

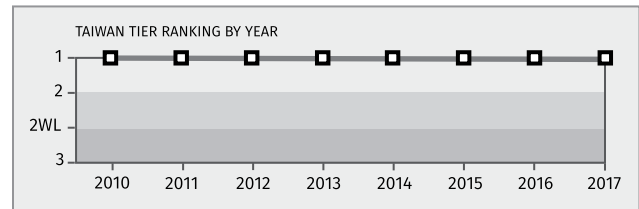
mobile phones, weapons, a martyr's place in paradise, and the "gift" of a wife upon joining the terrorist group. By forcibly recruiting and using children in combat and support roles, ISIS has violated international humanitarian law and perpetrated war crimes on a mass scale. Despite having signed a pledge of commitment with an international organization in June 2014 to demobilize all fighters younger than 18 years old, the Kurdish People's Protection Units (YPG) recruited and trained children as young as 12 years old in 2016. An NGO reported in January 2016 instances in which Iran forcibly recruited or coerced male Afghan refugees and migrants, including children, living in Iran to fight in Syria. In June 2016, the media reported Iran recruited some Afghans inside Afghanistan to fight in Syria as well. Some foreigners, including migrants from Central Asia, are reportedly forced, coerced, or fraudulently recruited to join extremist fighters, including ISIS.

The Syrian refugee population is highly vulnerable to trafficking in neighboring countries, particularly Jordan, Lebanon, Iraq, and Turkey. In 2015, an international organization reported a high number of child marriages of Syrian girls among refugee populations. Syrian refugee women and girls are vulnerable to forced or "temporary marriages"—for the purpose of prostitution and other forms of exploitation—and sex trafficking in refugee camps, Jordan, and cities in the Iraqi Kurdistan Region (IKR), including Sulaimaniya. In Baghdad, Basrah, and other cities in southern Iraq, reports from 2015 indicated some Syrian refugee women were forced into prostitution by a trafficking network in hotels and brothels after agents of the network promised to resettle them from the IKR; the women's children were forced to beg on the street. In Turkey and Lebanon, reports continue of illicit prostitution rings of Syrian refugee women and girls, which are administered by local men, while the Lebanese police issued reports in 2014 detailing the sale of Syrian refugee women by local men. In Turkey, some female Syrian refugees are reportedly exploited after accepting fraudulent job offers to work in hair salons. In Turkey, Lebanon, and Jordan, Syrian refugee children continue to engage in street begging, some of which may be forced or coerced. Syrian children are also observed working in Turkey's agricultural sector and informally in textile workshops and the service sector where they experience long working hours, low wages, and poor working conditions; children in these sectors may be vulnerable to forced labor. In Lebanon's Beqaa Valley, Syrian gangs force refugee men, women, and children to work in agriculture, where victims are forced to work under harsh conditions with little to no pay and some are subject to physical abuse. LGBTI persons among the Syrian refugee population in Lebanon are reportedly vulnerable to sex trafficking by Lebanese pimps. In Qatar and Kuwait, Syrian adults are reportedly subjected to forced labor as low-skilled workers. In 2014, an international organization reported Syrian nationals temporarily residing in Sudan sought to travel through Libya en route to Italy with the use of smugglers; these Syrians could be at risk of trafficking along this route. Throughout 2016, displaced Syrians continued to seek illegal passage to Europe via the Mediterranean Sea through the use of smugglers; these Syrians may be at risk of trafficking.

TAIWAN: TIER 1

Taiwan authorities fully meet the minimum standards for the elimination of trafficking. Authorities continued to demonstrate serious and sustained efforts during the reporting period; therefore, Taiwan remained on Tier 1. Taiwan authorities

demonstrated serious and sustained efforts by conducting 134 trafficking investigations, including cases involving foreign fishermen, and convicting 56 traffickers. Authorities identified 263 trafficking victims, provided access to shelter and other victim services, and enacted new regulations requiring standard contracts and benefits for foreign fishermen hired overseas. Although Taiwan authorities meet the minimum standards, in many cases judges sentenced traffickers to lenient penalties not proportionate to the crimes, weakening deterrence and undercutting efforts of police and prosecutors. Authorities sometimes treated labor trafficking cases as labor disputes and did not convict any traffickers associated with exploiting foreign fishermen on Taiwan-flagged fishing vessels.



