent to which adults are subjected to forced labor or forced prostitution is unclear. Many Bissau-Guinean boys attend Quranic schools led by *marabouts*. Some corrupt *marabouts* force their students, called *talibes*, to beg and do not provide an education, including at some schools in Bissau’s Afia neighborhood. The traffickers are principally men from the Bafata and Gabu regions—often former *talibes* or men who claim to be working for a *marabout*—and are generally well known within the communities in which they operate. *Marabouts* increasingly force Guinean, Gambian, and Sierra Leonean boys to beg in Bissau and exploit Guinea-

Bissau’s weak institutions and porous borders to transport large numbers of Bissau-Guinean boys to Senegal—and to a lesser extent Mali, Guinea, and The Gambia—for forced begging in Quranic schools.

Bissau-Guinean boys are forced into street vending and forced labor in the agricultural and mining sectors in Senegal, especially in the southern cities of Kolda and Ziguinchor. West African boys are forced to harvest cashews during Guinea-Bissau’s annual harvest, and some are recruited for work in the harvest but instead are forced to beg. Some Guinean boys are victims of forced labor in shoe shining in Guinea Bissau. Bissau-Guinean girls are victims of sex trafficking and forced labor in street vending and domestic work in Guinea, The Gambia, and Senegal. Senegalese trafficking networks recruit Bissau-Guinean girls for modeling jobs or traveling football clubs but subject them to sex trafficking. Bissau-Guinean girls are exploited in domestic servitude and in sex trafficking in bars, nightclubs, and hotels in Bissau. Bissau-Guinean girls from the Bijagos—and to a lesser extent mainland girls and boys—are exploited in child sex tourism in the Bijagos, an archipelago off the coast of Guinea-Bissau that is far from the mainland and largely devoid of government and law enforcement presence. Although the extent of the problem is unknown, it is widely acknowledged among civil society, NGOs, and mid-level government officials. In most cases, French nationals own hotels on the islands and use Bissau-Guinean intermediaries to exploit island girls aged 13-17-years-old for French and Belgian child sex tourists. International sources report these same hotel owners provide jobs and significant support to the island community, wielding influence that can deter victims from notifying law enforcement. Poor families may encourage their children to endure such exploitation for financial gain. Bissau-Guinean men from the mainland fuel local demand for commercial sex on the islands. There were reports of official complicity in human trafficking among island officials and in the judiciary. Guinea-Bissau’s judicial system lacked sufficient human and physical capital to function properly, and corruption remained pervasive.

**GUYANA: TIER 1**

The Government of Guyana fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Guyana remained on Tier 1. The government demonstrated serious and sustained efforts by increasing funding for victim assistance, identifying and assisting more victims for the third consecutive year, and opening and operating a trafficking shelter outside of the capital area. Although the government meets the minimum standards, it did not provide adequate protection and shelter outside the capital, or for child and male victims. The number of trafficking investigations and new prosecutions decreased, and the number of successful convictions remained low.



## RECOMMENDATIONS FOR GUYANA

Fund specialized victim services outside the capital and for child victims and adult male victims; vigorously investigate and prosecute sex and labor trafficking cases and hold convicted traffickers, including complicit public officials, accountable by imposing strong sentences; finalize the written identification procedures to better guide law enforcement officials; train more law enforcement, judiciary officials, and front-line responders—especially those working outside the capital—on victim identification and referral procedures; develop standard procedures for protecting foreign victims; provide additional protection for victims to testify against traffickers in a way that minimizes re-traumatization; monitor the number of cases reported to the trafficking hotline or by labor inspectors to promote a rapid investigative and victim assistance response; and provide training for diplomatic personnel on trafficking.

## PROSECUTION

The government maintained law enforcement efforts. The Combating Trafficking of Persons Act of 2005 criminalized sex and labor trafficking and prescribed sufficiently stringent penalties ranging from three years to life imprisonment. These penalties, with respect to sex trafficking, were commensurate with those prescribed for other serious crimes, such as rape. The law defined trafficking broadly to include the illegal sale of organs without the use of force, fraud, or coercion. The Ministry of Social Protection (MoSP) was the lead agency responsible for coordinating trafficking efforts, overseeing the Anti-Trafficking Unit (ATU) and participating on the government's inter-ministerial task force. The task force, which included representatives from several agencies and an anti-trafficking NGO, coordinated a number of successful police operations. In 2017, the government reported four new trafficking investigations (two for sex trafficking and two for labor trafficking), 17 prosecutions (12 of which were initiated in previous reporting periods), and two convictions; compared to 19 investigations, 19 prosecutions, and two convictions in 2016. The court sentenced both convicted traffickers to three years imprisonment and required one trafficker to pay restitution to one victim. A case from the previous reporting period in which the government required the trafficker only to pay restitution, a penalty inconsistent with the law and one that the task force appealed, remained pending. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Authorities confirmed the police officer who was convicted of sex trafficking in 2015 was terminated from his position in the police force; however, his appeal was still pending at the end of the reporting period. The government did not provide any support for trainings hosted by an international organization on combating complicity. The government-funded and executed training for police prosecutors, law enforcement officials, and social workers on victim-centered investigations and prosecution of trafficking cases.

## PROTECTION

The government increased efforts to identify and protect trafficking victims. However, victim assistance remained insufficient, especially in areas outside the capital and for child and male victims. The task force and ATU drafted standard operating procedures (SOPs) for victim identification, referral, and assistance, but the SOPs were not formalized by the end of the reporting period as the government stated it planned to do so by the end of 2018. The government identified 131 victims in 2017 (65 for sex trafficking, 35 for labor trafficking, and 31

for both forms), compared with 98 in 2016. The government referred 115 victims to shelter and psycho-social services, compared with 40 in 2016. The government trained 156 village leaders and 96 government officials from the interior regions on victim identification and assistance. The government also trained members of the business community and civil society on victim identification.

The government provided 10 million Guyanese dollar (GYD) (\$46,510) to the NGO-run shelter for the provision of enhanced psycho-social services to adult female trafficking victims referred by the government. The government provided 31.2 million GYD (\$145,120) to another NGO that provided housing and counseling services to victims of gender-based violence, including an unknown number of trafficking victims. The government opened and operated the first shelter outside of the capital; the new shelter caters exclusively to adult female victims of trafficking. All identified victims received shelter, food, training, and psychological therapy. There were no adequate public or private shelters for male or child trafficking victims, despite the government's commitment, made in early 2016, to open and partially fund a shelter for male victims. Child victims were placed into foster care, safe homes, or were reintegrated with their families while adult male victims were placed at non-specialized night shelters on an ad hoc basis.

Guyanese law protects victims' identities from release to the media. Victims could leave shelters; however, they were strongly encouraged to stay unless with a chaperone or until trials concluded. NGOs and MoSP provided protection and counseling for all identified victims, while the government provided transportation for victims who declined shelter but were willing to attend court proceedings. The government did not penalize victims for crimes committed as a result of being subjected to trafficking. The government reported multiple cases of delivering foreign victims to their respective embassies at the request of the foreign missions before the conclusion of prosecutions. The government granted one victim temporary residence and legal employment in Guyana. The government, with the assistance of an international organization, repatriated 21 suspected trafficking victims. The government did not report whether it facilitated or funded the repatriation of Guyanese nationals victimized abroad; however, it offered shelter, medical care, and psycho-social assistance to victims upon their return.

## PREVENTION

The government increased efforts to prevent trafficking. The task force met monthly, continued implementing the 2017-2018 anti-trafficking national plan of action, and MoSP committed approximately 23.4 million GYD (\$108,840) to anti-trafficking efforts over the reporting period. In June, the task force trained 23 journalists on responsible reporting of trafficking cases. As in past years, the government systematically monitored its efforts and published its assessment. The government conducted a variety of awareness-raising activities, including producing pamphlets in English, Portuguese, and Spanish, television ads, and flash mobs. Authorities facilitated several awareness sessions focused on the mining and logging sectors outside the capital. The ATU executed numerous sensitization campaigns at schools, NGOs, prisons, and public spaces across Guyana. 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. Authorities conducted approximately 1,000 unannounced labor inspections in the capital and the interior. The government granted temporary amnesty to foreign laborers in order for

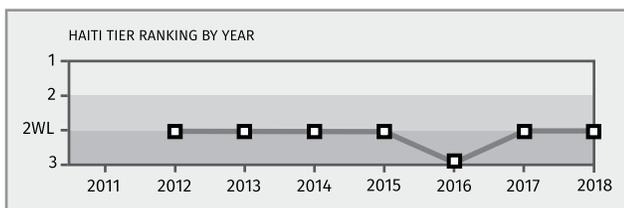
them to regularize their immigration status in Guyana. Labor inspectors received trafficking-specific training, but did not report whether they identified any cases. The government did not provide anti-trafficking training for its diplomatic personnel, but with in-kind assistance from international organizations, the task force began drafting a training module.

## TRAFFICKING PROFILE

As reported over the last five years, 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, Haiti, 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.

## HAITI: TIER 2 WATCH LIST

The Government of Haiti does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by closing several abusive orphanages and reconstituting its foster care system to support child trafficking victims and reduce vulnerability to abuse. The government also took action against some complicit officials; mandated victim restitution for a trafficking conviction; increased the number of trained police; deployed its first class of border police trained to detect and combat trafficking; and increased coordination and oversight of its anti-trafficking efforts. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not criminally prosecute complicit officials and did not investigate many accusations of official complicity, including of the chief prosecutor. The government did not allocate funding for its anti-trafficking efforts or victim services and did not approve or implement its national action plan or its standard operating procedures for victim identification. The government's weak judicial system and lack of awareness about trafficking among police, prosecutors, and judges hindered prosecution and conviction of traffickers. The government did little to combat child domestic servitude (*restavek*). Therefore Haiti remained on Tier 2 Watch List for the second consecutive year.



## RECOMMENDATIONS FOR HAITI

Vigorously investigate, prosecute, and convict traffickers, including complicit officials and those responsible for domestic servitude and child sex trafficking; prioritize the implementation

of a national anti-trafficking action plan with allocated resources, and increase long-term funding for trafficking victim assistance; continue to develop and build Haiti's nascent foster care system and other residential care services for children; train police, prosecutors, judges, and victim service providers in all areas of Haiti on trafficking; approve and implement formal procedures to guide officials in proactive victim identification and referral to appropriate shelters and services; develop the resources and capacity to inspect worksites for indicators of forced labor; develop laws or policies to regulate foreign labor recruiters; implement measures to address the vulnerabilities leading to *restavek*, including protecting child victims of neglect, abuse, and violence; draft and enact a child protection law with specific protections for child trafficking victims; develop a method to systematically track trafficking data and the government's anti-trafficking efforts; develop efforts to reduce demand for commercial sex or forced labor; and educate the Haitian public about children's rights to education and freedom from slavery to counteract tolerance of *restavek*.

## PROSECUTION

The government maintained law enforcement efforts. The 2014 anti-trafficking law (No. CL/20140010) criminalized sex and labor trafficking and prescribed penalties of seven to 15 years imprisonment and a fine ranging from 200,000 to 1.5 million gourdes (\$3,180 to \$23,830), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The law provided for increased penalties of up to life imprisonment when the victim was a child. During the reporting period, the government investigated two potential trafficking cases involving six individuals (six cases in 2016), including one national police officer; initiated two new prosecutions (three in 2016) involving two defendants; and obtained one trafficking conviction (three in 2016). Sentencing involved seven years imprisonment and a fine of 200,000 gourdes (\$3,180); the trafficker was also ordered to pay 100,000 gourdes (\$1,590) to the victim. The government cooperated with U.S. law enforcement on an investigation that led to the 2018 conviction of a U.S. citizen for child sex tourism. Observers noted traffickers largely operated with impunity. In November 2017, the minister of justice fired five assistant prosecutors for their role in releasing nine individuals arrested on suspicion of trafficking during a sting operation in February 2017; however, the fired prosecutors were not charged with a crime and the chief prosecutor, who some officials and observers said was behind the release due to bribery, was not investigated.

Haiti's weak judicial system and lack of awareness about trafficking among police, prosecutors, and judges hindered prosecution and conviction of traffickers. Civil society and authorities remained concerned that some government officials in remote areas lacked training on the 2014 anti-trafficking law and its implementation, leading to lesser charges and informal arrangements to resolve cases. The government provided 1,022 members of the Haitian national police with three hours of human trafficking and smuggling training. The government continued to work with an NGO on a foreign-funded project to train legal actors throughout Haiti on the 2014 anti-trafficking law and its proper implementation. In January 2018, the national police deployed PoliFront, their first class of 100 border police officers, to Ouanaminthe, Haiti's busiest border crossing, with a mandate to fight various forms of transnational crime including trafficking. Before deployment, PoliFront received six weeks of training, which included a session on human trafficking.

## PROTECTION

The government increased protection efforts. The government did not systematically track data regarding victim identification; however, reported cases suggest the government identified at least 31 potential trafficking victims, compared with 43 victims in 2016. In 2017, government officials closed four abusive orphanages that housed 116 children and potentially involved trafficking and placed 51 children from those orphanages into foster care; the remainder were returned to their families. The government accredited 76 families for its newly developed foster care program to make children less vulnerable to trafficking or being re-victimized. The government made no discernable effort to address *restavek* despite it being a widespread issue across the country.

The 2014 anti-trafficking law tasked the trafficking commission to develop standard operating procedures to guide officials in the identification and rehabilitation of trafficking victims; the government did not approve a 2016 draft of these procedures. The law required the government to provide protection, medical, and psycho-social services to victims, and to create a government-regulated fund to assist victims. However, as in 2016, the government did not dedicate funding for victim assistance and relied on international organizations and NGOs to provide care. Haiti's 2014 anti-trafficking law stipulated that money and other assets seized during trafficking investigations should be used to fund services for trafficking victims and the functioning of the trafficking in persons commission; however, there was no evidence this occurred. Government officials referred child trafficking victims to its social welfare agency, which did not have adequate funding for their care. The agency then referred child victims to government-registered residential care centers that, due to a lack of resources, could provide only short-term medical and counseling services, family tracing, pre-return assessments, and limited support for the families receiving these victims. The government did not have a formal program to assist victims who returned to Haiti, but did refer victims to international and non-governmental organizations.

Authorities worked closely with the U.S. Coast Guard to receive Haitian migrants who attempted to reach The Bahamas or the United States; Haitian authorities screened unaccompanied children for trafficking indicators and facilitated their re-integration with family members. The government, in partnership with a foreign government and an international organization, opened border resource centers (CRFs) at each of the four major border crossings, which housed representatives from the social welfare agency, child protective services, and NGOs. These centers identified and provided services to trafficking victims at the border regions.

The anti-trafficking law included provisions for temporary residency during legal proceedings for foreign victims of trafficking, as well as access to legal counsel, interpretation services, and permanent residency; however, the government did not provide these services and would be unlikely to have the financial resources to implement them. To assist in a prosecution, victims must testify against their accuser in the presence of their accuser; there were no facilities for video deposition or child-friendly facilities during legal proceedings. The law protected victims from liability for crimes committed as a result of being subjected to human trafficking. There was no legal provision for civil restitution for trafficking victims, but a judge could mandate civil restitution for related crimes under Haiti's civil code.

## PREVENTION

The government increased efforts to prevent trafficking. The government did not commit resources for its trafficking commission, compared with 10 million gourdes (\$158,860) in 2017. A lack of resources continued to hamper efforts to fight trafficking, but government coordination among donors and among ministries improved during the reporting period. In June 2017, the trafficking commission, with funding from an external donor, held a public conference with relevant government agencies and NGOs to highlight the problem of trafficking in the country and completed its draft 2017-2022 national action plan. A final draft was presented to the Minister of Social Affairs and Labor but was not approved before the end of the reporting period. There had been no resources allocated to implement this plan. The government improved oversight and coordination between the Ministry of Social Affairs and Labor and the trafficking commission; however, frequent changes in ministry leadership led to continued bureaucratic challenges in combating trafficking. The appointment of a new minister of social affairs in September 2017, however, led to better institutionalization and meeting structure of the trafficking committee within the ministry, which replaced inactive members. The government did not systematically monitor its anti-trafficking efforts. The commission, however, worked with EU technical experts to develop a draft report that described trafficking issues in Haiti; the report awaited approval from the minister before being released.

There were no government efforts to educate the public about children's rights to education and freedom from slavery to counteract tolerance of *restavek*. The CRFs had educational posters and brochures about trafficking at key border control points; however, the lack of controls at the 96 unofficial border crossing points further enabled trafficking. Authorities stated they did not have the human capacity to control illegal crossings in these areas. The government managed a 24-hour national anti-trafficking hotline, capable of receiving calls in French and Haitian Creole; there was no data available on its effectiveness.

Since the Government of the Dominican Republic's June 2015 deadline for registration of migrant workers in that country, the Haitian government coordinated efforts with international organizations and NGOs to receive Haitian expellees and provide documentation for Haitian citizens. However, the continued dysfunction of the Haitian civil registry system and weak consular capacity to provide identification documentation left many Haitians at risk of remaining undocumented in the Dominican Republic and subject to deportation—recognized risk factors for vulnerability to trafficking. First Lady Martine Moise led a public marketing campaign to provide infants born in Haiti with birth certificates. The social welfare agency instituted more stringent requirements for parents seeking authorization for unaccompanied travel by children to South American countries. Haiti did not have effective laws or policies to regulate foreign labor recruiters or prevent fraudulent recruiting. The Ministry of Social Affairs and Labor lacked staff and resources to inspect worksites for indicators of forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce demand for commercial sex or forced labor.

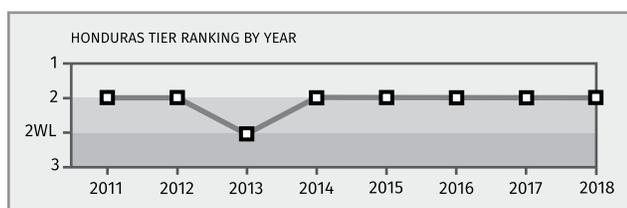
## TRAFFICKING PROFILE

As reported over the past five years, 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 (*restavek*) who

often are physically abused, receive no payment for services rendered, and have significantly lower school enrollment rates. A December 2015 joint government and international organization report on *restavek* found one in four children do not live with their biological parents and estimated 286,000 children under age 15 work in domestic servitude. 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. 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. A significant number of children flee employers' homes or abusive families and become street children. Female foreign nationals, particularly citizens of the Dominican Republic and Venezuela, are particularly vulnerable to sex trafficking and forced labor in Haiti. Other vulnerable populations include children in private and NGO-sponsored residential care centers; Haitian children working in construction, agriculture, fisheries, domestic work, and street vending in Haiti and the Dominican Republic; internally displaced persons including those displaced by Hurricane Matthew and the 2010 earthquake; members of female-headed, single-parent families, and families with many children; Haitians living near the border with the Dominican Republic; Haitian migrants, including those returning from the Dominican Republic, Brazil, Mexico, the United States, or The Bahamas; and LGBTI youth often left homeless and stigmatized by their families and society. 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.

## HONDURAS: TIER 2

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. The government demonstrated increasing efforts compared to the previous reporting period; therefore Honduras remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting more traffickers, including allegedly complicit officials, and convicting more traffickers; identifying, referring, and assisting more sex trafficking victims; and approving an increased budget for the Inter-institutional Commission to Combat Commercial Sexual Exploitation and Trafficking in Persons (CICESCT). However, the government did not meet the minimum standards in several key areas. The government did not obtain convictions of complicit officials or child sex tourists. The government provided limited services to adult victims, and services for victims identified outside the capital were even more limited. Despite continued reports of criminal organizations, including gangs, exploiting children in forced criminality, the government initiated only two such prosecutions.



## RECOMMENDATIONS FOR HONDURAS

Strengthen efforts to prosecute and convict public officials for complicity in trafficking offenses; increase efforts to prosecute trafficking offenses and to convict and sentence traffickers, particularly for crimes involving forced labor and forced criminal activity of children; increase the identification and assistance of adult victims, forced labor victims, and children forced to commit crimes, including among repatriated Hondurans and other particularly vulnerable populations; strengthen existing or develop and implement new victim referral mechanisms and provide specialized services and shelter to all victims, including through increased government funding to civil society organizations; amend the anti-trafficking law to include a definition of human trafficking consistent with international law; implement the national action plan for 2016-2022; enforce laws punishing brokers for illegal practices that facilitate trafficking, such as fraudulent offers of employment or illegal fees for migration or job placement; and continue training and properly resourcing dedicated anti-trafficking police and prosecutorial units, as well as staff on the "immediate response" team.

## PROSECUTION

The government increased law enforcement efforts. The 2012 Honduran anti-trafficking law criminalized sex and labor trafficking and prescribed penalties ranging from 10 to 15 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime. The law defined trafficking broadly to include exploitative labor conditions and illegal adoption without the purpose of exploitation. The CICESCT, with funding and assistance from a foreign government, evaluated the 2012 law and issued a number of recommendations, including amending the law to include the means as essential elements of the crime; improving victim assistance by compensating victims; and providing additional financial, logistical, and technical resources for service provision; but these amendments have not yet passed into law.

The government reported investigating 121 cases of suspected trafficking in 2017, compared to at least 41 cases in 2016. Authorities initiated prosecutions of 84 suspects—82 for sex trafficking and two for forced labor—in 50 cases, compared to 41 suspects in 11 cases for sex trafficking in 2016. The government convicted eight traffickers in seven sex trafficking cases in 2017, compared to nine traffickers in eight cases in 2016. In 2017, convicted offenders were fined and received sentences ranging from two years house arrest to 15 years imprisonment, compared to six to 15 years imprisonment in 2016. Civil society organizations reported concerns that traffickers were often prosecuted for lesser crimes with lower penalties, such as pimping. Widespread impunity for all crimes, including trafficking in persons and corruption, remained a challenge. The government investigated and prosecuted several current and a former government officials accused of sex trafficking in 2017. Prosecutors reported security officials have been involved in child sex trafficking. A lack of adequate resources limited the effectiveness of investigators and prosecutors. Authorities cooperated on trafficking investigations with officials from Belize to identify a sex trafficking network between the two countries and initiate prosecutions of four traffickers. The government held numerous training programs for police, investigators, prosecutors, judges, and other officials.

## PROTECTION

The government maintained efforts to identify, refer, and assist sex trafficking victims; however, authorities remained largely dependent on NGOs to fund and provide services. The CICESCT's "immediate response team" used protocols for identifying and referring sex trafficking victims, but Honduran authorities lacked systematic procedures to identify forced labor victims. The immediate response team, which included a full-time lawyer, psychologist, and social worker, worked with government ministries and civil society organizations to coordinate services for victims, including food, shelter, and health screenings, as well as referrals to longer-term support services, such as psychological, legal, and social services. The team operated a 24-hour trafficking-specific hotline, which received 45 calls in 2017 compared to more than 60 calls in 2016. The government identified 150 victims in 2017 (84 sex trafficking and 66 labor trafficking; 97 adults and 53 children), compared to 111 victims in 2016. It also provided immediate support to the 150 identified victims (all Honduran except one foreign national). The government also assisted 120 victims identified in previous years. The foreign ministry assisted and helped repatriate six Honduran nationals through its diplomatic missions in Argentina, France, Guatemala, and Mexico. Of the 150 victims identified within the country, 145 were reunited with their families and received limited long-term support and five remained housed in shelters. There were limited services available for adult victims, and services for both adults and children outside the capital were even more limited.

The government provided the CICESCT with a budget of 2.3 million lempiras (\$96,550) for 2017, and other government agencies also provided funds from their budgets for victim assistance. International donors and NGOs continued to fund and provide services for victims. The government contracted with shelters with specialized sex trafficking expertise to provide services to identified victims. In 2017, CICESCT provided funding to a shelter for adults, with specialized training for supporting trafficking victims. Adult victims were typically placed in shelters for victims of various forms of abuse. There were increased, but still limited, long-term support and reintegration services for victims, including legal, psychological, and social support. Many victims remained 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. The lack of adequate victim and witness protection programs, exacerbated by a slow trial process and the fear of retaliation by traffickers, led some victims—particularly adults or those exploited by criminal groups—to decline to cooperate with law enforcement. Officials acknowledged many children forced to engage in illegal activities by criminal groups were not properly identified, and thus may have been treated as criminals instead of victims. The government enabled victims to provide testimony via pre-recorded interviews in Gesell chambers and increased the number of such chambers from eight to 10 in 2017. Honduran law allowed foreign victims to receive temporary or permanent residency status, including authorization to work; the government did not report any victims received such benefits in 2017.

## PREVENTION

The government maintained its prevention efforts. The CICESCT promoted, monitored, and evaluated the government's anti-trafficking efforts, producing an annual report documenting these efforts. The CICESCT consisted of 31 governmental and non-governmental entities, which met monthly in 2017. The

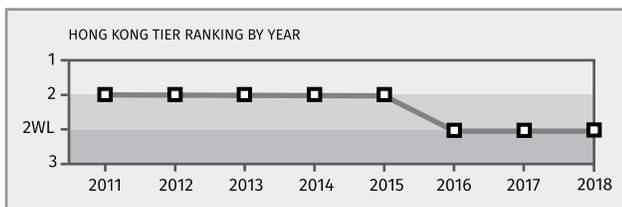
CICESCT established two new local interagency anti-trafficking committees for a total of 21 such committees with which it coordinated. The government began to implement the 2016-2022 national anti-trafficking action plan. With government and donor funding, authorities organized and participated in activities to raise awareness among vulnerable populations, including through television, radio, and printed materials. Various government agencies financed or participated in the provision of training to a wide range of participants, including psychologists, social workers, doctors, nurses, teachers, lawyers and reporters. Members of local interagency committees provided training to NGOs and local government officials on trafficking indicators. The government worked with other governments in the region to strengthen collaboration and establish repatriation protocols. In 2017, the Ministry of Labor issued new guidelines to enforce the 2015 decree requiring job placement companies to charge fees to employers and not employees, certified four companies' operating licenses, and cited two companies for not complying with the decree. Authorities conducted campaigns to raise awareness of child sex tourism among members of the tourism sector and local officials, but did not report convicting any individuals for purchasing sex acts from trafficking victims for the second consecutive year. The government registered 230 new companies in 2017 in its national tourism registry and added these same companies as signatories of a code of conduct to reduce trafficking and sanction businesses that facilitate exploitation. The government provided anti-trafficking training for its diplomatic personnel.

## TRAFFICKING PROFILE

As reported over the past five years, 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 street vending, domestic service, and the informal sector in their own country, and forced labor in other countries, particularly 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. Criminal organizations, including gangs, exploit girls for sex trafficking, force children into street begging, and coerce and threaten young males 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 subjected to sex trafficking on the streets of large cities, particularly 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. Latin American migrants transit Honduras en route to northern Central America and North America, where some are exploited for sex trafficking and forced labor. Authorities noted family members took children into prisons to be exploited in commercial sex by prisoners, raising concerns over the potential complicity of prison authorities. Overall corruption helped facilitate trafficking crimes.

## HONG KONG: TIER 2 WATCH LIST

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. The government demonstrated significant efforts during the reporting period by releasing an action plan to combat trafficking and enhance protections for foreign domestic workers; establishing a central steering committee to coordinate anti-trafficking efforts; passing legislation that strengthened the penalties against employment agencies that violate certain labor provisions; increasing the number of investigations for sex trafficking related offenses; and training a large number of front-line officers on victim identification and investigative methods. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government reported fewer convictions for sex trafficking related offenses and issued sentences that were insufficiently stringent for the seriousness of the crime. Some law enforcement officers did not properly investigate incidents with clear trafficking indicators reported to them by NGOs. Despite maintaining a victim identification mechanism, officials did not consistently identify victims, and the government did not consistently conduct screenings during investigations and police operations. Of the several thousand individuals it screened through the identification mechanism, the government only identified nine trafficking victims. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Hong Kong was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Hong Kong remained on Tier 2 Watch List for the third consecutive year.



### RECOMMENDATIONS FOR HONG KONG

Enact a comprehensive anti-trafficking law that criminalizes all forms of trafficking, including sex trafficking and forced labor without trans-border movement, in accordance with the definitions set forth in the 2000 UN TIP Protocol; increase efforts to 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 protection services; vigorously prosecute suspected labor traffickers and recruiters, especially those who exploit foreign domestic workers; cease penalization of victims for non-violent crimes committed as a result of being subjected to trafficking; increase legal protections for populations vulnerable to trafficking; enforce new penalties to penalize employment agencies that charge excessive fees to vulnerable populations, particularly foreign domestic workers; increase protective services available specifically for trafficking victims; increase efforts to consult with civil society on anti-trafficking policies; fully implement the action plan to combat trafficking and enhance protections for foreign domestic workers; make labor tribunals more effective through improved translation services, better access to counsel, and anti-trafficking training for judges; grant foreign victims permission

to work and study while participating in judicial proceedings against their traffickers; remove requirements that foreign domestic workers must depart Hong Kong within two weeks of quitting or being let go from their positions to renew their visas; provide legal alternatives to foreign victims who may face hardship or retribution in their home countries as a result of their victimization; and increase public awareness campaigns and trainings to educate police, labor inspectors, prosecutors, judges, and the public on human trafficking as defined by international standards.

### PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Hong Kong law did not criminalize all forms of human trafficking and the government relied on various provisions of laws relating to prostitution, immigration, employment, and physical abuse to prosecute trafficking crimes. Section 129 of the crimes ordinance, which criminalized “trafficking in persons to or from Hong Kong,” required transnational movement and did not require the use of force, fraud, or coercion, and was therefore inconsistent with international law. Section 129 prescribed penalties of up to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. Section 130 of the crimes ordinance criminalized the harboring, controlling, or directing of a person for the purpose of prostitution and prescribed penalties of up to 14 years imprisonment. Section 131 criminalized procuring a person to engage in commercial sex acts and prescribed penalties of up to 10 years imprisonment.

The absence of laws that fully criminalize trafficking made it difficult to accurately assess the government’s prosecution efforts compared to the previous year and made it difficult to determine which law enforcement actions involved human trafficking as defined by international law. The government reported investigating nine potential cases of labor trafficking and 37 potential cases of sex trafficking in 2017 (19 potential sex trafficking investigations in 2016). Authorities initiated the prosecutions of and convicted two potential labor traffickers, including an employer of a foreign domestic worker and the owner of an employment agency, for conspiracy to defraud the immigration department. The government sentenced both offenders to six months imprisonment, one with a suspended sentence. The government did not report the number of sex trafficking prosecutions initiated in 2017, but reported completing 14 prosecutions and obtaining 12 convictions for offenses related to sex trafficking (28 convictions in 2016), including sections 129, 130, and 131 of the crimes ordinance. Courts sentenced 10 offenders to terms of imprisonment ranging from one to nine months imprisonment and one to a suspended sentence; one offender was sentenced to a hospital order.

Police sometimes did not adequately investigate trafficking cases referred to them by NGOs and often dropped cases with clear indicators of trafficking. The absence of laws criminalizing all forms of trafficking impeded investigators’ ability to charge suspected traffickers, particularly in cases where it was difficult to prove physical assault, theft, recruitment, or transportation. The government designated a team of prosecutors, which it expanded to include additional staff during the reporting period, to prosecute trafficking related crimes. 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. However, there was no parallel change in the criminal laws.

Prosecutors sometimes used victims' acceptance to work outside of their contracts under duress as evidence that victims violated their immigration status, instead of as evidence of abuse, and prosecuted victims for immigration violations. The government trained a large number of police, immigration, labor, and customs officials on human trafficking awareness, victim identification, and the investigation of trafficking cases. The immigration and customs departments' provided trafficking related training to all new employees. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government maintained efforts to protect victims. Authorities identified 28 trafficking victims in 2017, compared to 36 in 2016. Police, immigration, and customs officials utilized a two-tier victim identification mechanism to screen vulnerable populations and refer potential victims to services. Through this mechanism, authorities screened 4,710 vulnerable individuals (2,515 in 2016), identified 23 individuals with at least one indicator of trafficking, and after conducting full briefings of all 23, determined nine to be trafficking victims (eight victims of labor trafficking and one victim of sex trafficking). The government also identified 19 child victims of sex trafficking during law enforcement operations; although authorities did not prosecute them for crimes committed as a result of being subjected to trafficking, the government arrested and immediately returned all 19 child victims to their home without providing adequate services or ensuring they received assistance upon their return. The government introduced the screening mechanism to nine additional police districts in 2017. Despite this screening mechanism, officials often did not recognize trafficking consistently and did not consistently screen foreign domestic workers or persons in prostitution during investigations and police operations.

The government subsidized nine NGO-run shelters to serve victims of violence, abuse, or exploitation, including trafficking victims, including three dedicated to assisting minor victims. However, no trafficking victims received assistance in government-funded shelters during the reporting period. These shelters could provide temporary accommodation, counseling, and access to public hospital medical and psychological services to local and foreign victims, regardless of gender or age. Some government-funded shelters were specifically equipped to provide services and protection to child victims. Some victims received assistance from NGOs or foreign consulates. The labor department operated a 24-hour hotline, which was available for trafficking victims to receive crisis support counseling and assistance with referral to authorities or services.

The government reported it had guidelines stating that victims should not be prosecuted for crimes committed as a direct result of being subjected to trafficking. However, the government continued to prosecute possible unidentified victims for crimes committed as a direct result of being subjected to human trafficking, such as violating their labor contracts, using forged identity documents given to them by recruitment agencies or employers, prostitution, and immigration violations. Fears of penalization made victims, including foreign domestic workers, reluctant to report exploitation to authorities. Poor translation services, lack of trained attorneys, the inability to work while awaiting a decision, and judges' inexperience with forced labor cases sometimes impaired victims' attempts to claim back wages or restitution through labor tribunals. The government's policy requiring foreign domestic workers to

return home within two weeks after their contract is terminated prematurely deterred potential trafficking victims from leaving or reporting exploitative employment as it imposed a prohibitive cost on changing their employer. The government allowed 31 exploited foreign domestic workers to pursue new employment visas without leaving the country in 2017. The government encouraged victims to participate in the investigation and prosecution of traffickers by offering financial assistance to victims residing overseas to enable their return to Hong Kong as witnesses and offering visa fee waivers to trafficking victims, as well as foreign domestic workers determined to be victims of illegal conduct; the government granted 133 visa fee waivers in 2017. Although this allowed some victims to work during pending prosecutions or labor tribunals, foreign victims were generally unable to do so, which deterred victims from cooperating with authorities or reporting exploitative employment. Hong Kong does not allow individuals to obtain permanent residency status as a result of being subjected to trafficking, even if repatriation may constitute a risk of hardship or retribution in the victim's home country.

## PREVENTION

The government increased efforts to prevent trafficking; however, the government did not conduct campaigns to raise awareness of sex trafficking. In March 2018, the government announced the establishment of a high-level steering committee that would coordinate the government's anti-trafficking efforts. In addition, it released an action plan to combat trafficking and enhance protections for foreign domestic workers in March 2018. An inter-departmental working group led by the security bureau, composed of police, immigration, customs and excise, labor, and social welfare departments, continued to meet. NGOs reported weak coordination with government agencies, which continued to impede the government's anti-trafficking efforts. To improve the public's and workers' awareness of the rights of foreign domestic workers and the responsibilities of employers, the government continued to: publish information leaflets that it required employment agencies to distribute; operate workers' rights information kiosks in public areas; work with the Philippine and Indonesian consulates in Hong Kong to provide information briefings to newly arriving domestic workers regarding their rights; and publish translated versions of standard employment contracts in additional foreign languages. The government continued placing advertisements in newspapers, and distributing anti-trafficking pamphlets in several languages to foreign domestic workers at the airport, through their consulates, and in Filipino and Indonesian language newspaper advertisements. Employment agencies and employers often seized these packets from workers.

The government reported investigating 49 cases involving physically and sexually abused foreign domestic workers, prosecuted 15 employers of domestic workers (seven in 2016), and convicted four (five in 2016). The government reported arresting 78 employers of foreign domestic workers and convicting 35 for illegally deploying workers to perform non-domestic duties; sentences included fines and terms of imprisonment ranging from four weeks to two months. In February 2018, the government passed legislation that increased the penalties for operating an employment agency without a license or overcharging workers to include up to three years imprisonment and increase potential fines from no more than 50,000 Hong Kong dollars (HKD) (\$6,400) to 350,000 HKD (\$44,790). The Employment Agencies Administration (EAA) was responsible for inspecting agencies and implementing the new legislation. Inspections of agencies were ineffective and

often only consisted of undetailed reviews of documentation. NGOs reported fines and penalties given to employment agencies exploiting foreign domestic workers were too light and did not act as a deterrent for unscrupulous agencies. The EAA conducted 1,846 inspections of employment agencies in 2017; the labor department convicted two agencies for overcharging workers, four for unlicensed operations, and five for other offenses (eight agencies convicted in 2016). The government began to require employment agencies to comply with a newly instituted “code of practice” covering statutory requirements and standards for Hong Kong-based employment agencies. Authorities could cite the code of practice in decisions to extend or revoke employment agency licenses. The commissioner for labor revoked the licenses of six additional employment agencies on suspicion of overcharging foreign domestic workers and rejected applications for the renewal of several licenses based on non-compliance. Labor officials also issued an amended code of practice outlining the management of potential employees’ passports and personal identification documents. However, some employment agencies reportedly continued to operate—and unlawfully retain workers’ passports, with impunity—after losing their licenses, sometimes under a different name. The government reported efforts to reduce the demand for commercial sex and forced labor. The government did not provide anti-trafficking training to its officials posted overseas.

**TRAFFICKING PROFILE**

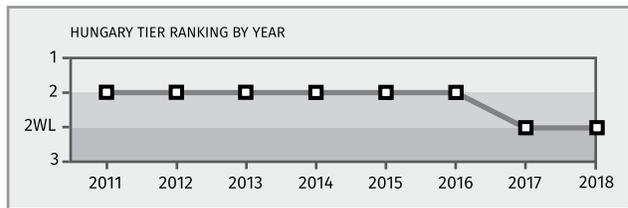
As reported over the past five years, Hong Kong is primarily a destination, transit, and to a much lesser extent, a source territory for men, women, and children subjected to forced labor and sex trafficking. Victims include citizens from mainland China, Indonesia, the Philippines, Thailand, and other Southeast Asian countries as well as countries in South Asia, Africa, and South America. Approximately 370,000 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. An NGO report released in 2016 estimated as many as one in six foreign domestic workers is a victim of labor exploitation. Employment agencies often charge job placement fees in excess of legal limits, and sometimes withhold identity documents, which may lead to situations of debt bondage of workers in Hong Kong. The accumulated debts sometimes amount to a significant portion of the worker’s first year salary. Some employers or employment agencies illegally withhold passports, employment contracts, or other possessions until the debt is paid. Some workers are required to work up to 17 hours per day, experience verbal, sexual or physical abuse in the home, and/or are not granted a legally required weekly day off. Some foreign domestic workers sign contracts to work in Hong Kong, but upon arrival are coerced or lured to work in mainland China, the Middle East, or Russia.

Some women in Hong Kong—often with the assistance of their families—deceive Indian and Pakistani men into arranged marriages that involve forced domestic servitude, bonded labor in construction and other physically demanding industries, travel and identity document retention, wage theft, and other forms of abuse via exploitative contracts. Separately, criminal syndicates or acquaintances sometimes lure women to Hong Kong from the Philippines, South America, and mainland China using false promises of lucrative employment and 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. “Compensated

dating” continues to facilitate commercial sexual exploitation of Hong Kong children and make them vulnerable to trafficking.

**HUNGARY: TIER 2 WATCH LIST**

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. The government demonstrated significant efforts during the reporting period by funding two NGOs to provide victim services and piloting a new EU-funded digital platform to collect statistical information on trafficking victims. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Investigations and the number of victims identified continued to decrease from the previous reporting period. Government officials did not screen for trafficking indicators among vulnerable populations and law enforcement did not identify a single victim in the country. Only one of the three individuals convicted under a trafficking statute served jail time. Services for victims remained scarce, uncoordinated, and inadequate, especially for children and foreigners. Law enforcement arrested and prosecuted children exploited in sex trafficking as misdemeanor offenders, including sentencing five children to detention based on their exploitation in sex trafficking. Therefore Hungary remained on Tier 2 Watch List for the second consecutive year.



**RECOMMENDATIONS FOR HUNGARY**

Screen all individuals in prostitution for trafficking indicators and protect adults and children from punishment for crimes committed as a result of trafficking, including prostitution; significantly increase quality and frequency of specialized victim services for adults and children and provide sufficient funding to NGOs to offer victim care; proactively identify potential victims, especially among vulnerable populations, such as migrants and asylum-seekers, children in state-run homes and orphanages, and individuals in prostitution, including by enhancing training for law enforcement and social workers on recognizing indicators of exploitation; increase law enforcement and judiciary efforts to investigate, prosecute, and convict traffickers under the trafficking statute and punish them with imprisonment; adopt and implement a non-punishment provision to ensure trafficking victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being subjected to trafficking; amend anti-trafficking provisions of the penal code to explicitly address the irrelevance of victim consent relating to trafficking offenses and train law enforcement on its implementation; take steps to prevent trafficking of vulnerable children residing in state-run child care institutions and individuals who leave these institutions; 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; 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

Law enforcement investigations and trafficking prosecutions decreased. Article 192 of the 2013 criminal code criminalized sex and labor trafficking, but inconsistent with the definition of trafficking under international law, established the use of force, fraud, or coercion as an aggravating factor rather than an essential element of the crime. The law broadly defined exploitation as the abuse of power for the purpose of taking advantage of a victim. The prescribed penalties for the base offense ranged from one to five years imprisonment, while the penalties for trafficking crimes involving aggravated elements ranged from two to 20 years or life imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes. Additionally, article 193 of the criminal code criminalized forced labor, with sentences ranging from one to five years imprisonment for adult labor trafficking and two to eight years imprisonment for child labor trafficking. Article 203 of the criminal code criminalized profiting from child prostitution, with penalties of up to eight years imprisonment.