RECOMMENDATIONS FOR TAIWAN

Increase efforts to prosecute and convict traffickers under the anti-trafficking law and sentence convicted traffickers to sufficiently stringent punishments; vigorously investigate and, where appropriate, prosecute the owners of Taiwan-owned or -flagged fishing vessels that allegedly commit abuse and labor trafficking onboard long haul fishing vessels; improve the effectiveness of anti-trafficking training and increase prosecutors' and judges' understanding of trafficking crimes; enact legislation that would address gaps in basic labor protections for household caregivers and domestic workers; increase efforts to reduce brokers' exploitation of foreign workers by continuing to simplify the process of direct hiring and by strengthening broker evaluation and accountability systems; clearly define roles and responsibilities for the agencies that oversee Taiwan-flagged fishing vessels; establish a systematic information-sharing process to foster more robust interagency anti-trafficking coordination; enhance cross-border efforts to identify and protect victims, and prosecute offenders; and continue efforts to increase public awareness of all forms of trafficking.

PROSECUTION

Authorities maintained anti-trafficking law enforcement efforts. The Human Trafficking Prevention and Control Act (HTPCA) prohibits sex and labor trafficking and prescribes penalties of up to seven years imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, authorities continued to prosecute the majority of trafficking cases under other laws in the criminal code as well as the Children and Youth Sexual Transaction Prevention Act (CYSTPA) (amended as the Children and Youth Sexual Exploitation Prevention Act, which took effect in January 2017). Authorities conducted 40 labor trafficking and 94 sex trafficking investigations in 2016 (181 in 2015). Unlike in the previous year, authorities launched trafficking investigations of cases involving foreign fishermen, with four cases investigated involving 47 victims and 18 suspects. In total, the authorities initiated 128 prosecutions in 2016 (110 in 2015) and obtained 56 convictions (53 in 2015). Authorities initiated prosecutions against 44 suspects (30 in 2015) and convicted 28 traffickers (22 in 2015) under the HTPCA. Under

other sections of the criminal code and CYSTPA, authorities initiated prosecutions against 84 suspects (80 in 2015) and convicted 28 traffickers (31 in 2015). Traffickers convicted under the HTPCA received lighter sentences than defendants convicted under the CYSTPA and other sections of the criminal code; sentences imposed on the majority of convicted traffickers (29 of 56) were less than one year imprisonment, which are inadequate to serve as an effective deterrent to the commission of trafficking crimes. Authorities continued to train law enforcement officers, prosecutors, and judges through various workshops, seminars, and conferences. Nonetheless, authorities and NGOs cited continued challenges in effective prosecution of labor trafficking cases due to court officials perceiving cases as labor disputes rather than trafficking crimes. Some police also reportedly perceived sex trafficking cases involving child victims as easier to prosecute than labor trafficking cases involving adult victims. Authorities initiated investigations of a prosecutor who allegedly engaged in commercial sex with a minor, as well as a city councilor who allegedly exploited foreign women in prostitution; both investigations were still ongoing at the end of the reporting period.

PROTECTION

Authorities maintained efforts to protect victims of trafficking. Authorities identified 263 trafficking victims (140 exploited in sex trafficking and 123 in forced labor), of which 240 were referred to shelters for assistance. This is compared with 278 victims identified in 2015. Law enforcement officials used standardized questions and evaluation forms when interviewing and referring potential trafficking victims, including screening foreigners with immigration violations for indicators of trafficking. Current policies authorize only police and prosecutors to make official identifications, although NGOs and others have advocated for authorities to allow social workers and labor inspectors to identify victims. NGOs also reported instances in which judges overturned human trafficking charges brought by prosecutors; in these cases, foreign victims with valid work permits could remain in Taiwan to seek new employment and those with an unlawful status must depart Taiwan within a set time period. The National Immigration Agency (NIA) operated one shelter dedicated to foreign trafficking victims and continued construction of a second; in prior years, the NIA operated three shelters. The Ministry of Labor (MOL) subsidized an additional 25 shelters and a 24-hour hotline that trafficking victims could access; some NGOs recommended that MOL enhance its training of hotline personnel and implement more robust follow-up actions to identify trafficking victims and refer them to services. Shelters provided trafficking victims—both men and women—with medical and psychological services, legal counseling, vocational training, small stipends, interpretation, and repatriation assistance. Authorities encouraged victims to participate in investigations of their traffickers by allowing victims to testify outside the courtroom or through video equipment. In addition, authorities offered foreign victims temporary residence and work permits (granting 92 and 98, respectively, in 2016). Although victims who face retribution or hardship in their country of origin can also obtain permanent residence status, NGOs noted the lack of clarity on requirements for permanent residency status may have hindered the provision of this protection. Victims were able to obtain restitution through out-of-court settlement or file civil suits against traffickers; nonetheless, courts denied both of the restitution requests sought during the reporting period. Although victims could receive immunity for unlawful acts committed as a direct result of being subjected to human trafficking, NGOs reported authorities detained, fined,