Law enforcement data remained unreliable, making it difficult to assess efforts. In 2017, police closed 18 human trafficking investigations (25 in 2016). Of the 18 investigations, 16 were for forced labor, one for duress, and one for child labor. There were 19 additional cases of trafficking for unspecified forms of exploitation. Officials reported prosecuting three individuals for forced labor under article 193, compared with two in 2016. There were no prosecutions under article 192 in 2016 or 2017. Police closed 58 investigations of exploitation of child prostitution in 2017. Prosecutors also reported prosecuting 11 individuals for exploitation of child prostitution under article 203 (compared with 22 in 2016). Courts convicted three individuals for profiting from and promoting prostitution in 2017; two were convicted under article 192 and one was convicted under article 175/B of the old criminal code, all in the same case. Courts suspended the sentences (two years imprisonment) of the two individuals convicted under article 192. The court did not suspend the sentence of the third individual convicted under former article 175/B, which included one year and six months imprisonment, two years deprivation of civil rights, and a financial penalty. Courts convicted seven traffickers in 2016 (22 in 2015 and 10 in 2014). There were 17 convictions under article 203 in 2017. Although the 2012 criminal code removed a requirement that trafficking include a commercial transaction, judges reportedly continued to seek this evidence. County police conducted domestic investigations; investigations were transferred to the National Bureau of Investigations (NBI) trafficking unit if cases involved organized crime or an international connection. The NBI trafficking unit employed 11 people, which experts noted was insufficient given the magnitude of the problem. NGOs criticized local police for lack of sensitivity toward trafficking victims, and observers raised concerns that law enforcement regularly underreported trafficking offenses. Investigations were hampered by law enforcement's and prosecutors' lack of clarity on their roles and responsibilities, but ultimately prosecutors' offices supervised police trafficking investigations.

Police remained reluctant to investigate certain trafficking cases involving child victims, including vulnerable children in state-run care institutions. The government reported no knowledge

of officials complicit in trafficking; some observers, however, expressed concern about potential police protection of suspected traffickers. The government did not provide standard training on trafficking for law enforcement professionals; only ad hoc training courses were conducted. The government trained 30 consular officers and approximately 130 judicial staff on victim protection (840 in 2016), and, with EU funding, conducted a training program for labor inspectors. During the reporting period, national police cooperated with their counterparts from Belgium, the Netherlands, and the United Kingdom on joint investigation teams pursuing sex trafficking cases. The government did not report extraditing any foreign nationals accused of trafficking, compared with 52 in the previous reporting period.

## PROTECTION

The government maintained insufficient protection efforts. The government did not screen or adequately identify victims among vulnerable populations, such as adults and children involved in commercial sex, children living in government-run institutions, foreign workers, and unaccompanied minors, including asylum-seekers. 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. Observers criticized the mechanism for lacking clarity and standards, granting wide discretion to identifying bodies, including the police, as well as a lack of widespread dissemination of the protocols among front-line responders. Law enforcement generally treated all persons accused of prostitution as criminals, charging them with related administrative penalties and misdemeanor offenses. Hungarian anti-trafficking law did not protect trafficking victims, including children, from inappropriate administrative or criminal penalties for crimes committed as a direct result of their trafficking; the general non-punishment provision for victims of crime did not apply to misdemeanors or administrative offenses and was not implemented for trafficking victims. The government consistently failed to implement a 2011 EU directive requiring authorities to treat individuals subjected to trafficking in prostitution as trafficking victims regardless of initial consent, and Hungarian law did not include a provision on the irrelevance of victim consent. Authorities penalized 67 children (88 children in 2016), including 66 girls and one boy, for prostitution offenses; 33 children received a warning, 26 received a fine, five received detention, two were sentenced to community service work, and one had property confiscated. The Hungarian ombudsman for fundamental rights reported in March 2018 that the penalization of 14- to 18-year-olds for prostitution violated children's rights. The ombudsman recommended the interior minister consider amending the law to protect children under 18 years of age from punishment for prostitution, and that the national police review existing protocols on the handling of child trafficking for prostitution. The ombudsman also recommended that the government provide more efficient support and protection to child victims, and that it produce an action plan with dedicated government funding and targeted training for child protection experts.

The NBI trafficking unit did not report identifying any victims. In total, the government identified 33 victims, compared with 44 victims in 2016. Hungarian embassies identified nine victims, compared with 11 in 2016, but not all cases identified by embassies are reported through the system, making it difficult to compare numbers from year to year. The victim support service of the Office of Justice identified two victims, compared with nine in 2016. The victim support service provided 117,500 forint

(\$450) in financial aid for the two victims. The national crisis telephone information service (OKIT) provided support in 20 cases in connection with trafficking-related phone calls, involving 22 potential victims, compared with 23 in 2016. Eleven of the 22 victims received shelter. NGOs reported assisting approximately 66 trafficking victims, compared with 143 victims in 2016.

Victim assistance services remained scarce, uncoordinated, and inadequate, and exposed victims to the risk of re-victimization. All Hungarian and EU victims were eligible for government-provided financial support, psychological services, legal assistance, witness care, and shelter. The national referral mechanism did not apply to non-EU citizens without legal residence and did not provide a basis for funding services to these victims. The Ministry of Human Capacities (MHC) granted special approval to a government-funded NGO to provide services to non-EU national victims in a few cases when the NGO requested it. Experts criticized the government's lack of harmonized guidelines on protective services for victims, noting the referral system was ineffective, and reported there was no consensus among the responsible ministries regarding protected placement options for third country national victims, regardless of residency. Hungarian and EU victims were eligible to receive services through two temporary shelters for up to six months, independent of a victim's cooperation with law enforcement. The Ministry of Justice (MOJ) established three new crime victim support centers to provide comprehensive services to victims of crime, including trafficking victims, such as customized psychological and emotional support and information on victims' rights. The centers did not support any victims of trafficking as of the end of the reporting period. The government did not have a dedicated program to provide return and reintegration assistance for Hungarian victims identified abroad. Experts noted services for long-term reintegration were lacking. No victims received state-ordered restitution or compensation.

The government lacked a framework for identifying, referring, or assisting child victims other than the general child protection system and state-run homes, but this system had insufficient staff and resources to provide appropriate care or security, leaving victims vulnerable to re-trafficking. The government funded specialized services for eight minor female trafficking victims in a correctional facility. Experts criticized the chronic lack of assistance and specialized shelters for child trafficking victims. Children in state-run homes or orphanages were vulnerable to trafficking, both while living in the home and upon their required departure at age 18. Observers reported the government did not provide specialized services for child victims in state-run homes, which they described as "prison-like." In 2016, the MHC set up an expert working group, comprising NGO and government representatives, to focus on research, protection, prevention, and victim assistance regarding child sex trafficking in state care institutions; the group produced an assessment with recommendations in May 2017, which was distributed among the NGOs in the working group but not published. The government reported unaccompanied minors under 14 years old could be removed from transit zones and placed in a children's home in Fot, which did not offer specialized services for victims. The government planned to close the home in 2018 and did not report alternative accommodation for unaccompanied minors in the facility; media reports indicated authorities would transfer the children to a closed juvenile correctional facility. Unaccompanied minors between the ages of 14 and 18 could not leave the transit zone or be referred to the home in Fot until their asylum applications were approved.

The government provided 21.9 million forint (\$84,740), compared to 19 million forint (\$73,520) in 2016, in the form of one-year grants to one NGO to run two temporary shelters that could assist eight victims each with accommodation, psycho-social, and legal support. The NGO reported providing services for 20 victims (64 in 2016 and 62 in 2015), including one minor, as well as 12 dependent children and one adult relative. Authorities provided 5.4 million forint (\$20,890), compared to 2 million forint (\$7,740) in 2016, to another NGO to support its shelters providing services to trafficking victims. The government provided 6 million forint (\$23,220) to an NGO to implement a trafficking prevention and training program for vulnerable children in two juvenile correctional centers in 2018. The MOJ subsidized two NGOs that assist crime victims, including trafficking victims, with 24.7 million forint (\$95,570), compared to 76.6 million forint (\$296,380) in 2016. There was a severe lack of funding for victim services.

Foreign victims could receive a 30-day reflection period to decide whether to assist law enforcement, during which they were eligible for a certificate of temporary stay. Victims who cooperated with authorities were entitled to a residence permit for the duration of their cooperation. The government did not issue any temporary residence permits, permanent residence permits, or exemptions from deportation for trafficking victims during the reporting period. NGOs remained concerned about inadequate government protection for victims who testified against traffickers; no victims assisted in an investigation or prosecution or participated in the witness protection program during the reporting period.

## PREVENTION

The government maintained weak prevention and coordination efforts. The government had an anti-trafficking coordinator who chaired the national coordination mechanism, an entity including government actors, one international NGO, and the government-funded NGO that operated the trafficking shelters. Its work was complemented by the NGO roundtable, also chaired by the national coordinator. Coordination among these entities remained uneven. The government did not have an anti-trafficking national strategy and reported waiting for the European Commission to release a plan before adopting its own plan. The government did not release reports assessing its anti-trafficking efforts. The government provided approximately 1.5 million forint (\$5,800) the same amount as in 2016, to support the operation of OKIT, a 24-hour hotline for assisting victims of domestic violence and human trafficking. The hotline received approximately 7,500 calls, approximately 100 of which were trafficking-related and involved 22 victims. No investigations were initiated because of calls to OKIT.

The government contributed 25 percent of the funding for six trafficking-related projects awarded by the EU, worth a total of 137 million forint (\$530,080). The government did not commit additional funding to continue these projects when EU funding expires in 2018. Experts said the EU funding did not provide a long-term, durable solution to address the magnitude of the problem. An international organization received 70 million forint (\$271,850) to conduct a social media public awareness campaign on trafficking and 14 million forint (\$54,170) to establish a transnational referral mechanism between Hungary and Switzerland. The national police received 20 million forint (\$77,380) to provide training for approximately 700 police officers and front-line practitioners and 8 million forint (\$30,950) to organize eight local forums to enhance regional coordination. The immigration and asylum office used 7 million

forint (\$27,080) to train immigration and asylum officials, produce a document to be used in victim identification, and organize a conference. The MOJ received 18 million forint (\$69,650) to design a new digital platform for recordkeeping and case management on trafficking victims. The government launched the platform in September, and began training experts. Two county police headquarters also organized local awareness campaigns. The government did not make substantial efforts to reduce the demand for sex or labor trafficking. The government did not have the authority to inspect labor recruitment agencies or impose fines or punishment on foreign labor exchange agencies that committed trafficking offenses. The government did not have the authority to inspect the activities of labor recruitment agencies, but it could assess agencies' compliance with regulations concerning temporary work; it did not identify any victims while conducting this type of inspection.

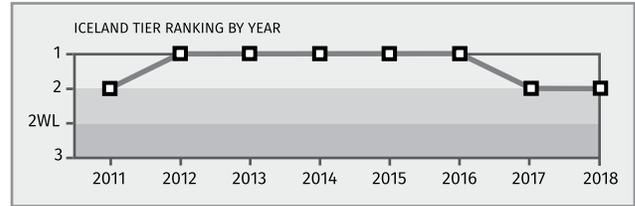
### TRAFFICKING PROFILE

As reported over the past five years, 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, undereducated young adults, Roma, single mothers, asylum-seekers and unaccompanied minors, 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 Germany, the Netherlands, and France. Hungarian men and women are subjected to forced labor domestically and abroad, particularly in Germany, the United Kingdom, and the Netherlands. NGOs have reported a phenomenon of selling disabled victims for sex trafficking. Hungarians, particularly Romani women and girls and those from state care institutions, are exploited in sex trafficking in large numbers in Austria by Hungarians of Roma and non-Roma 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 when they leave these institutes. Hungarian women lured into sham marriages to third-country nationals within Europe are reportedly subjected to forced prostitution. Hungarian men are subjected to labor trafficking in agriculture, construction, and factories in Western Europe. 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.

## ICELAND: TIER 2

The Government of Iceland does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Iceland remained on Tier 2. The government demonstrated increasing efforts by investigating more trafficking cases and adding a staff member to the specialized investigative unit. Iceland also identified more potential victims and increased resources for overall victim protection. However, the government did not meet the minimum standards in several key areas. The government did not prosecute or convict any suspected traffickers for the seventh consecutive year. Observers reported the need

for further clarification on referral procedures and the inability for victims to receive work permits hindered investigations due to victims leaving the country for employment.



### RECOMMENDATIONS FOR ICELAND

Significantly increase and report efforts to identify trafficking victims and refer victims to care facilities for assistance; intensify efforts to investigate, prosecute, and convict suspected traffickers; increase training for all police, prosecutors, and judges on detecting and prosecuting trafficking crimes; prioritize building trust between law enforcement and victims and provide protection and work permits to encourage victims to participate in the investigation and prosecution of traffickers; provide specialized services, including for male and child trafficking victims; enhance training methods for collecting evidence against suspected traffickers to avoid overreliance on victim testimony; improve victim referral procedures and develop procedures for identifying victims of forced marriage; expand training for officials on proactive identification of trafficking victims, particularly among migrant workers, unaccompanied children, and asylum-seekers; and finalize a current national anti-trafficking action plan and provide adequate funding for its implementation.

### PROSECUTION

The government slightly increased law enforcement efforts. Article 227a of the criminal code criminalized sex and labor trafficking and prescribed penalties of up to eight years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law enforcement reported 20 investigations compared with 16 investigations in 2016. Law enforcement also investigated one suspect for knowingly soliciting a sex trafficking victim to perform a commercial sex act. The government has not reported prosecuting or convicting any trafficking cases since 2010. Law enforcement did not conduct any international investigation during the year, compared to one in 2016. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The police maintained a special investigative unit dedicated to combating trafficking and prostitution and added a staff member to the unit for a total of three officers. Law enforcement maintained a special email address for tips or inquiries about possible trafficking cases. The Ministry of Justice (MOJ) announced increasing resources for police by 407 million krona (\$3.9 million) to investigate sexual abuse cases, including sex trafficking. Observers reported the need to consistently train and educate prosecutors and judges on trafficking. The police college curriculum included instruction on victim identification and investigation of trafficking cases and police officers working on prostitution-related offenses received specific training on trafficking.

### PROTECTION

The government maintained victim protection efforts.

Government-funded civil society organizations identified seven potential trafficking victims, compared to four official victims in 2016. Of these, three were potential victims of sex trafficking, compared to four forced labor victims in 2016. Police were unable to confirm the form of trafficking of the other potential victims. The national police commissioner maintained detailed procedures for police to use to identify, contact, and deal with possible trafficking victims to provide them with assistance. The government continued to distribute 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 maintained a pocket checklist to identify potential victims and inform them of available services. The government did not have a national referral mechanism, but police maintained standardized referral procedures that required police to contact welfare services in the municipality and the Ministry of Welfare (MOW) to coordinate victim care and placement. NGOs stated these procedures worked effectively in practice but required further clarification on the roles and responsibilities, including guidance on where to refer victims. Government-funded NGOs provided equal assistance and support to official and potential victims; the MOW provided services to two potential victims and four potential victims received assistance from the women’s shelter, compared to one victim in 2016. The government held 10 sessions on victim identification and assistance for approximately 400 officials.

The government maintained its two-year agreement signed in December 2016 to provide funding for an NGO-run domestic abuse shelter to provide emergency shelter to female trafficking victims and their children. The 2018 state budget allocated 76 million krona (\$730,140) to the domestic abuse shelter, compared with 71 million krona (\$682,100) for 2017. The MOW provided the shelter with an additional 300,000 krona (\$2,880) for the provision of services for trafficking victims, compared to 350,000 krona (\$3,360) in 2017. 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 MOW reimbursed the municipalities for all associated expenses. In 2016, the government refunded 22.3 million krona (\$214,240) to municipal governments for expenses related to “foreign citizens in distress,” which may have included trafficking victims. The government allocated 77 million krona (\$739,740) in the 2018 state budget to a separate NGO offering psychological services to individuals in prostitution and trafficking victims, compared to 71 million krona (\$682,100) in 2017. The government in collaboration with several NGOs opened a center offering free comprehensive services to abuse victims, including trafficking victims, as a two-year pilot project and allocated 50 million krona (\$480,350). There were no specialized care available for male victims, though they could access general social services and receive referrals to NGOs providing food, shelter, legal advice, and health care. Municipal and state child protection services were responsible for assisting unaccompanied children, including child trafficking victims.

Witness protection for trafficking victims was not mandated by law, but the government could provide it. In previous years, an

NGO reported victims of forced marriage, which may involve forced labor or sex trafficking crimes, generally did not contact police or press charges due to fear of traffickers and because cases can be difficult to prove. Victims could file civil suits against traffickers or seek restitution from the government, but no victims did so during the reporting period. Any foreign trafficking victim could obtain a nine-month residence permit. An additional one-year renewable residence permit was available to victims who cooperated with law enforcement or who 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. Police reported that investigations often stall because foreign victims leave the country to seek employment. The government did not report issuing any temporary residence permits in 2017, compared to one in 2016.

## PREVENTION

The government maintained efforts to prevent trafficking. MOJ led the steering group that met once a month to coordinate interagency anti-trafficking efforts. The Directorate of Labor (DOL) maintained a three-member team to respond to suspected trafficking cases and educate government employees on trafficking and identifying possible victims. DOL monitored the operations of companies that hired foreign “posted workers” by reviewing hiring contracts, checking paychecks against bank statements, and conducting targeted visits to talk to employees and supervisors. The government’s 2013-2016 national action plan expired during the previous reporting period; the government reported a new action plan was in development. The government organized an awareness raising conference for approximately 200 government officials and civil society, including police, prosecutors, and labor unions. Police continued to enforce laws against purchasing commercial sex but did not report efforts to reduce the demand for forced labor.

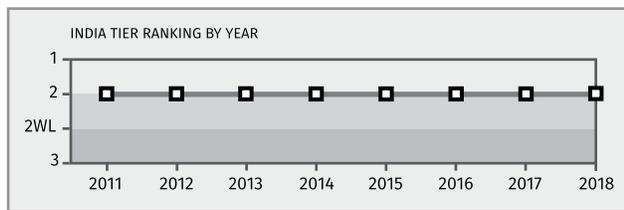
## TRAFFICKING PROFILE

As reported over the past five years, 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, and South America are subjected to sex trafficking, often in nightclubs and bars. Men and women from the Baltics, Eastern Europe, South America, and East Asia are subjected to forced labor in construction, tourism, and restaurants. 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; NGOs note these cases rarely come to the attention of 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.

## INDIA: TIER 2

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. The government demonstrated

increasing efforts compared to the previous reporting period; therefore India remained on Tier 2. The government demonstrated increasing efforts by nearly tripling the number of victims identified and increasing its budget for shelter programs for female and child trafficking victims. The government's inter-ministerial committee met during the reporting period to discuss and revise a draft anti-trafficking bill and India's border guard force on the India-Nepal border conducted several awareness activities on human trafficking for students and border communities. However, the government did not meet the minimum standards in several key areas. 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's conviction rate and the number of investigations, prosecutions, and convictions was disproportionately low relative to the scale of trafficking in India, particularly with respect to bonded and forced labor. Despite reports of some officials complicit in trafficking, the government did not report investigating such allegations.



## RECOMMENDATIONS FOR INDIA

Increase prosecutions and convictions for all forms of trafficking, including forced and bonded labor, and of officials allegedly complicit in trafficking, respecting due process; establish and fully resource anti-human trafficking units (AHTUs) in all districts, including by providing additional dedicated, trained staff and by clarifying the mandate of AHTUs; significantly increase efforts to identify victims proactively to include disseminating and implementing standard operating procedures (SOPs) to harmonize victim identification and referral, and training officials on their use; cease the penalization of trafficking victims; protect victim confidentiality and privacy, including on government-issued identification documents; improve central and state government implementation of protection programs and compensation schemes to ensure trafficking victims receive benefits, release certificates, and compensation funds; develop and adopt a national action plan to combat trafficking; eliminate all recruitment fees charged to workers and raise awareness among workers that they are not required to pay for a job; 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; lift the ban on female labor migration to certain countries to discourage migration through undocumented channels; 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 in or facilitation of trafficking crimes, and to provide personnel the tools to identify and assist trafficking victims in their work.

## PROSECUTION

The government maintained law enforcement efforts. Indian law criminalized sex trafficking and some forms of labor trafficking.