and jailed potential trafficking victims during the reporting period. These individuals include possible trafficking victims who, according to some reports, were coerced into participating in telecom scams targeting overseas victims.

PREVENTION

Authorities increased efforts to prevent human trafficking. A cabinet-level minister-without-portfolio continued to implement the national plan of action and oversee an interagency working group. Various agencies continued to fund advertisements, public service announcements, and other materials on human trafficking and held trainings for vulnerable populations, such as youth, foreign workers, and fishing sector workers. Authorities continued to operate international airport service counters and foreign-worker service stations around Taiwan to assist foreign workers and educate them on their rights. To address exploitation associated with labor recruitment, the direct hiring service center allowed employers to hire foreign workers directly, instead of utilizing brokers who may charge excessive fees; however, most employers continued to deem it easier and more expedient to use brokers. Authorities fined six brokers and suspended business operations of four for charging excessive fees. During the reporting period, authorities removed a policy requiring foreign workers to leave Taiwan at least once every three years, alleviating financial burdens associated with reentering Taiwan. To protect foreign fishermen hired overseas, who are not protected by Taiwan's Labor Standards Act, authorities enacted new laws that require a standard contract stating the workers' salary, medical benefits, working conditions, and living arrangements; authorize businesses and not individuals to act as brokers; and establish a hotline for workers to file complaints or request assistance. However, some observers noted the shared responsibility between MOL and the Fisheries Agency for foreign fishermen impeded the streamlining of efforts to provide oversight to the industry and prevent trafficking. To prevent exploitation of domestic workers, MOL began to require first-time employers of foreign domestic workers to attend an orientation briefing on workers' rights and relevant regulations. However, NGOs stressed the need for authorities to pass a long-stalled domestic worker protection bill that would mandate hours of rest, days off, and annual leave. Taiwan's laws criminalize sexual exploitation of children by Taiwan passport holders traveling abroad, but authorities have not investigated or prosecuted any child sex tourism offenses committed abroad since 2006. Authorities made efforts to reduce the demand for commercial sex acts and forced labor and provided anti-trafficking training for diplomatic personnel.

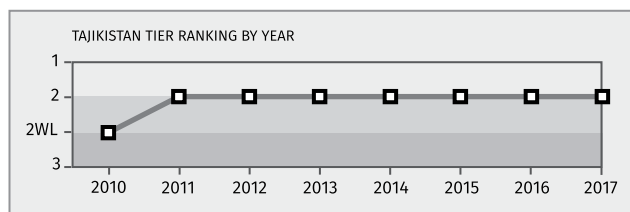
TRAFFICKING PROFILE

As reported in the last five years, Taiwan is a destination for men and women subjected to forced labor and sex trafficking and, to a lesser extent, a source of men and women subjected to forced labor and of women and children subjected to sex trafficking. Of the 263 victims identified in 2016, 156 were foreign victims and 89 were children. Taiwan women and children are subjected to sex trafficking. Many child sex trafficking victims are from economically disadvantaged areas in Taiwan. Women from China and Southeast Asian countries are lured to Taiwan through fraudulent marriages and deceptive employment offers for purposes of sex trafficking. Many trafficking victims are migrant workers from Indonesia, the Philippines, Thailand, Vietnam, and to a lesser extent, individuals from China and Cambodia. Most of Taiwan's more than 620,000 foreign workers are hired in their home countries through recruitment agencies