Section 370 of the Indian Penal Code (IPC) criminalized slavery, servitude, and most forms of sex trafficking and prescribed penalties ranging from seven years to life imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, Section 370 required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. However, Sections 372 and 373 of the IPC criminalized the exploitation of children through prostitution without requiring a demonstration of such means, thereby addressing this gap. These sections prescribed penalties of up to ten years imprisonment and a fine, which were also sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Section 370 criminalized government officials' involvement in human trafficking and prescribed penalties up to life imprisonment. Bonded labor was specifically criminalized under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, which prescribed sufficiently stringent penalties of up to five years imprisonment, and the Bonded Labor System (Abolition) Act (BLSA), which prescribed penalties of up to three years imprisonment, which were not sufficiently stringent. The Juvenile Justice Act and other sections of the IPC criminalized many forms of forced labor; however, these provisions were unevenly enforced and some of their prescribed penalties were not sufficiently stringent, allowing for only fines or short prison sentences. The government frequently used the Immoral Traffic Prevention Act (ITPA) and various provisions of the IPC, which prescribed penalties that were sufficiently stringent and commensurate with other serious crimes such as rape, to prosecute sex trafficking.

During the reporting period, the National Crimes Record Bureau (NCRB) issued the 2016 Crime in India Report, the most recent law enforcement data available. The 2016 report utilized different sections of law from previous years' reports by including additional sections of the penal code relevant to human trafficking and removing ITPA data from the reported totals for human trafficking, thereby making past data incomparable. The 2016 report also included IPC section 367 in its aggregated trafficking data despite this section covering crimes broader than trafficking; the government did not report if it had disaggregated non-trafficking crimes from the data. In 2016, police investigated 5,217 trafficking cases and the government completed the prosecution of 587 cases. Of these cases, courts convicted traffickers in 163 cases and acquitted individuals in 424 cases. The acquittal rate for trafficking cases increased from 65 percent in 2015 to 72 percent in 2016. The government did not publish the categorization of the cases between sex or labor trafficking. The NCRB did not include cases of bonded labor in the overall human trafficking statistics, but did separately report 114 investigations and 13 prosecutions of cases in 2016 under the BLSA. This was an increase from 77 investigations and seven case prosecutions in 2015. However, the courts' convictions under the BLSA remained notably low at only three in 2016 (compared to four in 2015), although bonded labor offenders may also be charged and convicted under other laws. The government did not report sentences for convictions. A senior police official noted at least one state did not report conviction data to the NCRB because of concern over the integrity of local data. Despite the overall increase in trafficking cases reported by the NCRB, NGOs continued to comment the figures did not reflect the large scale of human trafficking crimes in India, as many cases were not registered by police or were settled at the complaint stage. Inconsistent application of the law across jurisdictions, corruption among

some officials, and a lack of awareness or capacity in some parts of the country resulted in incidents of inaction on trafficking crimes by police and prosecutors.

In February 2018, the Union Cabinet, chaired by the prime minister, approved the Trafficking in Persons (Prevention, Protection and Rehabilitation) Bill for introduction in the Parliament. If passed, the government reported the bill would address the issue of trafficking from the “point of view of prevention, rescue and rehabilitation,” criminalize aggravated forms of trafficking, and create a national anti-trafficking bureau to comply with a December 2015 Supreme Court directive to establish an anti-trafficking investigative agency. The creation of such an agency was pending the passage of the anti-trafficking bill, although the Ministry of Women and Child Development (MWCD) had allocated 832 million Indian rupees (INR) (\$13.1 million) to the Ministry of Home Affairs (MHA) for the agency. AHTUs continued to serve as the primary investigative force for human trafficking crimes. In the previous reporting period, MHA released funds to establish a total of 270 AHTUs out of the more than 600 districts. MHA reported 264 AHTUs were operational throughout the country during the reporting period, an increase of five compared with the previous reporting period. Some NGOs reported significant cooperation with AHTUs on investigations and police referral of victims to NGOs for rehabilitation services. However, other NGOs noted some AHTUs continued to lack clear mandates and were not solely dedicated to anti-trafficking, which created confusion with other district- and state-level police units and in some cases impeded their ability to proactively investigate cases. Some police offices reportedly used AHTU resources and personnel for non-trafficking cases. Coordination across states remained a significant challenge in cases where the alleged trafficker was located in a different state from the victim. NGOs noted some police offices were overburdened, underfunded, and lacked the necessary resources, such as vehicles and computers, to combat trafficking effectively. NGOs noted some prosecutors and judges did not have sufficient resources to properly prosecute and adjudicate cases. State and local governments partnered with NGOs and international organizations to train police, border guards, public prosecutors, railway police, and social welfare and judicial officers. MHA provided roughly 191,000 INR (\$3,000) for Telangana and Andhra Pradesh to organize a judicial colloquium in December 2017 for 130 judges and prosecutors on sex trafficking.

Official complicity in human trafficking occurred at varying levels of government. The government did not report comprehensive data on investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The 2016 Crime in India Report, the most recent law enforcement data available, stated under the corruption act and related IPC sections, there were 4,764 officials charged, 1,071 officials convicted, and 1,947 officials acquitted in 2016; the government did not report whether any of the cases were related to human trafficking. Some corrupt law enforcement officers reportedly protected suspected traffickers and brothel owners from law enforcement action, received bribes from sex trafficking establishments and sexual services from victims, and tipped off sex and labor traffickers on forthcoming raids. Media quoted a Delhi government official as stating Delhi’s red-light area had become a hub for human trafficking, especially of girls, and alleging the involvement of police, politicians, and local government officials. There were no reports of investigations into such cases of complicity for the second consecutive year.

## PROTECTION

The government increased efforts to protect victims. The NCRB reported the government’s identification of 22,955 victims in 2016, compared with 8,281 in 2015. The NCRB reported 11,212 of the victims were exploited in forced labor, 7,570 exploited in sex trafficking, 3,824 exploited in an unspecified manner, and 349 exploited in forced marriage, although it is unclear if the forced marriage cases directly resulted in forced labor or sex trafficking. The government did not disaggregate the type of exploitation experienced by the age, gender, or nationality of the victim and included a small number of non-trafficking crimes in its overall victim demographic numbers; thus the following information included 162 more persons than the total number of trafficking victims identified. The government identified 8,651 boys, 7,238 women, 5,532 girls, and 1,696 men as trafficking victims. Of the victims, 22,932 were Indian, 38 Sri Lankan, 38 Nepali, 36 Bangladeshi, and 73 were various other nationalities, including Thai and Uzbek. A 2009 MHA non-binding directive advised state officials to use SOPs for proactive victim identification and referral to protection services; however, it is unclear if all 29 states employed such SOPs. Some NGOs noted police did not use SOPs and were not proactive in their identification of potential victims; instead, police reportedly relied on NGOs to identify and report the location of the victim to the police for rescue. In December 2017, after consultations with civil society, the National Human Rights Commission created and published SOPs for combating human trafficking. These SOPs included information on the definition of trafficking, myths and misconceptions about trafficking, a screening tool to help identify potential victims, steps to rescue a victim including providing immediate care and support to the victim, and information on rehabilitation programs and restitution. MWCD’s SOPs for cases of missing children, created in the previous reporting period, continued to mandate the transfer of cases not resolved within four months to an AHTU. MWCD and MHA continued to implement TrackChild, a system to identify missing children nationally. MWCD continued to support the national Childline hotline, an emergency phone service for children in need of assistance, including trafficking victims. State- and district-level law enforcement continued to carry out operations to rescue and rehabilitate missing and exploited 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 reportedly undertook rescue operations without further investigating or charging suspects.

MWCD continued to fund NGO- and government-run shelter and rehabilitation services for women and children through the *Ujjawala* program, specifically for female sex trafficking victims, and the *Swadhar Greh* program, for women in difficult circumstances. The central government’s budget for the *Ujjawala* program increased from 203 million INR (\$3.2 million) in 2016-2017 to 350 million INR (\$5.5 million) in 2017-2018 and the *Swadhar Greh* budget decreased from 840 million INR (\$13.2 million) to 750 million INR (\$11.8 million). NGOs continued to report the number of government shelters was insufficient and overcrowding compromised victim rehabilitation. Both government- and NGO-run shelters faced shortages of financial resources and trained personnel, particularly of counselors and medical staff. NGOs relied primarily on donor contributions to provide victim services, although some received government funds. The disbursement of government funding to NGOs was sometimes delayed for multiple years and corruption reportedly drained some resources intended for victim care. 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. Government child welfare committees placed child victims in private shelters or in government juvenile justice homes, some of which may have housed child victims with children accused of crimes. Children largely received the same government services as adults. Media reported allegations that some privately-run children's homes subjected children to trafficking. During the reporting period, police in Tamil Nadu charged the director of an unregistered children's home under trafficking and juvenile justice laws.

In May 2016, the central government revised its program for the rehabilitation of bonded laborers to increase compensation and include female sex trafficking and child forced labor victims as eligible to receive restitution and assistance. In June 2017, the Ministry of Labor and Employment (MoLE) disseminated a memo to local and state governments clarifying parts of the 2016 program and outlining additional modifications. The memo clarified district administrations could provide immediate monetary assistance up to 20,000 INR (\$310) to a victim released from bonded labor regardless of the status of a related court case. However, the release of the overall restitution amounts (between 100,000 INR [\$1,570] and 300,000 INR [\$4,710] based on the victim's demographics) remained contingent on the conviction of the trafficker or administrative processes that may take several years to conclude. Media and NGOs reported a small number of victims received initial monetary assistance; however, media also reported the inaction of districts and states on bonded labor in part due to a lack of funds. State governments were required to provide victims with immediate monetary assistance from state budgets and then request reimbursement from the central government. Judges could also order victim restitution through other government compensation programs. While these programs were also mostly based on the conviction of the trafficker, in August 2017 before a trial took place a judge ordered restitution of 300,000 INR (\$4,710) to a child sex trafficking victim under the 2012 Prevention of Children Against Sexual Offenses Act's compensation fund. Rescued bonded laborers were entitled to "release certificates" enabling them to receive government-funded services. Many victims received certificates at or soon after their rescue, especially in areas where there was significant coordination between the government and NGOs. Other victims experienced lengthy delays before obtaining the certificates. The government did not provide adult male trafficking victims, other than bonded labor victims, any protection services. Government-run hospitals provided emergency medical services to victims, although long waiting lists made it difficult to obtain surgery and other procedures and NGOs often had to pay for victims' emergency medical treatment. In August 2017, the district government of Jashpur, Chhattisgarh initiated a pilot program to provide ten female trafficking survivors a location and equipment to open a bakery. In March 2018, the President of the Republic of India awarded the bakery and the survivors the Nari Shakti Puraskar (Women Empowerment Award) and launched an NGO-run three-month course to build the confidence of trafficking survivors, assess their skills and educational levels, and connect them with the government-run Skill India program for vocational training. Media reported the government aimed to provide vocational training to 500,000 survivors in the future.

Foreign victims received the same access to shelter and services as Indian nationals. Government policy on foreign victims dictated their return to their country of origin at the earliest possible time. Authorities detained foreign sex trafficking victims to government aftercare homes until repatriation and did not

permit them to work in the local economy. The repatriation of foreign victims could take years due to a number of constraints, including some victims' lack of identity documents. NGOs stated children who could not identify their home state or country were unable to be returned to their families or place of origin. The governments of India and Bangladesh continued to implement their 2015 Memorandum of Understanding (MOU) on human trafficking, including through coordination on repatriation; Bangladeshi NGOs reported the average Bangladeshi victim was repatriated within six months.

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; it is unknown if these protections were used for trafficking victims during the reporting period. In 2009, MHA provided guidelines to all state governments encouraging police not to charge victims for crimes committed while subjected to human trafficking, including foreign women and child victims for immigration violations. However, in certain cases, the government continued to penalize victims as a result of inconsistent identification and screening efforts, including sex trafficking victims arrested for prostitution and foreign trafficking victims charged with immigration violations. In 2014, 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 was provided and the Indian government determined the person to be a trafficking victim. However, some victims continued to cite lengthy delays, requests from the government for private or otherwise sensitive information, and inconsistent application of the policy when attempting to renew their passports. In 2016 and 2017, the government stamped the passports of some recipients of the foreign government's visas, for both trafficking victims and their eligible family members, identifying them as trafficking victims involved in a particular investigation, civil, or criminal case. While the stamp requested authorities permit the visa holder to travel without hindrance, some NGOs familiar with this practice noted it made some victims fearful of reprisal and penalization and served as a deterrent to victims interacting with authorities.

## PREVENTION

The government maintained overall efforts to prevent human trafficking. The government's inter-ministerial committee, chaired by the secretary of the MWCD and including civil society organizations and relevant government ministries, met during the reporting period to discuss and revise the draft anti-trafficking bill. The government did not have a national action plan to combat trafficking; however, it did have a national plan of action for children, launched in a previous reporting period, which outlined efforts to prevent and protect children from trafficking and to conduct research and analysis. In January 2018, the government reported help desks had been established in 33 major railway stations to provide immediate support to unaccompanied children, who may be missing, abandoned, or runaways and who may be vulnerable to exploitation, including trafficking. Sashastra Seema Bal (SSB), India's border guard force on the India-Nepal border, conducted several awareness activities on human trafficking

for students and border communities in September 2017. SSB hosted a workshop, organized a painting competition to raise awareness in 39 schools, and commissioned two vehicles to create an awareness caravan for border districts with speakers and awareness materials. Some state governments had state-level action plans, task forces, and MOUs to combat trafficking and conducted anti-trafficking awareness campaigns or made in-kind contributions to NGO-run campaigns. West Bengal police continued to implement regular awareness events with students, teachers, and administrators, including in four new districts in early 2018.

The government registered foreign recruitment agencies and Indian migrant workers through the eMigrate online system. The government required migrant workers going to 17 specific countries, including the Middle East, to receive emigration clearance before their departure. Among other steps, clearance required Indian overseas missions to verify employment agreements for unskilled and farm workers and all female migrant workers. The government banned female migrant workers under age 30 from working in the 17 countries. The UN and members of civil society continued to argue any ban on migration increased the likelihood of migrating illegally and therefore heightened their vulnerability to human trafficking. MEA provided counseling and other resources to those considering migrant work at five resource centers in Chennai, Gurgaon, Hyderabad, Kochi, and Lucknow. In July 2017, India's Cabinet approved revised guidelines for the MEA's Indian Community Welfare Fund (ICWF) to expand the fund's geographic use from 43 Indian missions to all Indian missions abroad and the scope of services to include awareness measures and hotlines for migrant workers in distress, in addition to continuing the services of shelter, legal assistance, and repatriation. The ICWF was primarily funded through overseas consular fees. The government had MOUs on human trafficking with Bahrain, Bangladesh, and the United Arab Emirates, and in January 2018, India and Cambodia signed a MOU on the prevention of human trafficking and the rescue and repatriation of victims. The government permitted licensed foreign employment recruiters to charge migrant workers up to 20,000 INR (\$310) for worker-paid recruitment fees and costs; however, observers stated migrant workers were frequently charged more than the maximum and obtained loans to pay the recruiters, thereby increasing their debt and vulnerability to labor trafficking. The government prohibited the role of unregulated and unregistered sub-agents; however, sub-agents reportedly continued to operate widely with impunity. MEA reportedly worked with the Central Bureau of Investigation to address cases of recruitment fraud and trafficking allegations and revoked recruitment licenses, but it did not report how many licenses it revoked during the reporting period.

Within India, some states regulated aspects of the informal labor sector, including seven state governments that stipulated a minimum wage for domestic work. In October 2017, MoLE solicited public input on the formulation of a national domestic worker policy. The government amended the Child Labor (Abolition) Act in August 2016 to ban employment of children below the age of 14. The amended law also prohibited the employment of children between the ages of 14 and 18 in hazardous work except in mines; however, the law permitted employment of children in family-owned enterprises, involving nonhazardous activities, after school hours. Indian civil society continued to express concern that these changes amounted to legalizing some forms of child labor that would subsequently increase the vulnerability of children to trafficking. According to Indian child labor organizations, the number of labor

inspectors was inadequate for the scope of work and inspectors could only inspect private farms or residences if a complaint had been filed.

The central government's May 2016 revision of the bonded laborers rehabilitation program provided for the reimbursement of 450,000 INR (\$7,060) per district for a census of bonded labor. In its June 2017 memo, MoLE outlined modifications to this provision, including that the central government will advance 50 percent of the amount required for conducting the surveys to the state and that five evaluation studies per year may be conducted. The government did not report if any state had conducted such surveys.

Despite India being a destination for child sex tourism, the government did not report measures to reduce child sex tourism. In January 2018, the government of Andhra Pradesh appointed a panel of legal experts and civil society to make recommendations on which laws could be used to prosecute buyers of sex. The government did not report additional efforts to reduce the demand for commercial sex acts 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.

## TRAFFICKING PROFILE

As reported over the past five years, 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, embroidery factories, and agriculture. Most 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, garment, and textile industries, wire manufacturing for underground cables, biscuit factories, pickling, floriculture, fish farms, and ship breaking. Workers within India who mine for sand are potentially vulnerable to human trafficking. Thousands of unregulated work placement agencies reportedly lure adults and children under false promises of employment into 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, carpet weavers, 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. The "Provident Funds" or "Sumangali" scheme in Tamil Nadu, in which employers pay young women a lump sum, used for education or a dowry, at the end of multi-year labor contracts may amount to conditions of forced labor. Separatist groups, such as the Maoists in Bihar, Chhattisgarh, Jharkhand, Maharashtra, West Bengal, and Odisha, force some children to act as spies and couriers, plant improvised explosive devices, and fight against the government, although reportedly to a lesser degree than previous years.

Experts estimate millions of women and children are victims of sex trafficking in India. Traffickers use false promises of employment or arrange sham marriages within India or Gulf states and subject women and girls to sex trafficking. In

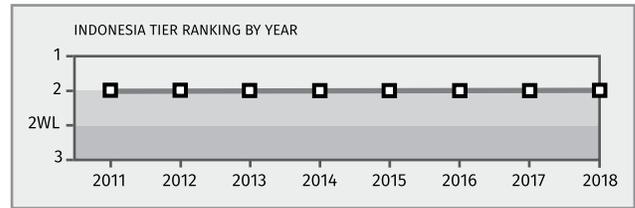
addition to traditional red light districts, women and children increasingly endure sex trafficking in small hotels, vehicles, huts, and private residences. Traffickers increasingly use websites, mobile applications, and online money transfers to facilitate commercial sex. Children continue to be subjected to sex trafficking in religious pilgrimage centers and by foreign travelers in tourist destinations. Many women and girls, predominately from Nepal and Bangladesh, and from Europe, Central Asia, Africa, and Asia, including Rohingya and other 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 work, 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. Girls from northeast India were reportedly vulnerable to human trafficking as they transited Burma on fake Burmese passports to circumvent the Indian government's required emigration clearance to migrate for work to certain countries. 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 2015 Nepal earthquakes, Nepali women who transit through India are increasingly subjected to trafficking in the Middle East and Africa. Some boys from Bihar and Uttar Pradesh are subjected to forced labor in embroidery factories in Nepal. Burmese Rohingya, Sri Lankan Tamil, and other refugee populations continue to be vulnerable to sex trafficking and forced labor in India.

## INDONESIA: TIER 2

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 demonstrated increasing efforts compared to the previous reporting period; therefore Indonesia remained on Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more traffickers, and identifying more victims compared to the previous year. It also repatriated and provided services to more Indonesian victims from overseas; implemented new regulations to prevent trafficking in the fishing industry; negotiated initiatives with the private sector to reduce vulnerability of Indonesian overseas workers; and conducted training for officials. The government convicted an immigration official under the 2007 anti-trafficking law and sentenced him to six years in prison in June 2017. However, the government did not meet the minimum standards in several key areas. Endemic corruption among officials remained, which impeded anti-trafficking efforts and enabled many traffickers to operate with impunity. The 2007 anti-trafficking law included a requirement of demonstrated force, fraud, or coercion to constitute a child sex trafficking crime, which is inconsistent with international law. Officials' lack of familiarity

with trafficking indicators and anti-trafficking laws impaired proactive victim identification among vulnerable populations and hindered law enforcement efforts.



## RECOMMENDATIONS FOR INDONESIA

Investigate, prosecute, and convict corrupt public officials that willfully ignore, facilitate, or engage in trafficking crimes; amend the 2007 law to remove the required demonstration of force, fraud, or coercion to constitute child sex trafficking; increase efforts to effectively monitor labor recruitment agencies and brokers and investigate, prosecute, and convict traffickers; refine procedures to identify potential victims among vulnerable groups, including returning migrant workers, persons in prostitution, and fishing vessel crewmembers; train marine ministry staff and labor inspectors on victim identification and referral procedures; provide anti-trafficking training for judges, prosecutors, police, and social workers; take steps to eliminate recruitment fees charged to workers by labor recruiters; proactively offer identified victim reintegration services; promote safe and legal migration with trafficking prevention measures; increase resources for the anti-trafficking task force and improve its coordination across ministries; establish a data collection system to track anti-trafficking efforts at all levels of law enforcement; train hospital staff and other health care providers about provisions guaranteeing government-funded care for trafficking victims; and create a national protocol that clarifies roles for prosecuting trafficking cases outside victims' home provinces.

## PROSECUTION

The government increased law enforcement efforts. The 2007 anti-trafficking law criminalized all forms of labor trafficking and sex trafficking of adults and prescribed penalties of three to 15 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking.

Corrupt officials reportedly continued to facilitate the issuance of false documents, accepted bribes to allow brokers to transport undocumented migrants across borders, protected venues where sex trafficking occurred, practiced weak oversight of recruitment agencies, and thwarted law enforcement and judicial processes to hold traffickers accountable. However, the government did convict an immigration official under the 2007 anti-trafficking law and sentenced him to six years in prison in June 2017.

The government ratified the ASEAN Convention against Trafficking in Persons, Especially Women and Children, through passage of Law No.12/2017. The Law expanded the government's authority to prosecute suspects for illegal recruitment and provided a legal basis for Indonesian law enforcement agencies to collaborate with other ASEAN countries.

Officials reported ineffective coordination among police, witnesses, prosecutors, and judges continued to hinder the government's ability to investigate, prosecute, and convict traffickers, especially when cases involved numerous jurisdictions or other countries. The national police anti-trafficking unit did not have a mechanism to track trafficking investigations at the national, provincial, and district level, making it difficult to determine the total number of investigations and resolved cases. The police reported 123 new trafficking investigations in 2017, up from 110 in 2016. The national police also reported referring 51 investigations to the attorney general's office in 2017. The Supreme Court implemented a comprehensive prosecutorial recordkeeping mechanism, but statistical discrepancies continued due to lack of coordination with law enforcement entities, whose own informal self-monitoring practices remained underdeveloped. The Supreme Court reported 407 new trafficking prosecutions during 2017, an increase compared to 263 reported the previous year and a result of improved data collection. The Supreme Court also reported 324 convictions, compared to 190 in the previous year; sentences ranged from two and a half years up to seven years.

The Attorney General's Office conducted training for 580 prosecutor candidates and coordinated with an NGO to create trafficking guide books for law enforcement officials. Other ministries provided training for law enforcement from nine provinces, including 22 districts in East Nusa Tenggara (NTT), as well as for 71 members of the illegal fishing task force.

## PROTECTION

The government maintained protection efforts. Although officials at the national level did not collect comprehensive data, they identified 5,801 victims. The Commission for the Protection of Children officially identified 293 suspected child trafficking victims. However, the government did not report if identification led to investigations or the provision of victim protective services. A local NGO estimated as many as 80,000 children were exploited for sex trafficking in 2017.

A draft law on the protection of domestic workers in Indonesia continued to stall in the national legislature. An international organization reported trafficking victims were often unaware of government reintegration services, including training on how to start a small business, and follow-up services for victims who had departed shelters remained insufficient. The Ministry of Health (MOH) was responsible for funding victims' health care, which national police hospitals were obligated to provide free of charge. The MOH trained hospital personnel to provide health services to victims of trafficking and violence in 12 provinces during 2017, including physical and psychological treatment by trained paramedics and health service personnel at community health centers and hospitals.

The government's overseas crisis center complaint system received 4,475 complaints from workers placed overseas, including 71 confirmed trafficking cases and 2,430 cases with trafficking indicators. Although the government reportedly initiated investigations based on these complaints, the government did not report the results. Seven ministries jointly finalized a screening form for staff at Indonesian embassies overseas to identify trafficking victims and as a reference in trafficking-related investigations. In May 2017, the national police and the Attorney General's Office, supported by the Indonesian embassy in Kuala Lumpur, used the screening form to identify 40 Indonesian trafficking victims. The government repatriated 340 suspected trafficking victims from overseas, compared with 602 in 2016. The government provided returning

victims with short-term shelter and reintegration assistance, and it referred them to local government entities for further care.

The government's witness protection unit provided legal assistance to approximately 257 trafficking victims, compared to 165 in 2016. Since multiple agencies provided legal assistance with varying degrees of adherence to recordkeeping protocols, the total number who received such aid is unknown. In August 2017, the Supreme Court issued a decree on Guidelines to Prosecute Women Facing Legal Cases. The guidelines specify that judges should protect female victims during the case review, conviction, and judicial review phases of legal processes by considering gender equality and psychological trauma. The decree also included guidelines to prevent re-traumatization by allowing video testimony. The government facilitated restitution payments for 54 victims during the year. There were no reports that 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 or deportation 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 increased efforts to prevent trafficking. The national task force maintained 32 provincial-level task forces and 191 local and district-level task forces. The national task force held meetings in three provinces, attended by officials from 33 provinces, culminating in December 2017 with an evaluation of implementation of the plan of action. However, insufficient funding and lack of coordination within and between local task forces and with the national task force at times impeded anti-trafficking efforts.

In October 2017, the government passed amendments to an overseas worker law that added sentencing guidelines for illegal recruitment crimes and limited the role of private recruitment and placement agencies by revoking their authority to obtain travel documents for migrant workers.

The Indonesian consulate in the Malaysian state of Penang negotiated an agreement with several Malaysian companies to implement an electronic banking payment system to reduce Indonesian migrant workers' vulnerability to exploitation or extortion.

To better protect Indonesian fishermen, the Ministry of Maritime Affairs and Fisheries (MMAF) began enforcing several new regulations to combat trafficking. The regulations obligated Indonesian fishery businesses to comply with international human rights protection standards, such as on work health and safety, recruitment, and security, and compliance became a prerequisite for obtaining permits for fish capture. The MMAF also started requiring state-owned fishing companies to include the regulations in their company by-laws and internal policies. An additional MMAF regulation allowed the government to apply a standardized work contract for Indonesian fishermen who work on domestic and foreign fishing vessels in both Indonesian and international waters.

To address child trafficking, the government, in conjunction with two local NGOs, implemented the "Count Every Child Project," which ensured children are issued identity documents, such as birth registrations, thereby decreasing their vulnerability to trafficking. A recent World Bank study concluded Indonesia's

high number of undocumented migrant workers was partly a result of its cumbersome bureaucratic registration procedures, which incentivized migrant workers to seek illegal brokers to obtain identity documents and visas for travel.

The Ministry of Labor (MoL) broadened its efforts to reach domestic workers seeking employment abroad with specific training in domestic service skills and guidance on how to avoid traffickers and unlicensed brokers. Domestic workers employed in Indonesia also received training from the Association of Training and Placement for Domestic Workers Across Indonesia (APPSI). In 2017, the Batam Immigration Office rejected 511 passport applications from applicants intending to use their passports to work overseas illegally. Additionally, the MoL reported it foiled the departure of 1,310 overseas workers and revoked the license of one recruitment agency.

In December 2017, the MFA re-launched its Safe Travel Application, which allowed the ministry to track identity and employment details of migrant workers abroad. The app featured a panic button that enabled vulnerable migrant workers abroad to request local assistance when in distress. It also contained contact information for Indonesian consulates and embassies around the world.

Although the government continued its ban on overseas placement to 21 Middle East and North African nations, in October 2017, Indonesia and Saudi Arabia reached an agreement to permit Indonesian migrant workers to apply for visas in the domestic sector and announced a 24-hour protection mechanism that enabled Indonesian migrant workers to seek assistance for contract switching. With a legal avenue to seek work in Saudi Arabia, migrant workers were less likely to seek the assistance of illegal recruiters and become trafficking victims.

The MFA conducted public awareness campaign programs in eight migrant worker source regions and in China. The ministry also organized 10 national radio talk shows and distributed printed material to 16 regencies in Indonesia. The Ministry of Tourism conducted public awareness campaigns to prevent sex tourism and initiated community empowerment programs to prevent the sexual exploitation of children and women. The government also collaborated with 10 universities to disseminate information about safe migration to people seeking employment abroad; more than 2,500 students joined the information sessions.

The government provided anti-trafficking training for military personnel prior to their deployment abroad on international peacekeeping missions, and it conducted training on trafficking victim identification and domestic migrant worker protections for diplomatic personnel.

The MFA partnered with South Africa to create a pilot program to assist Indonesians working on foreign fishing vessels. The program collected data through a dedicated center with fishermen and was intended to help the MFA monitor Indonesian fishermen overseas to prevent trafficking. Officials plan to expand the program to Mauritius and other locations with high numbers of visiting Indonesian fishermen.

## TRAFFICKING PROFILE

As reported over the past five years, 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. The actual figure is likely higher, as a significant number of migrant workers traditionally circumvent government overseas placement and permitting requirements, often at the instigation of traffickers. A significant number of Indonesians are exploited in forced labor and debt bondage in Asia and the Middle East, primarily in domestic service, factories, construction, and manufacturing, on Malaysian palm oil plantations, and on fishing vessels throughout the Indian and Pacific Oceans. Malaysia remains the top destination for Indonesian migrant workers; the government estimates more than one million of the 1.9 million Indonesian workers in irregular status are in Malaysia.

Indonesian women and girls are subjected to sex trafficking, primarily in Malaysia, Taiwan, and the Middle East. Domestic workers account for the biggest group of Indonesian women who work in Indonesia as well as Singapore, Malaysia, Hong Kong and the Middle East, but they are not considered formal workers and are unprotected under local labor laws. Excessive working hours, lack of a formal contract, and unpaid wages are some of the most common abuses Indonesian domestic helpers face.

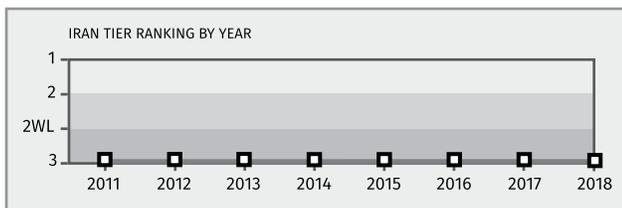
NGOs estimate labor recruiters are responsible for more than half of Indonesian female trafficking cases overseas. Migrant workers often accumulate significant debt from both Indonesian and overseas labor recruitment outfits, making them vulnerable to debt bondage. Some companies use debt bondage, withholding of documents, and threats of violence to keep migrants in forced labor. Endemic corruption among government officials facilitates practices that contribute to trafficking vulnerabilities in the travel, hospitality, and labor recruitment industries.

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 women and girls are exploited in domestic servitude and sex trafficking. 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 Jami provinces. Child sex tourism is prevalent in the Riau Islands bordering Singapore, and Bali is a destination for Indonesians traveling to engage in child sex tourism.

Indonesian fishermen working on foreign-flagged vessels reported pervasive abuse, forced labor, unpaid salaries, and, in some cases, allegations of murder. They worked on Taiwan, Thai, Malaysian, and Philippines-flagged fishing vessels operating in Indonesia and in the waters of Thailand, Sri Lanka, Mauritius, and India. Dozens of recruitment agencies in Burma, Indonesia, and Thailand hire fishermen, assign them fake identity and labor permit documents, and force them to fish long hours in waters for low or unpaid salaries while incurring severe physical abuse. The fishermen were prohibited from leaving their vessels and reporting these abuses by threats of exposing their fake identities to the authorities or by detaining them on land in makeshift prisons. More than 7,000 Indonesian fishermen per year sign in and out of foreign vessels at the port in Cape Town, South Africa, reportedly facing dire working conditions, particularly on vessels owned by Taiwan, Korea, and Japan.

## IRAN: TIER 3

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; therefore Iran remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including steps to ratify the UN Convention against Transnational Organized Crime (UNTOC). However, the government did not share information on its overall anti-trafficking efforts. Trafficking victims reportedly continued to face severe punishment, including death, for unlawful acts committed as a direct result of being subjected to trafficking. Government officials were allegedly complicit in the coerced recruitment of Afghan men and boys as young as 13 years old residing in Iran to fight for Iranian-supported militias operating in Syria. The Iranian government also provided financial support to militias fighting in Iraq that recruited and used child soldiers. Despite these credible reports, the government did not investigate or hold any complicit officials accountable for their involvement in trafficking crimes.



### RECOMMENDATIONS FOR IRAN

Cease the forcible and otherwise illegal recruitment of adults and children for combat in Syria, and cease support for armed militias that recruit and use children in Iraq; ensure trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking; institute procedures to proactively identify trafficking victims, particularly among vulnerable populations such as persons in prostitution, street children, and undocumented migrants; while respecting due process, investigate, prosecute, convict, and adequately sentence sex trafficking and forced labor perpetrators, including complicit officials; offer specialized protection services to trafficking victims, including shelter and medical, psychological, and legal assistance; develop partnerships with civil society and international organizations to combat trafficking; increase transparency of anti-trafficking policies and activities; and become a party to the 2000 UN TIP Protocol.

### PROSECUTION

The government did not report anti-trafficking law enforcement efforts and officials continued to be complicit in trafficking crimes, including the coerced recruitment and use of adults and children in armed conflict in the region. Iranian law did not criminalize all forms of trafficking. A 2004 law criminalized 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 a penalty of 10 years imprisonment if the offense involved a child victim. Both penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for kidnapping. The 2002 Law to Protect Children and Adolescents prohibited buying, selling, and exploiting

children; the punishments for such crimes are six months to one year imprisonment and a fine, which were not sufficiently stringent nor commensurate with other serious crimes such as kidnapping. The constitution and labor code prohibited forced labor and debt bondage, but the prescribed penalty of a fine and up to one year imprisonment is not sufficiently stringent. Courts accorded legal testimony by women only half the weight accorded to the testimony by men, thereby restricting female trafficking victims' access to justice. Moreover, female victims of sexual abuse, including sex trafficking victims, faced 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, convictions, or sentences of traffickers. A report from the Human Rights Activists News Agency (HRANA) in July 2017, however, noted a court in Tehran sentenced 10 perpetrators to 10 years imprisonment each for their involvement in a trafficking network. There was no evidence the government held complicit officials accountable for trafficking offenses, despite continued reports that officials were directly involved in or condoned alleged cases of trafficking. Multiple reports alleged that Iran's Islamic Revolutionary Guard Corps (IRGC) and officials from other government institutions continued to actively recruit and use—through threats of arrest and deportation—Afghan immigrant men and children as young as 13 years old for combat in IRGC-organized and commanded militias in Syria. The government did not report providing anti-trafficking training to its officials.

### PROTECTION

The government made negligible efforts to identify and protect trafficking victims. The government did not report identifying any trafficking victims during the reporting period. In July 2017, a report from HRANA noted that officials identified 800 women victimized by a trafficking network during the course of an investigation; however, it was unknown if the government provided the victims with appropriate protection services. The government reportedly continued to punish trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as prostitution and illegal immigration. The government continued to hold migrants, some of whom may be trafficking victims, in detention centers and jails pending deportation where some experienced severe physical abuse that sometimes led to death. As in previous years, the government reportedly continued to severely punish victims of sexual abuse and women in prostitution, some of whom may be trafficking victims, through lashings, public shaming, forced confessions, and imprisonment. During the reporting period, officials reportedly detained and deported Afghan migrants, including children, who did not comply with coerced recruitment by Iranian officials to fight in Syria. In December 2017, government officials in Tehran rounded up and detained in camps 300 Iranian and foreign street children, a population vulnerable to trafficking.

The government did not provide comprehensive protection services for trafficking victims. The Iranian state welfare organization reportedly operated emergency centers for vulnerable populations, including those at risk of trafficking, which offered counseling, legal services, and health care; however, the government did not report if it assisted any trafficking victims at these centers in 2017. Though government-operated health clinics reportedly offered health services to potential trafficking victims, the government did not report if it provided services to any victims in these clinics in 2017. The

government did not report providing support to NGOs that offered limited services to populations vulnerable to trafficking. The government did not 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 legal alternatives to their removal to countries in which they may face hardship or retribution.

## PREVENTION

The government made negligible efforts to prevent human trafficking. The government's lack of efforts to prevent complicity further exacerbated trafficking in the country and the region. The government made no efforts to prevent its officials from recruiting Afghan men and boys through coercive means to serve in combat brigades deployed to Syria. The government did not have a national anti-trafficking coordinating body, nor did it dedicate resources to address human trafficking in the country, despite reports that suggested trafficking—particularly child sex trafficking—was increasing in Iran. The government did not improve transparency on its anti-trafficking policies or activities, nor did it make discernible efforts to partner with NGOs or international organizations to combat human trafficking. The government did not report on efforts to regulate foreign labor recruiters for fraudulent recruitment practices. 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. Children of Afghan refugees—either registered or unregistered—continued to have difficulty obtaining legal documentation, while children born to Iranian mothers and non-Iranian fathers were not Iranian citizens under law and therefore remained undocumented; these policies increased these populations' vulnerability to exploitation. In 2017, the government agreed to strengthen cooperation with the governments of Azerbaijan and Turkey to combat terrorism, violent extremism, and other transnational organized crimes, including human trafficking. In January 2018, the Iranian parliament approved a bill to join the UNTOC; however, the government did not ratify it. Iran is not a party to the 2000 UN TIP Protocol.

## TRAFFICKING PROFILE

As reported over the past five years, Iran is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Iranian women, boys, and girls are vulnerable to trafficking in Iran, Afghanistan, the Iraqi Kurdistan Region (IKR), Pakistan, Turkey, the United Arab Emirates (UAE), and Europe. In 2016 and 2017, there was a reported increase in young Iranian women in prostitution in Dubai; some of these women are trafficking victims, experiencing confiscation of passports and threats of violence. Reports suggest that Iranian women are also vulnerable to sex trafficking in Turkey, particularly in Turkish cities close to the Iranian border. Media reports from 2015 and 2016 noted Iranian girls were subjected to sex trafficking in brothels in the IKR, especially Sulaimaniya; in some cases this exploitation was facilitated by Iranian trafficking networks. The media and regional experts reported in 2015 that officials from the Kurdistan Regional Government were among the clients of these brothels. Some Iranian women who seek employment to support their families in Iran, as well as young Iranian women and girls who run away from their homes, are vulnerable to sex trafficking. The use of "temporary" or "short-term" marriages, lasting from one hour to one week, for the purpose of commercial sexual exploitation, is reportedly widespread in Iran. Reports suggest that police

and other Iranian authorities, religious clerics, and parents of victims are allegedly involved in or turn a blind eye to sex trafficking crimes. According to a regional scholar, trafficking rings reportedly use Shiraz, Iran, as a transit point to bring ethnic Azeri girls from Azerbaijan to the UAE for commercial sexual exploitation.

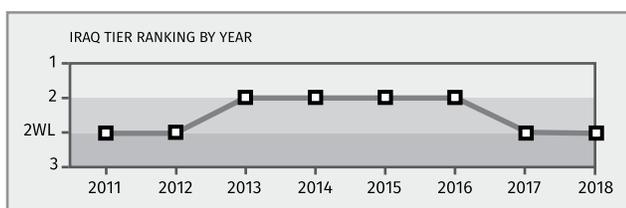
Street children in Iran are highly vulnerable to trafficking. The number of children working in transport, garbage and waste disposal, brick factories, construction, and the carpet industry is reportedly increasing; these children may be exposed to harmful working conditions and some may be vulnerable to trafficking. Organized criminal groups kidnap or purchase and force Iranian and migrant children, especially undocumented Afghan children, to work as beggars and street vendors in cities, including Tehran. These children, who may be as young as three years old, are coerced through physical and sexual abuse and drug addiction. Reports indicate that some children are also used in illegal activities, such as drug trafficking and smuggling of fuel and tobacco.

Afghan migrants, including women and children, are highly vulnerable to forced labor, debt bondage, and sex trafficking, while Pakistani migrants are also vulnerable to forced labor in Iran. Afghan girls are vulnerable to forced marriage with men living in Iran, which frequently led to forced labor, domestic servitude, and commercial sexual exploitation. Afghan boys in Iran are vulnerable to forced labor in the service industry, such as car washing, domestic work, and drug trafficking, experiencing debt bondage, non-payment of wages, and physical or sexual abuse. Afghan boys in Iran are also vulnerable to sexual abuse by their employers and harassment or blackmailing by the Iranian security services and other government officials. Traffickers subject Afghan migrants, including children, to forced labor in construction and agriculture 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 that increase these workers' vulnerability to exploitative work practices such as coerced overtime and denial of work benefits.

An international organization and the media continue to report the Iranian government coerced male adult and child Afghans resident in Iran, including boys as young as 13 years old, to fight in Iranian-sponsored Shia militias deployed to Syria by threatening them with arrest and deportation to Afghanistan. Since 2015, the Iranian government has provided funding to the militia Asa'ib Ahl al-Haq (AAH)—also known as the League of the Righteous—operating in Iraq; according to civil society organizations and local contacts in Iraq in 2017, certain brigades within the AAH recruited children mostly out of schools for use in combat. In 2015 and 2016, AAH reportedly organized training camps in southern Iraq for high school and university students, some of whom may have been under the age of 18. According to an Iraq-based source in 2016, the Iranian government also provided funding to the militia Abu Fadhl al-Abbas Brigades, which used children in combat on the front-line in Fallujah, Iraq in 2016.