and brokers, some of whom are from Taiwan, to perform low-skilled work as home caregivers and domestic workers, or in farming, manufacturing, construction, and fishing industries. Some foreign workers are charged exorbitantly high recruitment fees, resulting in substantial debts used by brokers or employers as tools of coercion to obtain or retain their labor. After recruitment fee repayments are garnished from their wages, many foreign workers in Taiwan earn significantly less than the minimum wage. Domestic workers and home caregivers are especially vulnerable to exploitation, since they often live in their employers' residences, making it difficult to monitor their working and living conditions. Brokers in Taiwan sometimes assist employers in forcibly deporting "problematic" foreign employees should they complain, enabling the broker to fill the empty positions with new foreign workers and continually use debt bondage to control the work force. Documented and undocumented fishermen on Taiwan-flagged fishing vessels, mostly from China, Indonesia, the Philippines, and Vietnam, experience non- or under-payment of wages, long working hours, physical abuse, lack of food, and poor living conditions, which are indicators of trafficking. There have been reports of men and women from Taiwan engaged in illegal business operations overseas that present indicators of human trafficking, including in telecom scams targeting Chinese victims, as well as women from Taiwan being lured into forced prostitution in the United States.

TAJKIKISTAN: TIER 2

The Government of Tajikistan 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, Tajikistan remained on Tier 2. The government demonstrated significant efforts during the reporting period by drafting and approving a national action plan for 2016-2018, approving a national referral mechanism, and monitoring for forced labor of children in the annual cotton harvest. The Inter-Ministerial Commission to Combat Trafficking in Persons met quarterly to coordinate governmental anti-trafficking efforts and established a working group to monitor implementation of the victim protection law. However, the government did not meet the minimum standards in several key areas. Slow progress in the implementation of its victim protection law left officials without victim identification procedures, and resulted in inadequate victim protection services. Endemic corruption contributed to the transport of victims across borders, yet the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.



RECOMMENDATIONS FOR TAJIKISTAN

While respecting due process, vigorously investigate and prosecute suspected traffickers, including officials complicit

in trafficking, and convict and appropriately sentence perpetrators; amend existing anti-trafficking legislation to more closely conform with international standards, specifically to criminalize child sex trafficking in the absence of force, fraud, and coercion; implement standard operating procedures for identifying trafficking victims, including any forced labor in the cotton harvest; increase measures and dedicate funding or in-kind support to provide comprehensive care to victims and encourage their assistance in the investigation and prosecution of traffickers either directly or via partnerships with NGOs; train law enforcement to screen men and women in prostitution for signs of trafficking and ensure sex trafficking victims are not penalized for prostitution offenses; continue to enforce the prohibition against the forced labor of children in the annual cotton harvest by inspecting fields during the harvest in collaboration with local officials and NGOs; improve the collection of anti-trafficking law enforcement data; continue to provide anti-trafficking training or guidance for diplomatic personnel and other government employees, including law enforcement officers, border guards, and customs officials, to prevent their engagement or facilitation of trafficking crimes.

PROSECUTION

The government maintained its anti-trafficking law enforcement efforts. Article 130.1 of the 2003 criminal code, amended in 2004 and 2008, prohibits all forms of trafficking, including the use of force, fraud or coercion for the purpose of sexual exploitation and forced labor. The article prescribes penalties of five to 15 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Article 130.1 does not, however, criminalize inducing children to engage in prostitution without resort to force, fraud, or coercion, which is how states are required to define the crime by international law. Article 132 criminalizes recruitment for sexual or other exploitation through fraud—but not through coercion—and carries a maximum penalty of five years imprisonment. Article 167 prohibits the buying and selling of children, prescribing five to 15 years imprisonment and several other criminal code provisions include trafficking crimes, such as article 130.2, which criminalizes the use of slave labor, and article 241.2, which criminalizes the use of minors in the production of pornography.

The government investigated 18 cases involving 24 suspected traffickers and prosecuted 13 cases involving 17 defendants in 2016, compared to 39 suspected traffickers investigated and 24 prosecuted in 2015. Courts convicted 10 traffickers, with sentences ranging from five to nine years imprisonment, compared to 10 convictions in 2015. Endemic corruption inhibited law enforcement action during the year and facilitated transport of victims across borders and through inspection points; nonetheless, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The Ministry of Internal Affairs (MIA) continued to conduct training on human trafficking for new staff as part of its training academy curriculum. In partnership with NGOs, the government trained investigators, prosecutors, and judges on the 2014 victim protection law, victim-centered approaches, and investigative techniques.

PROTECTION

The government maintained minimal efforts to identify trafficking victims, but provided no services. The government

identified and referred six victims to international organizations for assistance, a decrease from eight victims in 2015 and 26 in 2014. Civil society groups and international organizations provided protective services to 12 trafficking victims in 2016. The government made some progress in implementing the 2014 victim protection law, which sets forth the provision of victim services; establishes government standards for service delivery among providers, including governmental agencies and NGOs; and mandates a national referral mechanism. The government approved a newly drafted national referral mechanism in July 2016 and created a working group to monitor and facilitate its implementation. The government has not implemented services set forth in the 2014 victim protection law or formalized the roles of agencies tasked with providing services or funded the services. As a result, authorities remained without a formal system for identifying trafficking victims and referring them to services. Officials sometimes temporarily detained sex trafficking victims, but later released and referred them for assistance. Furthermore, as law enforcement officials routinely deported foreign migrant workers and did not attempt to identify trafficking victims proactively among men and women in prostitution or forced labor, it was possible officials prosecuted, detained, or penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

The government did not report providing any services to trafficking victims and did not directly shelter victims; the country's sole shelter for trafficking victims closed when foreign funding expired in April 2016. The government's committee on women and family affairs' crisis center in Dushanbe offers women free legal and psychological assistance among other services, but did not assist any trafficking victims. NGOs working on domestic violence also occasionally provided trafficking victims with medical and psycho-social care, legal and vocational training, and assisted in family reunification; however, the government did not provide financial support to such organizations.

Despite provisions in the 2014 law for security measures for trafficking victims, the government did not keep victims' personal information confidential or provide protection for victim witnesses and their advocates. The law provides foreign victims with the right to request temporary residency, which can be extended for one year following the completion of a criminal case, and based on the victims' cooperation with law enforcement agencies, although no such cases were reported. The 2014 victim protection law does not link other victim benefits to a victim's participation in a trial and provides victim services regardless of legal status or prior consent to participate in subsequently identified trafficking crimes.

PREVENTION

The government increased its efforts to prevent human trafficking. The Ministry of Education (MOE) continued to disseminate letters to local governments highlighting prohibitions against the use of child labor in the cotton harvest. Government-funded campaigns targeted potential victims, local officials responsible for preventing trafficking, and school authorities who had previously mobilized children in the cotton harvest. The government assigned three inspectors to conduct monitoring of the cotton harvest, continuing a practice begun in 2010 in cooperation with NGOs.

The 2014 law established a framework for the government to address human trafficking and a national anti-trafficking

commission tasked with coordinating the government's anti-trafficking efforts and developing a national plan. The commission met quarterly, convening government officials, donors, NGOs, and international organizations to report on their anti-trafficking work, and to identify and discuss ongoing needs. The commission developed a national referral mechanism and provided input for the 2016-2018 national action plan, which was drafted and approved in July 2016. The commission also established a working group to ensure uniformity between the new action plan and referral mechanism and the 2014 law and to develop additional amendments recommended by the commission.

A telephone hotline provided in previous years by the government in partnership with NGOs and an international organization was no longer in operation. The government continued to conduct anti-trafficking courses for officials, school administrators, and law students. The government supported training on victim identification and protection for consular officers, but did not provide any other anti-trafficking training for its diplomatic personnel. Tajik law requires entities engaged in labor recruitment abroad to obtain licenses from migration authorities and provides punitive measures for violations, although no such cases were reported. The Tajik migration service provided migrants with information on the risk of trafficking prior to travel abroad. In partnership with the migration service, lawyers employed by an international organization provided legal consultation on migration and trafficking at migration service support centers. The government made efforts to reduce the demand for commercial sex by investigating and prosecuting purchasers of commercial sex. The government did not report any efforts to reduce the demand for forced labor.

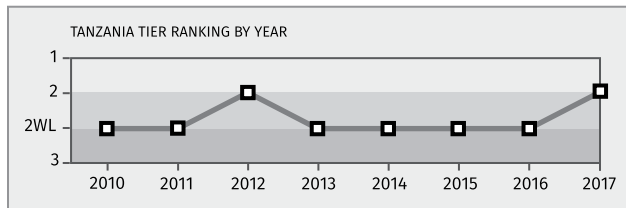
TRAFFICKING PROFILE

As reported over the past five years, Tajikistan is a source and, to a lesser extent, destination country for men, women, and children subjected to forced labor, and a source and destination country for women and children subjected to sex trafficking. Extensive economic migration exposes Tajik men, women, and children to exploitation. Tajik men and women are subjected to forced labor in agriculture and construction in Russia, UAE, Kazakhstan, and, to a lesser extent, in neighboring Central Asian countries, Turkey, and Afghanistan. Women and children from Tajikistan are subjected to sex trafficking primarily in Turkey, UAE, and Russia, and also in Saudi Arabia, Kazakhstan, and Afghanistan, as well as within Tajikistan.