## IRAQ: TIER 2 WATCH LIST

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. The government demonstrated significant efforts during the reporting period by prosecuting and convicting more traffickers and investigating some complicit officials. It also reported identifying more trafficking victims in comparison to the previous reporting period. The government established a national inter-ministerial committee to monitor, evaluate, and report on children in armed conflict in Iraq, which included child soldiering. However, the government did not demonstrate increasing efforts compared to the previous reporting period; therefore Iraq remained on Tier 2 Watch List for the second consecutive year. Although the government identified trafficking victims, deficiencies in the government's identification and referral procedures prevented many victims from receiving appropriate protection services; the government-run trafficking shelter in Baghdad reportedly remained empty throughout 2017. The government did not investigate allegations that some militia units unlawfully recruited and used child soldiers in 2017, including units of the Popular Mobilization Forces (PMF) operating under the Popular Mobilization Committee (PMC), a component of the Iraqi armed forces. The government did not hold anyone criminally accountable despite several years of such allegations. The government continued to punish some trafficking victims for crimes committed as a result of being subjected to trafficking, such as child soldiering, prostitution, and immigration violations.



### RECOMMENDATIONS FOR IRAQ

Hold complicit officials accountable for unlawful recruitment and use of child soldiers and provide protection services to child soldiers and other trafficking victims; continue to make efforts to stop the recruitment and use of child soldiers by all armed groups, including units of the PMF and independent militias; 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; allow all first responders to officially identify potential trafficking victims and refer them to care regardless of whether a victim presses charges against his or her trafficker; develop and institute guidelines for proactive victim identification and referral to protection services for all relevant officials, and train officials on these procedures; increase unhindered access to adequate protection services for victims of all forms of trafficking and their children, including trauma and psycho-social counseling, and medical care, long-term shelter, reintegration services, employment training, and financial assistance; amend the anti-trafficking law to prohibit and punish all forms of trafficking consistent with the 2000 UN TIP Protocol; allow victims and witnesses to participate in legal proceedings against their traffickers; make significant efforts to investigate, prosecute, convict, and stringently sentence traffickers, including complicit government officials, even when victims do not press charges or participate in legal proceedings against their trafficker; finalize regulations to

enable full implementation of the anti-trafficking law; establish a legal framework for NGOs to operate shelters for victims and support such organizations; and establish and implement a legal framework in the entire country, including the Iraqi Kurdistan Region (IKR), that criminalizes all forms of human trafficking and prescribes sufficiently stringent penalties.

### PROSECUTION

The government increased law enforcement efforts, but it failed to prosecute or convict officials complicit in trafficking, including sex trafficking and child soldiering. Iraq's 2012 anti-trafficking law criminalized some forms of labor and sex trafficking. Inconsistent with the definition of trafficking under international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense and therefore did not criminalize all forms of child sex trafficking. Additionally, the law required an individual to be sold to be considered a trafficking victim. An article in the penal code criminalized "the prostitution of a child" and provided a penalty of up to 10 years imprisonment, which was sufficiently stringent to deter the crime, although not commensurate with the penalties prescribed for rape. The anti-trafficking law prescribed penalties of up to 15 years imprisonment and a fine of up to 10 million Iraqi dinars (\$8,580) for trafficking offenses involving adult male victims, and up to life imprisonment and a fine of 15 million to 25 million Iraqi dinars (\$12,860 to \$21,440) if the offense involved an adult female or child victim. These penalties were sufficiently stringent, and with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The labor law conflicted with the anti-trafficking law, as its penalties included a fine and imprisonment not exceeding six months, which were not sufficiently stringent. The government continued to lack implementing regulations for the anti-trafficking law, hindering its ability to enforce the law, bring traffickers to justice, and protect victims. The Kurdistan Regional Government (KRG) did not have a law that specifically prohibited all forms of human trafficking and the national anti-trafficking law did not apply in the IKR.

The government reported investigating 266 potential trafficking cases in 2017 (314 in 2016), of which the Ministry of Interior (MOI) determined 40 to be alleged forced labor cases and 68 to be suspected sex trafficking cases; it determined the remaining 158 cases did not involve human trafficking crimes. The MOI reported it prosecuted 68 individuals on trafficking charges and convicted 22 traffickers under the anti-trafficking law in 2017, but it did not provide additional details on these cases. The MOI also investigated 48 alleged perpetrators for knowingly soliciting sex trafficking victims, of which 10 were prosecuted and convicted for human trafficking crimes under the anti-trafficking law. These prosecution and conviction efforts demonstrated a significant increase in comparison to 17 prosecutions and convictions in 2016. Nevertheless, according to NGOs, the government did not initiate a trafficking prosecution unless a victim pressed charges, yet most victims did not do so because they did not know the identity of their trafficker or were fearful of retaliation. During the reporting period, the KRG reported it conducted 58 investigations into abuses against foreign workers, but it did not report prosecuting or convicting any trafficking perpetrators.

Significant concerns of alleged official complicity in trafficking crimes remained, including unlawful recruitment and use of child soldiers and sex trafficking. The government reported some efforts to investigate government officials complicit in

human trafficking offenses, but it did not report efforts to prosecute or convict complicit officials. The government did not report efforts to investigate brothels across the country that civil society organizations believed to hold sex trafficking victims; local officials were allegedly aware of these brothels and allowed them to continue to operate. The government did not report efforts to investigate, prosecute, or convict alleged perpetrators of child soldiering among PMF units as reported in 2016. The government also did not report efforts to investigate allegations in 2017 that units of Asa'ib Ahl al-Haq (AAH) or Kata'ib Hizbullah (KH) militias—some of which operated under the PMC—recruited and used child soldiers.

In early 2017, Iraq's Higher Judicial Council repealed a directive from 2016 that established specialized courts in Iraq to handle trafficking cases; therefore during the reporting period the government did not offer specialized judges or court settings to oversee trafficking cases. During the reporting period, the MOI provided training for its personnel on the anti-trafficking law and victim identification, while the Baghdad Governor's Office partially sponsored an anti-trafficking training session with civil society organizations and various government ministries in September 2017.

## PROTECTION

The government increased efforts to identify trafficking victims and provided limited protection services to some victims. Deficiencies in the government's identification and referral procedures prevented many victims from receiving care and therefore victims remained highly vulnerable to punishment for crimes committed as a direct result of being subjected to trafficking. The Iraqi government reported it identified 41 victims, which included seven child trafficking victims, 22 female victims of both sex and labor trafficking, and 12 male victims of forced labor in 2017. This represents an increase from the previous reporting period, as the government did not report identifying any victims in 2016. Of these victims, the MOI reported it referred five of the child victims to the Ministry of Labor and Social Affairs (MOLSA) for care, but it did not report if it referred the other identified victims to assistance. Government officials reported victim identification efforts remained low because, in practice, judges were the only officials who could officially identify and refer a trafficking victim to protection services; however, because judges required victims to testify in front of their perpetrators in court, most victims did not come forward due to their fear of retaliation. The government did not institute government-wide victim identification guidelines for all relevant officials and first responders who came in contact with potential trafficking victims among vulnerable groups, including undocumented foreign migrants and persons in prostitution. However, the MOI reported it utilized internal procedures to guide law enforcement officials in identifying trafficking victims. The MOI also reported it trained personnel to identify potential labor trafficking cases. MOLSA reported it conducted periodic labor inspections of sites where foreign migrants were employed to ensure employers were not violating labor laws or committing potential labor trafficking crimes. It did not, however, report if any of these inspections resulted in the identification of labor trafficking victims during the reporting period.

Trafficking victims in Iraq and the IKR continued to be vulnerable to arrest, imprisonment, and deportation for unlawful acts committed as a direct result of being subjected to human trafficking, such as prostitution, immigration violations, and child soldiering. In May 2017, an international organization

reported that unidentified PMF militia members detained, interrogated, and physically abused a 15-year-old boy for two days for alleged affiliation with ISIS, after he was caught fleeing ISIS-controlled area in west Mosul; there was no indication authorities screened the boy for trafficking or referred him to victim care. Local experts reported concerns that a significant number of sex trafficking victims faced criminal prosecution during the reporting period. Sources reported that in some instances, judges wrongfully convicted sex trafficking victims of committing prostitution violations that they were forced to commit, including child sex trafficking victims. Sentences for prostitution violations in Iraqi courts ranged from 15 years to life imprisonment, and applied to both adults and children. During the reporting period, foreign labor trafficking victims were vulnerable to paying immigration fines, and the MOI reported that trafficking victims could face penalties for using falsified documents.

Although the anti-trafficking law required the government to institute a formal referral process to refer victims to protection services, in practice, government officials did not regularly refer identified victims to care, likely due to deficiencies in the government's identification procedures. The Iraqi government and the KRG provided limited protection services to victims of all forms of trafficking, and victim care varied by location. The Iraqi government re-opened a MOLSA-run trafficking shelter in Baghdad in August 2017, which was closed in 2016 due to security concerns. Fifteen specially-trained employees staffed the shelter and it was available for male, female, and child victims. MOI reported that it referred five child trafficking victims to this shelter in 2017; however, as of December 2017, NGOs reported the shelter remained unused during the reporting period. MOLSA reported it provided care for 25 children with familial ties to ISIS during the reporting period, but it did not report what type of support it provided, nor did it report funding specific programming to demobilize former ISIS child soldiers. The Iraqi government did not provide funding or in-kind assistance to NGOs providing victim care. NGOs were not allowed to legally operate shelters, but some continued operation without official approval. The KRG continued to operate three shelters in the IKR for female victims of domestic violence and trafficking; however, shelter space and service delivery were limited and the shelters primarily served domestic violence victims. Trafficking victims were always required to report trafficking or other crimes to the police first, which prevented them from receiving assistance at the shelters. The KRG did not report how many trafficking victims received services at these shelters during the reporting period. Recognizing gaps in protection services, the KRG entered into an agreement with a civil society organization in March 2017 to open a new shelter that would provide psycho-social support services for victims of trafficking and gender-based violence; although the shelter did not open during the reporting period, the agreement stipulated that the KRG will provide the facility with security, food, medical care, and administrative staff.

The Iraqi government reported it provided services and compensation for victims of ISIS crimes of sexual violence and provided survivors with protection, rehabilitation, compensation, and other forms of support. The Iraqi government reported it allocated 1 billion Iraqi dinar (\$857,630) for Yazidi victims in 2017; however, hundreds of rescued Yazidis reportedly did not receive compensation. The KRG continued to provide limited essential services to victims of ISIS, including shelter, rehabilitation, medical care, and psycho-social assistance. In 2017, the KRG facilitated and funded the release of 356 Yazidis held captive by ISIS, most of whom were likely trafficking victims.

The MOI reported that any foreign or Iraqi trafficking victim could file a civil lawsuit against a trafficker, but no victims filed such lawsuits in 2017. Neither the Iraqi government nor the KRG encouraged victims to assist in investigations and prosecutions of trafficking offenders. The Iraqi government and the KRG 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. Although the Iraqi anti-trafficking law allowed for the government to provide special residency status benefits to foreign trafficking victims, it did not report offering this assistance to any victims during the reporting period. The KRG did not offer special residency status to victims during the reporting period, but it reportedly refrained from deporting victims unless they committed a crime. The Iraqi government reported that it did not assist in the repatriation of any trafficking victims during the reporting period. The KRG reported it cooperated with the consulates of Egypt, India, Jordan, the Philippines, and Sudan to help repatriate an unknown number of trafficking victims from those countries during the reporting period.

## PREVENTION

The government made some efforts to prevent human trafficking. Iraqi law prohibited voluntary recruitment of any person under age 18 into the governmental armed forces, including governmental paramilitary forces, militia groups, or other armed groups. However, the federal government faced challenges in exercising complete control over certain units of the PMF, which sometimes undertook operations independent of political leaders or military commanders and discounted the authority of commanders during sanctioned operations. The government had limited ability to address and prevent the recruitment and use of children by these groups, including some units of AAH and KH militias. The government also did not prevent PMF units in southern Iraq from child recruitment and sponsoring military training camps for high school students, which included some children under the age of 18. However, to dissuade PMF commanders from accepting children who volunteered to fight, the government refused to enroll child volunteers in payment programs and did not provide salaries for any child volunteers. There were no reports of child soldiers used within the Iraqi military including the KRG Peshmerga, and the government continued to provide training to military officers on child soldier issues. In November 2017, the government—with prime ministerial endorsement—established a national inter-ministerial senior committee to monitor, evaluate, and report on children’s rights violations in conflict zones in Iraq. Under the authority of the committee, which was led by MOLSA, the prime minister’s office supported a future initiative to work with an international organization to draft a national action plan to address children in armed conflict. As of late January 2018, however, the committee had not met and the plan had not been drafted.

Budget shortfalls, internal conflict, and vast reconstruction needs limited the Iraqi government’s ability to dedicate resources to combat trafficking, including resources for the assistance and protection of trafficking victims. Likewise, contacts in the IKR reported that KRG funding for anti-trafficking efforts was insufficient. Nevertheless, the Iraqi government’s inter-ministerial anti-trafficking committee, which was led by the MOI, reportedly met five times in 2017. The KRG also maintained an anti-trafficking committee, which was established in 2016 and consisted of various ministries, including an international organization that played an observer role. The Iraqi government reportedly undertook awareness campaigns in print media,

television, and radio, and through seminars at universities. The government continued to operate a 24-hour anti-trafficking hotline, but it did not report how many potential trafficking cases officials identified through this hotline. Similarly, the KRG operated a hotline where trafficking victims could seek assistance and report labor abuses. The Iraqi government did not make efforts to reduce the demand for commercial sex acts or child sex tourism. The Iraqi government and the KRG took efforts to reduce the demand for forced labor; both governments cooperated with each other to establish an online visa system to track migrant workers and their sponsoring companies to prevent employers from committing labor abuses. Both governments also coordinated to standardize work contracts to include labor rights information for foreign and Iraqi workers. The Iraqi government suspended the operations of 15 recruitment companies, blacklisted five, and imposed fines on seven during the reporting period. The KRG reported that it temporarily suspended the operations of 38 companies and imposed fines on six companies for trafficking allegations. The Iraqi government reported that it provided anti-trafficking training or guidance for its employees, including diplomatic personnel.

## TRAFFICKING PROFILE

As reported over the past five years, 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 violent conflict with ISIS exacerbated the population’s vulnerability to trafficking, in particular women and children, although the government’s territorial defeat of the terrorist group, announced December 9, 2017, has improved conditions for Iraqi civilians. Since January 2014, more than five million Iraqis have been displaced, with approximately 2.1 million still displaced as of April 2018. In addition, more than 248,000 Syrian refugees remained displaced in Iraq, the vast majority in the IKR. Since 2014, ISIS militants have kidnapped and held captive thousands of women and children from a wide range of ethnic and religious groups, especially Yezidis, and continue to sell them to ISIS fighters in Iraq and Syria, where they are subjected to forced marriage, sexual slavery, rape, and domestic servitude. There are reports ISIS executed captives if they refused to marry fighters. The media has reported in the last few years that ISIS sold some captives to wealthy individuals in Gulf countries, and unverified reports suggested that some Yezidi captives have been moved to Syria, Turkey, and Saudi Arabia. ISIS maintained an organized system to buy and sell women and girls for sexual slavery, including sales contracts notarized by ISIS-run courts. In 2015-2017, thousands of women and children escaped ISIS captivity—many of whom were pregnant as a result of rape and sex trafficking. Some became IDPs because ISIS still controlled their homelands. Those who remain IDPs continue to be highly vulnerable to various forms of exploitation, including re-trafficking.

Children remain highly vulnerable to forcible recruitment and use by multiple armed groups operating in Iraq, including—but not limited to—ISIS, the PMF, tribal forces, the Kurdistan Worker’s Party (PKK), and Iran-backed militias. These children are also highly vulnerable to arrest, detention, and prosecution; at the end of March 2017, an international organization reported 943 children, including four girls, remained in detention on terrorism-related charges across the country. ISIS continues to abduct and forcibly recruit and use children in combat and support roles, including as human shields, informants, bomb makers, executioners, and suicide bombers; some of these children are as young as 8 years old and some are mentally

disabled. ISIS continues to train children at military training and indoctrination camps; numerous media reports and public videos show children attending these camps. In January 2017, international media and KRG sources reported that ISIS abducted 400 Yezidi children and trained them for combat roles, including as suicide bombers, while in the same month ISIS abducted 150 children from Tal Afar and forcibly recruited them into a training camp. As of early 2018, multiple sources reported the PKK and YPG operating in the IKR continued to recruit and use children. In mid-2017, international observers witnessed armed 16-year-old boys affiliated to the PKK. As reported by an international NGO in late 2016, the PKK and Sinjar Resistance Units—a Yezidi armed militia group—forcibly recruited and used Kurdish and Yezidi boys and girls, some as young as 12 years old, in combat and support roles in northern Iraq.

Since 2015, sources continue to report that PMF units recruit, use, and provide military training to children. An expert in Baghdad assessed that the rate of such recruitment and use of children did not change in 2017. Civil society organizations and local contacts reported in 2017 that posters commemorating minors who died while fighting for Shia militias were commonplace in Shia-majority areas of Baghdad and throughout southern Iraq. Most of the children who were celebrated for fighting allegedly fought for brigades of the AAH and KH militias. Some AAH and KH members or brigades recruit children, most commonly out of schools. Sources reported that AAH and KH militias, which had units both within the PMF and operating independently, recruited and used child soldiers in 2017. According to the PMF official social media site and posters in the street in mid-2017, the PMF offered military training courses to children and youth ages 15-25. In April 2017, an international organization received credible reports that Sunni tribal militias recruited 300 boys aged 15-17 from Kilo 18 IDP camp. In 2017, some IDPs reported that some Sunni tribal militias recruited children out of camps for military training, with the possibility of joining armed groups upon completing the training. In mid-2017, international observers witnessed five boys manning checkpoints at an IDP camp in Ninewa; whose security was reportedly run by an official that fell under the PMF. In August 2017, there were unverified reports that PMF militias provided a three-month military training to 100 Shia Turkoman teenage boys, between the ages of 13-18, in several Kirkuk governorate towns. In 2015 and 2016, multiple sources reported factions of the PMF used children in operations in Fallujah and other areas of the country, while PMF-affiliated media celebrated the service and sacrifice of child soldiers. An international organization reported a total of 57 children were recruited and used in 2016 by groups operating under the umbrella of the PMF, most of whom received military training and were deployed for combat, while 12 children were recruited by tribal mobilization groups, including from internally displaced persons camps. As reported in 2015 and 2016, some PMF groups accepted children into their ranks from poor neighborhoods in Basrah, who left school to “volunteer” for the PMF; many of them viewed this as fulfilling a religious duty, while others viewed it as a way to earn a living and gain greater social status. According to NGOs and tribal force commanders in 2015, children fighting with the PMF were unregistered and did not receive state benefits or regular salaries. In August 2016, an international NGO reported that Sunni tribal militias affiliated with the PMF recruited at least seven children from the Debagha IDP camp in northern Iraq; witness accounts reported that Iraqi Security Forces members facilitated the recruitment of children from the camp.

Refugees and IDPs face heightened risk of trafficking due to their economic and social vulnerability and lack of security

and protections. NGOs report trafficking networks in the IKR target refugees and IDPs, operating with assistance from local officials, including judges, officials from the Asayish forces, and border agents. In 2015, members of the IKR Parliament and NGOs reported some personnel from the Asayish forces facilitated 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. In 2016, NGOs reported Asayish guards not only allowed men to enter a camp to solicit commercial sex with refugee girls, but the guards also solicited sex from the refugee girls, including granting them permission to leave the camp in exchange for sex. Reports from 2015 indicated IDPs and some Syrian refugee women were 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 promised to resettle them from the IKR; the women’s children were also forced to beg on the street. Some women in IDP camps, whose family members have alleged ties to ISIS, are vulnerable to sexual exploitation and abuse by armed actors residing in the camps. Some Syrian refugee men enter into employment without legal work contracts in Iraq, which increased their vulnerability to trafficking. Some displaced Iraqi families reportedly sell their children to other families to secure better futures for them; these children are at risk of trafficking.

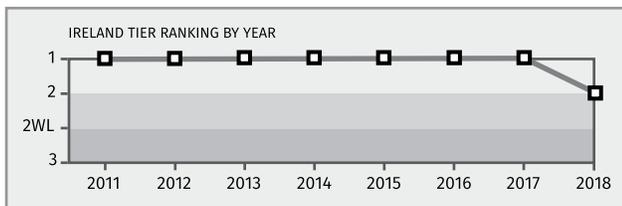
Traditional practices, including child forced and “temporary” marriages and *fasliya*—the exchange of family members to settle tribal disputes—also place women and girls at increased risk of trafficking within the country. For example, in October 2016, the media reported a girl from the Nada tribe in Maysan Province was forced to marry a man of another tribe as a resolution for the killing of a man by someone in the Nada tribe. Child protection organizations continue to report incidents of child marriage—which could increase a child’s vulnerability to exploitation—increased among IDPs and 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 ignore, or may accept bribes to ignore, such cases, including those in which girls are sold multiple times. Reports continue to suggest some Iraqi law enforcement officials have allegedly frequented brothels known for sex trafficking or accepted bribes to allow sex trafficking. Media and other observers reported in 2015 that an Iranian sex trafficking network operated brothels in Erbil where Iranian girls were exploited in commercial sex; the media reported a KRG official allegedly paid \$3,000 for an Iranian sex trafficking victim. There were anecdotal reports, including from a June 2016 local television station, of child sex trafficking of girls primarily from Iran and Syria, as well as some from the IKR, in Sulaimaniya. NGOs also report cases in which girls who have run away from their families out of fear of honor killings are exploited in commercial sex by criminal networks. Criminal gangs reportedly force children to beg and sell drugs in Iraq. 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 subjected to forced labor 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 working in Iraq and the IKR. In January 2016, the MOLSA 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 in January 2016 that 69 percent of 480 foreign workers surveyed in the IKR had not been paid their agreed salaries and 18 percent reported violent acts committed against them by their employers. The Commission reported that it did not issue a report in 2017 due to the KRG budget crisis.

## IRELAND: TIER 2

The Government of Ireland does not fully meet the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. The government made significant efforts to meet the minimum standards during the reporting period by collaborating in international investigations and increasing funding for victim services. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. The government has not obtained a trafficking conviction since the law was amended in 2013; it initiated only three prosecutions in 2017, and had chronic deficiencies in victim identification and referral. Therefore Ireland was downgraded to Tier 2.



### RECOMMENDATIONS FOR IRELAND

Vigorously investigate, prosecute, and convict suspected offenders of both sex and labor trafficking using the trafficking law; train law enforcement and prosecutors on developing cases without reliance on victim testimony and train law enforcement, judges, and prosecutors on a victim-centered approach; improve victim identification and referral and issue a revised referral mechanism in coordination with NGOs, offering formal identification, a recovery and reflection period, and victim services to all victims without referral from police; increase efforts to identify and protect all victims, especially of labor trafficking and forced criminality; offer specialized accommodation to victims, particularly for women and traumatized victims; adopt a legal provision to exempt victims from inappropriate penalization for crimes committed as a direct result of their trafficking; increase legal assistance for trafficking victims, including for cooperation with investigations and court proceedings; establish a national hotline to report trafficking crimes and provide victim assistance and referral; explore new possibilities for victim compensation, particularly for those involved in sex trafficking; and establish an independent national rapporteur to help identify and address gaps in anti-trafficking strategy and efforts.

### PROSECUTION

The government decreased law enforcement efforts. The 2008 Human Trafficking Act, amended in 2013, criminalized sex and labor trafficking and prescribed penalties up to life imprisonment, which were sufficiently stringent and, with

respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. The law broadly defined sexual exploitation to include the sexual abuse of children. The Criminal Justice (Sexual Offences) Bill 2015 was enacted in March 2017; it criminalized the purchase of sexual services and prescribed more severe penalties for the purchase of sex from a person subjected to trafficking. In such cases, the burden of proof shifted to the accused, who had to prove they were unaware the victim was subjected to trafficking. The Criminal Justice Bill included measures against child grooming and included additional support and protection for victims during the criminal trial process.

Authorities initiated investigations of 115 new trafficking-related cases in 2017, compared to 90 in 2016 and 91 in 2015. Most of these cases did not involve trafficking via force, fraud, and coercion for the purpose of exploitation. Of the 115 cases, 65 involved sexual exploitation, 37 involved labor exploitation, five involved forced criminality, five involved immigration offenses, one involved organized begging, and two were uncategorized. The government prosecuted three individuals for forced labor (nine prosecutions in 2016; zero in 2015; one in 2014). There were two additional trafficking cases with six perpetrators, including one subject to a European arrest warrant, awaiting trial. There was a third case in which law enforcement charged the perpetrator with forced labor, but the perpetrator was outside the jurisdiction; prosecutors had not indicted the perpetrator. The government did not report any convictions in 2017 for sex trafficking or forced labor under the anti-trafficking act; there were no convictions under this law since it was amended in 2013. GRETA expressed concern about the inadequate criminal justice response to trafficking in Ireland and noted that failure to convict traffickers and the absence of effective sentences can contribute to impunity and undermine efforts to support victims to testify.

During the reporting period, 140 police officers participated in a three-day training course on trafficking; 240 new probationary police officers received basic trafficking awareness training; and 19 national police who worked as immigration officers at a port checkpoint and 140 immigration officers stationed at an airport received trafficking awareness training. The national police trained 230 front-line social protection officers. An additional 40 senior investigating officers and 40 detective sergeants received trafficking training. Ten workplace relations commission inspectors received training on the identification of trafficking indicators in the reporting period; inspectors referred four suspected cases to the national police. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking. Law enforcement cooperated with various foreign governments on trafficking investigations and executed two European arrest warrants. The high court ordered the extradition of one suspect.

### PROTECTION

The government maintained insufficient victim protection efforts. Authorities identified 103 suspected trafficking victims (including four child victims), compared with 95 in 2016 and 78 in 2015. Of the victims identified in 2017, 63 were exploited in sex trafficking, 35 in labor trafficking, four in forced criminality, and one in forced begging; 68 were female and 35 were male. Victims identified in 2017 in Ireland included 28 Irish, 14 individuals from Romania, 12 from Indonesia, 12 from Nigeria, and the rest from Europe, Africa, South Asia, the Near East, and South America. Fifty percent of victims were EU nationals.

Experts raised concerns about the government's inability to identify trafficking victims due to shortcomings in its identification mechanism. Formal procedures for victim identification applied only to victims lacking legal residency in Ireland, namely foreign nationals from outside the European Economic Area (EEA) who were not asylum-seekers. EEA nationals, including Irish nationals, and asylum-seekers with pending applications were excluded from the formal identification scheme. As a result, such persons were not formally identified as suspected victims of trafficking, with implications for their access to victim services. Experts reported this practice deprived Irish and EEA nationals access to specialized assistance. The government maintained it assessed suspected victims on a "reasonable grounds" basis to allow them access to support and services, but NGOs and lawyers asserted national police required evidence beyond the "reasonable grounds" test when assessing victims. NGOs and other front-line responders did not have a formal role in the identification process; the police were the only entity with the authority to formally identify victims, which GRETA reported created a potential conflict of priorities between law enforcement efforts and victim assistance. The government reported reviewing the referral mechanism to identify areas for improvement, but did not issue a revised mechanism in 2017 as planned. The current national referral mechanism required potential victims give a formal statement to police to be formally identified as a suspected victim of trafficking. Law enforcement was required to refer victims before shelter and health services could be provided; victims unwilling to go to the police could not access assistance. Of the 103 victims identified by authorities, all were referred to services, although it was unclear how many were eligible to receive services due to Habitual Residency Condition restrictions.

The government's Reception and Integration Agency (RIA) and NGOs provided victims with health services, immigration permission, accommodation, welfare and rent allowance, police assistance, residence permits, repatriation, translation and interpretation assistance, and access to education for dependent children. There was no legally-mandated psychological assistance for victims of trafficking and the counseling services provided by NGOs was insufficient. NGOs reported a lack of specialized services to address the physical and mental health needs of victims. The government's legal aid board provided information to victims referred by police, but not legal assistance or support for investigations or trials. One government-funded NGO provided legal representation for victims. GRETA urged the government to ensure victims had early access to legal practitioners with specialized knowledge of trafficking who can represent them. The government-funded an NGO to repatriate one Irish and 12 foreign victims.

According to the government, in practice, domestic and foreign victims had equal access to all state services. Experts, however, asserted EEA foreign national victims were excluded from accessing social assistance support until they satisfied or were granted an exemption from the Habitual Residence Condition. The government reported receiving no complaints of refusals or evidence of cases where difficulties in satisfying the Condition arose for trafficking victims. There were no dedicated shelters for presumed victims of trafficking. Although the government provided accommodation arrangements for victims, NGOs stated the mixed-gender housing in the direct provision system, a system originally established to provide services for asylum-seekers, had inadequate privacy, was unsuitable and potentially unsafe for traumatized victims, could expose them to greater exploitation, and undermined victim recovery. Experts also noted a lack of specialized services in the centers for female

victims who had been traumatized due to psychological, physical, or sexual violence. Suspected victims who were in the asylum process remained in direct provision accommodation while a determination was being made in relation to their claim for international protection, which could continue for years.

The government provided €310,000 (\$372,150) to an NGO for assistance for sex trafficking victims, compared with €275,000 (\$330,130) in 2016. The government also provided €50,000 (\$60,020) to another NGO to assist labor trafficking victims, compared with €41,400 (\$49,700) in 2016. The government also provided €76,400 (\$91,720), to three NGOs for awareness and victim support projects for vulnerable populations, compared to €200,000 (\$240,100) in 2016.

The government gave suspected foreign trafficking victims temporary relief from deportation, depending on cooperation with an ongoing investigation. Four victims were granted a six-month temporary residence permit. The temporary protection could evolve into permanent residency, and residency benefits were not linked to a conviction. Victims could theoretically obtain compensation through a court order, civil action, state bodies dealing specifically with work-related rights, and the criminal injuries compensation tribunal. No victims had ever received compensation through any of these means. NGOs criticized the lack of viable avenues for victim compensation, particularly those involved in sex trafficking since they would not have verifiable expenses or employment losses.

GRETA urged the adoption of a specific legal provision on the non-punishment of victims of trafficking in both its 2013 and 2017 reports, and, in 2015, the Irish high court found a need for protocols or legislation that dictate what happens when a victim was suspected of criminal activity; however, the trafficking law did not protect victims from prosecution for crimes committed as a result of being subjected to trafficking. NGOs noted the process for victims to seek immunity from punishment for criminal activity as a result of their trafficking was complex and required early legal representation. If authorities prosecuted an individual before he or she was formally identified as a trafficking victim, the criminal record could not be expunged. Bench warrants were issued for two victims, including one who had been referred to services. The national police previously revised their protocols and increased regional training on identifying trafficking in cannabis cultivation; the police included a human trafficking specialist in teams conducting these arrests. Police continued pre-trial reviews of three cases for possible trafficking indicators related to arrests and pre-trial detention in cannabis production; the government did not identify any victims or overturn any prosecutions as a result of approximately 70 reviews. In May 2017, the national police arrested and detained two Vietnamese males in one case for cannabis cultivation without a license. Media reports indicated one of the men was smuggled in a shipping container, had his passport confiscated upon arrival, and felt he could not leave the marijuana grow house. While undergoing a trafficking investigation, prosecutors charged these individuals and they pled guilty. While keeping the men in detention, the judge postponed their sentencing to await the result of the trafficking investigation, noting the case demonstrated a level of coercion and acknowledging the men were preyed upon. In April 2018, the courts found they were not victims and sentenced them to two and a half years in prison. NGOs maintained that in certain cases, law enforcement failed to identify indicators of trafficking and undocumented potential victims were punished for immigration-related offenses. Joint inspections between labor inspectors and immigration authorities intimidated

undocumented potential victims and posed a barrier to the identification of victims.

## PREVENTION

The government maintained prevention efforts. The justice ministry's anti-trafficking unit coordinated interagency efforts, including the high-level interagency group, which met twice, and five working groups that included NGOs. Of the five working groups, which provided a platform for consultation and civil society, two of them met one time each during the reporting period. The government published in January a report on its efforts from 2016. The government continued funding a consortium of NGOs to develop trafficking training materials for staff of the RIA centers for asylum-seekers. The workplace relations commission provided information on employment rights to approximately 52,000 callers and made 54 presentations on employment rights. The government did not make efforts to reduce the demand for sex trafficking or forced labor. The government did not fund the operation of a national hotline. The national police had a dedicated email address for reports of trafficking; the police took action stemming from 31 emails.

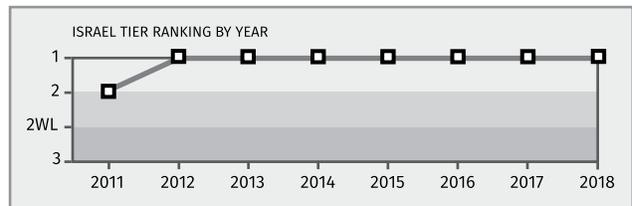
The government conducted awareness-raising for university students, social workers, diplomats, labor inspectors, migrant workers, and women's groups, among others. The Ministry for Foreign Affairs and Trade allocated €28,000 (\$33,610) in funding to support capacity-building anti-trafficking work in Africa. An NGO criticized the government's immigration scheme for making crewmembers of Irish fishing fleets vulnerable to forced labor by linking sponsorship to a single employer and by limiting registration of existing workers to those who came forward within three months of the commencement date of the scheme. A parliamentary committee published a report recommending changes, including a moratorium on issuing permits to out-of-country non-EEA foreign nationals until the permit could be decoupled from a single employer and until the position of all in-country non-EEA nationals could be regularized. The committee also recommended a single department be given overall responsibility for the fishing industry.

## TRAFFICKING PROFILE

As reported over the past five years, Ireland is a destination and source country for women, men, and children subjected to sex trafficking and forced labor, including forced criminal activity. Irish children are subjected to sex trafficking within the country. Foreign trafficking victims identified in Ireland are from Africa, Asia, and Eastern Europe. Authorities have reported an increase in suspected victims from Nigeria, Romania, Indonesia, Brazil, and Pakistan. Victims of forced labor have been identified in domestic work, the restaurant industry, waste management, fishing, seasonal agriculture, and car washing services. 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. The government has reported the problem of forced labor in the country is growing. Women from Eastern Europe who are forced into marriage in Ireland are at risk for sex trafficking and forced labor.

## ISRAEL: TIER 1

The Government of Israel fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Israel remained on Tier 1. The government demonstrated serious and sustained efforts by improving victim identification procedures and identifying an increased number of victims. It continued to operate shelters and other facilities that provided victims a wide variety of immediate and long-term care and rehabilitative services, and it referred all identified victims to care. The government continued to prosecute and convict sex trafficking offenders, and it prosecuted an increased number of perpetrators in comparison to the previous reporting period. Although the government met the minimum standards, it convicted a significantly lower number of sex trafficking offenders than in the previous reporting period, and it continued to issue weak sentences that were inconsistent with the seriousness of the crime. It also did not prosecute or convict any forced labor perpetrators. Despite improvements to victim identification procedures, some victims referred by NGOs did not receive appropriate protection services. While the government identified and provided some care to trafficking victims among the irregular African migrant population, because of inadequate screening procedures it continued to punish victims among this population for crimes committed as a direct result of being subjected to trafficking, such as immigration violations. The government also implemented policies that subjected potential trafficking victims among this population to deportation.



## RECOMMENDATIONS FOR ISRAEL

Impose stricter sentences on convicted traffickers, consistent with the seriousness of the crime; proactively screen irregular migrants, particularly those who endured abuses in Egypt's Sinai Peninsula, to ensure trafficking victims among this population are not penalized, including by detention and summoning to detention, for unlawful acts committed as a direct result of being subjected to human trafficking; improve the process to officially recognize identified trafficking victims, including victims referred by NGOs, to allow for quicker access to protection services; increase methods of evaluating effectiveness of training for law enforcement, including police and prison officials, in victim identification, and enforcement of labor and sex trafficking laws; continue to provide protection for all trafficking victims, including shelter and medical and psycho-social treatment; increase and train the number of labor inspectors, social workers, and interpreters in the agricultural, construction, and caregiving sectors; negotiate full-scale bilateral labor agreements, to include protection mechanisms for workers, in the caregiving sector; and increase enforcement of foreign worker labor rights.

## PROSECUTION

The government maintained efforts to prosecute sex traffickers

but it did not prosecute or convict any forced labor offenders; convicted sex traffickers continued to receive lenient sentences. The 2006 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of up to 16 years imprisonment for the trafficking of an adult, up to 20 years imprisonment for the trafficking of a child. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law did not establish the use of force, fraud, or coercion as an essential element of the crime. Under 376A of the Penal Law 5737-1977, holding a person's passport against their will carried a penalty of three to five years imprisonment.

In 2017, police initiated 231 investigations of potential sex trafficking crimes, compared to 310 investigations in 2016. Police did not initiate any investigations for potential forced labor crimes. In 2017, the government initiated 10 prosecutions (four for adult sex trafficking crimes and six for child sex trafficking), but zero for forced labor; these numbers compared to three sex trafficking and zero forced labor prosecutions in 2016. In 2017, the government convicted three individuals (one for sex trafficking and two for child sex trafficking), but zero for forced labor; these numbers compared to 17 convictions in 2016 (16 for sex trafficking, including eight for child sex trafficking, and one for forced labor). In 2017, the prosecution unit within the Ministry of Interior's Population and Immigration Authority (PIBA) filed 143 criminal indictments against employers of foreign workers who violated labor laws that resulted in 114 sentences that included providing financial compensation to workers; however, none of these employers were prosecuted or convicted for potential forced labor crimes. In 2017, the government issued sentences for six sex trafficking offenders that ranged from community service to four to six years imprisonment, while one forced labor offender received a sentence of 15 months imprisonment. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

The government continued to provide extensive anti-trafficking training, awareness-raising workshops, and seminars to more than 320 officials. In addition, the government provided training to 130 police officers on child sex trafficking, and distributed materials on the offenses related to child sex trafficking to district investigation and intelligence officers and every police station in the country.

## PROTECTION

The government increased protection efforts; however, it continued to punish identified and potential trafficking victims among the African migrant population for immigration violations, thereby preventing these victims from accessing appropriate protection services. The government continued to circulate trafficking victim identification guidelines widely to relevant ministries. Government officials referred more potential trafficking victims to the police during the reporting period, in comparison to previous years in which NGOs were the only source of victim referrals. The Israeli National Police (INP) granted official trafficking victim status to 73 individuals in 2017—including 24 women and 49 men—which was an increase from the 47 victims identified in 2016. The INP was the only government entity with authority to grant referred individuals official trafficking victim status, which also allowed a victim full access to protection services. During the majority of the reporting period, only one police officer in the country

was authorized to interview and adjudicate applications for victim status, which led to significant delays. Recognizing this deficiency, in January 2018 the government appointed two full-time police officers to handle and process victim applications, with the intent of accelerating the process. In addition, during the reporting period, the National Anti-Trafficking Unit (NATU) coordinated with the INP to institute a fast-track procedure to more efficiently identify trafficking victims and eliminate a backlog of hundreds of applications for victim status. Nevertheless, an NGO reported that the INP's evidentiary standard for victim referrals from NGOs became stricter in 2017 by requiring witness testimony, thereby impeding efforts to officially recognize and provide at least 37 victims identified by an NGO with appropriate care.

The government continued to provide a wide range of protective services for victims of all forms of trafficking. The government continued to operate a 35-bed shelter for female trafficking victims, a 35-bed shelter for male trafficking victims, and transitional apartments with 18 beds for female victims and six beds for male victims. Shelter residents were allowed to leave freely and, by law, all victims residing in the shelters were provided B1 visas—unrestricted work visas. These shelters offered one year of rehabilitation services, including job training, psycho-social support, medical treatment, language training, and legal assistance. The INP referred all 73 identified victims to shelters, but some declined to enter a shelter and instead utilized rehabilitative services at a government-run day center. In 2017, the women's shelter assisted 41 victims, including four children; the men's shelter assisted 57 victims; and the transitional apartments assisted 24 men and women, including eight children. The majority of victims at the men's shelter were Ethiopian and Eritrean. The Ministry of Social Affairs continued to operate a day center in Tel Aviv for male and female trafficking victims who were either waiting for a space at a shelter or who chose not to reside at a shelter. The day 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 2017, the center provided services to 256 men and women. The government also operated 12 centers for adult and child sex trafficking victims, which provided medical and rehabilitation services; the government assisted 350 individuals at these centers in 2017. Additionally, for identified trafficking victims who opted not to stay in shelters, the government continued to provide an official letter that protected them from potential arrest for immigration violations and emergency contact numbers for shelters and relevant ministries. Identified trafficking victims living outside of shelters were also entitled to receive one-year of free medical coverage at various government-funded health facilities. In 2017, the government provided medical care to 106 male and female trafficking victims.

The Ministry of Justice Legal Aid Administration (LAA) continued to provide free legal aid to trafficking victims. In 2017, the branch received 202 legal aid requests to assist potential trafficking victims, including 125 irregular migrants who may have been subjected to trafficking in the Sinai. In 2017, the government issued 20 initial B1 visas and 19 extensions to sex and labor trafficking victims. It also issued 65 visas preventing the deportation of trafficking victims and 25 extensions of such visas in 2017. 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 also allowed trafficking victims to work during

the investigation and prosecution of their traffickers. The government forfeiture fund, which used property and money confiscated from traffickers to assist victims, disbursed 886,960 shekels (\$255,530) to victims in 2017.

The government published new guidelines in May 2017 discouraging the prosecution of forced labor victims for offenses committed during their exploitation; similar guidelines for sex trafficking victims were already in effect prior to the start of the reporting period. Nevertheless, the government continued to punish some trafficking victims—specifically those among the irregular African migrant population, some of whom were exploited in Egypt’s Sinai Peninsula—as a direct result of being subjected to human trafficking. During the majority of the reporting period, the government lacked an effective process to identify or proactively screen for victims among this population, and as a result, authorities regularly detained or summoned to detention victims for immigration violations under the Law of Infiltration for one year without trial or conviction in the Holot facility and Saharonim and Giv’on prisons. Although the government characterized Holot as an open facility to detain “infiltrators,” NGOs and Holot residents claimed it was a de facto detention center due to its remote location in the desert and restrictions on movement. In November 2017, PIBA implemented a revised questionnaire for officials to utilize to screen for trafficking among irregular migrants who were summoned to Holot. However, PIBA did not investigate claims that at least one trafficking victim remained at Holot after an NGO identified the victim in early 2017, nor did it attempt to release the victim. During the reporting period, the LAA gained the release of three men from Saharonim prison after INP identified them as trafficking victims; LAA also secured exemptions from detention in Holot for an additional 26 men after INP identified them as victims. LAA also requested that PIBA suspend the summons of three migrants to Holot while INP reviewed their applications for trafficking victim status. Both government and NGO officials reported that detention, threat of detention, or summoning to detention triggered severe post-traumatic stress symptoms—including depression, fear, and eating disorders—among migrants that experienced abuse, and in some cases trafficking, in the Sinai. In December 2017, the Knesset approved a plan to close Holot and deport all detained migrants, some of whom may be trafficking victims, to third countries; PIBA further issued regulations in January 2018 establishing procedures to implement this plan.

## PREVENTION

The government maintained strong efforts to prevent and raise awareness of human trafficking among the public and government officials. NATU continued to coordinate anti-trafficking efforts effectively among relevant ministries and NGOs during the reporting period, and NATU officials continued to appear regularly in the media to raise awareness of trafficking. NATU did not, however, complete a draft national action plan to combat trafficking that would replace the existing plan from 2007. The Knesset Subcommittee on Trafficking in Women and Prostitution met regularly and held 16 hearings and discussions during the reporting period. In 2017, the Ministry of Health funded a study conducted by a government-run health clinic and an NGO to study prostitution in the Eritrean migrant community. The government provided anti-trafficking training for its diplomatic personnel.

In June 2017, the Knesset passed an amendment to the Foreign Workers Law to revoke an employer’s license to employ a foreign worker if the employer was convicted of a severe crime, including

human trafficking. The Ministry of Labor, Social Affairs, and Social Services, which employed 261 labor inspectors and contracted translators during routine inspections, issued 1,242 administrative warnings, imposed 45 fines, and processed one criminal complaint that resulted in a sentence of 100 hours of community service on employers for labor violations in 2017. Nonetheless, NGOs reported there were not enough labor inspectors, especially in the construction and agricultural sectors, to sufficiently monitor and enforce labor laws. Additionally, NGOs reported the government did not effectively regulate work force companies, nor combat criminal networks that recruited foreigners for the construction and caregiving fields and for prostitution. In April 2017, the government signed a bilateral agreement to allow 20,000 Chinese workers to enter Israel’s construction sector; however, the agreement required workers to pay licensed employment recruiters up to \$1,000 in recruitment fees and costs, which could increase their debt and vulnerability to forced labor. The government did not complete a plan to prevent exploitation of Thai workers from forced labor in the agricultural industry. 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 an NGO, continued to operate a 24-hour hotline to assist foreign workers who were in Israel under bilateral agreements. The hotline employed 11 interpreters in seven languages: Chinese, Thai, Bulgarian, Russian, Nepalese, Sinhalese, and Romanian. In 2017, the hotline received 1,398 calls, the majority from Thai agricultural workers. The government also maintained an emergency hotline for women and girls in prostitution, but it did not provide data on its operations in 2017. The government continued efforts to reduce the demand for commercial sex acts and to address sex tourism. In September 2017, the INP conducted an enforcement campaign on child sex trafficking, during which it conducted 19 raids on prostitution establishments, resulting in the arrests of two individuals and transfer of five children to social services. The government also temporarily shut down five brothels in 2017. In February 2018, the Ministry of Tourism led representatives of the Israeli tourism industry to sign the UN World Tourism Organization Code of Ethics, which included measures to prevent trafficking.

## TRAFFICKING PROFILE

As reported over the past five years, Israel is a destination country for men and women subjected to forced labor and sex trafficking, as well as a source country for men, women, and to a lesser extent children, subjected to sex trafficking within Israel. Foreign workers, primarily from South and Southeast Asia, Eastern Europe, and the Palestinian territories migrate to Israel for temporary work in construction, agriculture, and caregiving; some of these workers are subjected to forced labor. As of January 2018, the Israeli government reported there were 88,171 legal foreign workers and 18,059 illegal foreign workers, including Palestinian workers, in Israel. Foreign workers in the construction sector suffer from labor rights abuses and violations, some of which may be trafficking. Some employers in the construction sector illegally charge Palestinian workers monthly commissions and fees, and in many cases employers illegally hire out Palestinian workers to other workplaces; these workers are vulnerable to forced labor. Some Thai men and women are subjected to forced labor in Israel’s agricultural sector and face conditions of long working hours, no breaks or rest

days, withheld passports, and difficulty changing employers due to limitations on work permits. Caregivers are highly vulnerable to forced labor due to their isolation inside private residences and their lack of protection under the labor law; local NGOs report that caregivers are subjected to excessive recruitment fees, fraudulent work contracts, long work hours, confiscation of passports, underpayment of wages, physical violence, sexual harassment and abuse, denial of severance pay, and poor housing including—in some cases—living in the same room as their employer. According to the Israeli government, as of June 2017 there were 49,100 foreign caregivers in Israel, 80 percent of whom are women; these caregivers constituted 57 percent of all legal foreign workers in the country. Networks of workforce agencies recruit Ukrainian and Georgian workers to Israel through a fraudulent asylum-claim process and charge workers high mediation fees and sell them fake documents; these workers are vulnerable to exploitation.

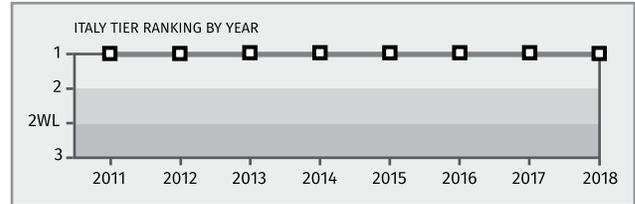
Eritrean and Sudanese male and female migrants are highly vulnerable to sex and labor trafficking in Israel. According to an international organization, as of September 2017, 72 percent of the 38,000 irregular migrants in Israel are Eritrean and 20 percent are Sudanese. According to NGOs, these migrants and asylum-seekers became increasingly vulnerable to trafficking following the government's implementation of a policy in May 2017 that reduced net wages for this population. Economic distress among women in this population greatly increases their vulnerability to sexual exploitation. Since 2007, thousands of African migrants entered Israel via the Sinai Peninsula. The flow of these migrants arriving in Israel, peaking at more than 17,000 in 2011, has dramatically decreased to zero in 2017. Many of these migrants were kidnapped in the Sinai and subjected to severe abuse, including forced labor and sex trafficking, at the hands of criminal groups in the Sinai before reaching Israel.

Women from Eastern Europe and the former Soviet Union, 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—particularly in the southern coastal resort city of Eilat, but are subsequently exploited by sex traffickers. Some traffickers reportedly recruit sex trafficking victims with false, fraudulent, or misleading job offers on the internet, sometimes through legitimate employment websites. NGOs report some Palestinian LGBTI persons in Israel are vulnerable to abuse and exploitation, due to their legal status and restrictions on work eligibility for Palestinian nationals in Israel. Israeli transgender persons are also highly vulnerable to sex trafficking. Some transgender persons are sexually exploited in prostitution in order to be able to afford gender-affirming care. Some transgender children as young as 13 years old, some of whom run away from home, are exploited in sex trafficking.

## ITALY: TIER 1

The Government of Italy fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Italy remained on Tier 1. The government demonstrated serious and sustained efforts by improving coordination among government agencies, international organizations, and NGOs in identification of trafficking victims upon arrival of irregular migrants by sea; increasing funding for NGOs providing shelter and other assistance to victims;

providing greater protections for unaccompanied minors; and conducting more investigations of trafficking crimes. Although the government meets the minimum standards, many victims among vulnerable groups went unidentified, especially individuals in prostitution and migrants at reception centers. Government-supported NGOs remained underfunded in light of the need. The government did not take significant action at the national level to reduce demand for commercial sex and did not report on sentences courts gave convicted traffickers.



## RECOMMENDATIONS FOR ITALY

Implement guidelines under the national plan to improve identification of possible trafficking victims among both migrants and asylum-seekers; increase the level of coordination among national, regional, and local governments toward ensuring adequate funding and support for investigations of trafficking and care of survivors; vigorously investigate and prosecute trafficking cases, and convict and sentence traffickers with dissuasive sentences; provide increased language and cultural interpretation for new arrivals, particularly for lesser-known African languages; consistently train law enforcement, migration officers, first responders, and other officials across all regions and localities on identification and referral procedures; improve specialized services and long-term care for child victims; improve the national coordination structure to engage all relevant public bodies and NGOs, and compile comprehensive data on identification of victims, investigations, prosecutions, convictions and sentencing, disaggregated between sex and labor trafficking cases, and disclose the information to the public; increase international cooperation with source and transit countries, especially Nigeria, on information sharing and countering trafficking rings; increase prevention measures to reduce the demand for commercial sex and vigorously enforce related existing criminal laws at local levels; and expand nationwide awareness-raising activities on all forms of trafficking.

## PROSECUTION

The government increased law enforcement efforts. The 2003 Measures Against Trafficking in Persons law criminalized sex and labor trafficking and prescribed penalties of eight to 20 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious offenses, such as rape. The government did not disaggregate law enforcement statistics involving labor trafficking crimes. Authorities investigated 482 persons for trafficking in 2017, compared with 290 in 2016. Police arrested 133 suspected traffickers in 2017, compared to 58 in 2016. The government indicted 73 defendants under the trafficking law in 2017, compared with none in 2016 and 17 in 2015. Trial courts and appellate courts convicted 28 traffickers under the trafficking law in 2017, compared to 31 in 2016 and 12 in 2015. In 2017, the government also investigated 412 persons under the penal code section for slavery, related to but outside of the definition of the trafficking law, with 108 convictions, compared to 43 convictions in 2016.

The government did not report data on sentences imposed under the trafficking law in 2017 or in years prior, and stated only that convicted traffickers generally received prison sentences ranging from seven to eight years (compared to six to nine years in 2016). For example, in November a Palermo judge sentenced two Nigerian traffickers to prison for eight and seven years, respectively, and required €20,000 (\$24,010) in restitution to their victim. In July, a court in Lecce sentenced nine foreigners and two Italians to prison terms of 11 years each for labor trafficking. In July, a Rome court upheld the 12-year prison sentence of a Romanian for sex trafficking of two minors. Investigators prioritized trafficking syndicates, reflected by the arrest in November of 23 Nigerians in Palermo belonging to the trafficking syndicate Black Axe, the arrest of a network of 28 agricultural labor traffickers during the year prior to November 2017, and the arrest in February by financial police of a gang of seven labor traffickers in Calabria. Some source countries stated collaboration with Italian authorities on investigations was insufficient. Prosecutors cited positive results from increased cooperation with the Libyan Government of National Accord (GNA), as evidenced by the GNA-issued arrest warrants for 200 suspected traffickers in Libya that stemmed from the joint investigation. There were no investigations or prosecutions of government employees complicit in trafficking offenses.

The variety and number of trainings on trafficking offered to law enforcement and prosecutors increased. The government sponsored several interagency training exercises and simulations on anti-trafficking methods, including a September training with NGO participation. Prosecutors initiated an exchange with 22 African countries to bring prosecutors to work alongside Italian prosecutors for six months of training, enhancing cooperation between Italy and source countries. The training curriculum for law enforcement agencies included victim identification and investigation of trafficking crimes.

## PROTECTION

The government increased protection efforts. The Department of Equal Opportunity (DEO) coordinated protection efforts and reported government-supported NGOs assisted 1,354 potential victims in 2017, a significant increase from 851 victims assisted in 2016; however, this figure did not differentiate between victims of trafficking and other forms of exploitation, and thus the actual increase in trafficking victim identification is unclear. Of the total, 176 were victims of labor exploitation and 24 of forced begging. Fifteen percent were men and one percent was transgender. Approximately 71 percent were from Nigeria, and an international organization estimated up to 75 percent of the Nigerian women and unaccompanied children who arrived in 2017 were trafficking victims. Children represented nearly 11 percent of all victims receiving assistance, many being boys forced to beg or commit robbery. The Ministry of Interior formed a working group focused on support for unaccompanied minors at risk of trafficking, and a new law strengthening their protection went into effect. NGOs reported many unaccompanied Nigerian minor victims were 15 to 17 years old, but at the direction of their traffickers routinely declared themselves as 18 or more years old to age-qualify for an asylum application, and then transfer to an adult reception center, giving greater freedom to leave the center unnoticed with their trafficker. NGOs, however, confirmed increased scrutiny by authorities of these age-claims, and authorities sent victims into child protection if unable to confirm adult age-status. NGOs estimated more than 6,000 minors in Italy were victims of sex trafficking in 2017.

The government relied predominantly on NGOs and international organizations to provide shelter and services to victims, which reported overall improvement in coordination with immigration officials at both the arrival points and the longer-term reception centers. The government followed standard UNHCR procedures to screen for trafficking victims among asylum-seekers. However, NGOs charged with meeting migrants on arrival continued to stress the need for longer time periods for interviewing and screening of migrants at the 'hot spot' arrival ports in order to accurately determine victim status, although hot spots can also be overcrowded, with little privacy, and not conducive to a stay beyond one or two days. NGOs noted the level of government funding remained insufficient given the significant increase in trafficking victims over current and past years, and also cited the need for a more formal referral mechanism. NGOs and officials alike stressed a critical need for more interpreters of lesser-known African dialects to be available during the initial screening of migrants. One NGO estimated existing reception centers could only adequately accommodate 25 percent of migrant needs. Centers were ill-equipped to address the unique needs of trafficking victims and lacked adequate security against traffickers seeking to recruit victims. The government allotted €22.5 million (\$27 million) exclusively to trafficking victim assistance programs implemented by NGOs in 2017, a significant increase from €14.5 million (\$17.4 million) in 2016 and €8 million (\$9.6 million) in 2015. Local governments provided additional funds to victim assistance programs, although figures were not available. Government-funded NGOs provided separate facilities for men and unaccompanied children. NGOs commented quality standards for assistance programs were inconsistent, with continued disparity in programming levels between different regions of Italy. However, the government made progress in addressing this disparity through funding 18 assistance programs more equitably spread across all regions of Italy.

Foreign victims were granted assistance for up to six months and were eligible for temporary residency and a work permit. Adult victims could extend their temporary residence permit if employed or enrolled in a job training program. The government granted 418 residence permits to victims in 2017, compared to 340 permits in 2016. Child victims automatically received a residence permit until age 18 and accommodations in a general children's center or a designated center for trafficking victims who were also asylum-seekers. Children received counseling and enrolled in local public schools with the support of mentors. However, by the end of 2017, an estimated 32 percent of unaccompanied children had left the centers, which increased their vulnerability to trafficking. Victims were not required to cooperate with law enforcement to obtain a residence permit, although some NGOs and international organizations reported authorities sometimes gave preference to those who cooperated.

An NGO noted significant improvements in interagency cooperation in the past year, citing lessons learned over several years of responding together to the migrant crisis, particularly in coordinated screening of asylum applicants for trafficking. They cited continued challenges in adapting to changing trafficking dynamics and methods, and the related need for improved coordination among ground-level local NGOs, international organizations, and the national government. NGOs also noted victim assistance from the EU was insufficient in light of the large numbers of continued arrivals by sea. NGOs, prosecutors, and local officials praised the contribution of trained cultural mediators hired by the government or provided by government-funded NGOs, for their skill in communicating with migrants and victims.

## PREVENTION

The government maintained prevention efforts. In October, the government launched an interagency working group to coordinate continued implementation of the 2016-2017 national action plan. The DEO, as coordinator of the interagency steering committee on trafficking, oversaw protection and prevention programs. Labor officials inspected 160,347 sites, compared to 94,025 sites in 2016, including 7,265 agricultural companies, and identified more than 48,000 unregistered workers, compared to 30,000 workers in 2016. The government did not report the extent to which it screened or identified potential trafficking cases in the inspections. The government launched a nationwide public awareness anti-trafficking campaign, including a video broadcast on national television publicizing the trafficking hotline. Local authorities and NGOs continued to distribute brochures, posters, bumper stickers, and media advertisements providing information on victim assistance. The DEO's hotline for victims of trafficking received more than 4,033 calls for information, compared to 2,900 in 2016, of which 487 were potential trafficking cases. Some municipalities supported education campaigns led by NGOs and implemented fines on individuals in prostitution and purchasers of commercial sex for violating rules on street prostitution, although it was unclear to what extent the police screened for trafficking. There was no coordinated national government effort to reduce the demand for commercial sex. Italian diplomats received anti-trafficking training, as did troops prior to deployment with international peacekeeping missions. The government did not address the demand for global child sex tourism or prosecute Italian citizens who participated abroad.

Internationally, Italy implemented an agreement for joint operations and training with the Libyan Coast Guard through Operation Sophia aimed at reducing the flow of irregular migrants crossing the central Mediterranean. The Italian government provided patrol vessels and training for the Libyan coast guard to more effectively interdict smugglers and traffickers and rescue migrant vessels. However, some European and international NGOs criticized this coordinated effort of turning migrant boats back to Libya and stopping other migrants from attempting the crossing to Italy, citing poor security and human rights conditions inside Libya and an increased risk of trafficking for migrants forced to remain in Libya. Italy and the Libyan GNA also maintained agreements on judicial cooperation and extraditions. Italian police began a two-year training program in March 2018 for 360 law enforcement officials from 22 African countries on immigration and border control, based in Egypt, including training on combating trafficking. The government implemented a communication program across the Horn of Africa and West Africa to inform potential migrants of the risks of trafficking.

## TRAFFICKING PROFILE

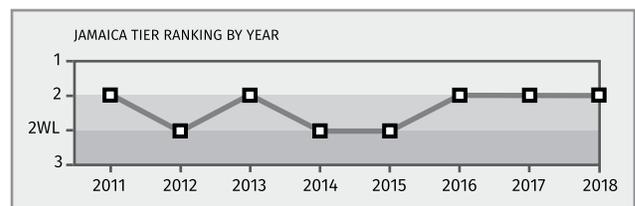
As reported over the past five years, Italy is a destination, transit, and source country for women, children, and men subjected to sex trafficking and forced labor. Victims originate primarily from Nigeria and other African countries, China, and Eastern Europe, and include ethnic Roma. Nigerians represented 36 percent of the victims who received residency permits in 2017, primarily women and girls subjected to sex trafficking through debt bondage and many coerced under threat of voodoo rituals. Men are victims of forced labor in agriculture in southern Italy and in construction, house cleaning, hotels, and restaurants in the north. Chinese victims work in textile factories in Milan, Prato, Rome, and Naples. Nigerian gangs have expanded and reportedly receive protection from Italian crime networks.

Chinese criminal elements also forced victims to work in apartments and in massage parlors.

The dramatic flow of African migrants and asylum-seekers across the Mediterranean continued, albeit at a lower rate. Italy received 119,310 irregular arrivals by sea in 2017, compared to the 181,436 arrivals in 2016 and 154,000 arrivals in 2015, nearly all coming via Libya. Most migrants rely on smugglers in their country of origin and many become subject to trafficking en route to Italy or upon arrival. Unaccompanied children are at high risk, including boys forced to work in shops, bars, restaurants, bakeries, or in forced begging. According to UNHCR, 15,731 persons arriving in 2017 were unaccompanied children, compared to 25,846 arriving in 2016, mostly boys, the majority from Africa. Asylum-seekers are allowed to work two months after their applications are submitted, although many migrants later seek illegal employment in informal sectors, increasing their vulnerability to trafficking. Many also attempt to depart for other European countries.

## JAMAICA: TIER 2

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 demonstrated increasing efforts compared to the previous reporting period; therefore Jamaica remained on Tier 2. The government demonstrated increasing efforts by increasing funding for victim assistance, publishing standard operating procedures (SOPs) for labor and health care officials, passing a legal amendment designed to enhance the government's efforts to prosecute and convict traffickers under its anti-trafficking law, and increasing awareness efforts. However, the government did not meet the minimum standards in several key areas. In particular, under Jamaica's anti-trafficking law, penalties for trafficking are not commensurate with other serious crimes. The government initiated significantly fewer investigations compared to the previous year, did not provide adequate protection for some potential or confirmed trafficking victims, and did not publish an annual report on government efforts.



## RECOMMENDATIONS FOR JAMAICA

Increase efforts to identify and provide comprehensive protection to victims of trafficking, including sex trafficking, forced begging, and domestic servitude of Jamaican children; vigorously investigate, prosecute, convict, and punish traffickers, including any officials complicit in sex or labor trafficking; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; develop and fully implement government-wide SOPs to guide social workers and other front-line officials in the proactive identification of local and foreign victims of forced labor and sex trafficking, including those exploited in commercial sex in nightclubs, bars, massage parlors, forced begging, and domestic servitude; dedicate adequate funding to implement the national action plan and develop