Women and minors are increasingly vulnerable to trafficking. In some cases, migrant laborers abandon their families, making women more vulnerable to trafficking as sole providers for their families. Some women who traveled to Syria or Iraq with promises of marriage were instead sold into sexual slavery. Tajik women and girls are transported to Afghanistan for the purpose of forced marriage, which can lead to domestic servitude, sex trafficking, and debt bondage. Tajik children are subjected to sex trafficking and forced labor, including forced begging, in Tajikistan and Afghanistan. Tajik children and adults may be subjected to forced labor in agriculture—mainly during Tajikistan's fall cotton harvest. Afghan and Bangladeshi citizens are vulnerable to forced labor in Tajikistan, including in the construction industry.

TANZANIA: TIER 2

The Government of Tanzania 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, Tanzania was upgraded to Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more traffickers than in the previous reporting period. The government sentenced several convicted traffickers to significant time in prison; however, many traffickers continued to receive sentences including only fines. The government conducted an anti-trafficking awareness raising campaign for school students. However, the government did not meet the minimum standards in several key areas. The implementing regulations for the protection provisions of the 2008 anti-trafficking law were not widely applied and protection services for trafficking victims remained limited. The government did not report identifying any victims or fund any services for victims, but did provide in-kind assistance. The government did not allocate sufficient funding for nationwide public awareness campaigns and did not fund the victims' assistance fund.



RECOMMENDATIONS FOR TANZANIA

Fully implement the protection provisions of the anti-trafficking act, as outlined in the implementing regulations and the updated national action plan, including by allocating resources to the victim assistance fund; increase funding and training to law enforcement authorities for proactive victim identification and the implementation of standardized policies and procedures related to victim identification and referral to protective services; amend the anti-trafficking act to remove the provision of fines as an alternative to incarceration; continue efforts to enforce the 2008 Anti-Trafficking in Persons Act by investigating and prosecuting trafficking offenses, convicting trafficking offenders and imposing adequate penalties; continue to train judges and prosecutors to identify trafficking crimes and delineate differences between trafficking and smuggling; increase the budget allocation for the anti-trafficking committee and anti-trafficking secretariat to implement the national action plan to combat trafficking; and develop and use a trafficking-specific law enforcement and victim protection database at the national level that differentiates between forced labor and sex trafficking.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. The 2008 Anti-Trafficking in Persons Act prohibits all forms of trafficking and prescribes punishments of one to 10 years imprisonment or a fine between one and 150 million Tanzanian shilling (TZS) (\$459 and \$68,871), or both. When allowing for a fine in lieu of imprisonment, the prescribed punishment is not commensurate with those for other serious crimes, such as rape. However, during the reporting year the Anti-Trafficking Secretariat (ATS)—the lead government agency on

trafficking that includes representatives of all ministries involved in anti-trafficking efforts—officially endorsed a proposal to eliminate the alternative sentence of fines, which it sent to the attorney general's office.

The government did not have a system to compile comprehensive law enforcement statistics so reported data may be inexact. In 2016, the government reported investigating approximately 100 suspected trafficking cases, compared to 12 during the previous year. The government reported prosecutions of at least 23 defendants and convictions of at least 19 traffickers in 2016, compared with 10 prosecutions and one conviction in 2015, all under the 2008 anti-trafficking act. Prosecution of four cases remained ongoing. For the first time, courts sentenced traffickers to significant punishments including imprisonment, sentencing one trafficker to 10 years imprisonment, two traffickers to seven years imprisonment, three traffickers to five years imprisonment, and three traffickers to two years imprisonment. Nonetheless, 13 of the 19 convicted traffickers were given the option to pay fines; however, none were able to pay the fine and all went to prison. In one case the courts convicted, and sentenced to five years imprisonment, three traffickers for fraudulently recruiting nine girls for forced labor in Oman. The government continued to include human trafficking components in standard police academy training, which reached approximately 100 new recruits. The government also incorporated information on root causes of trafficking and effective use of victim referral manuals into the curriculum of standard law enforcement training. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses despite widespread claims of corruption within the judicial system.

PROTECTION

The government made inadequate protection efforts. Officials inconsistently applied the implementing regulations for the protection provisions of the 2008 anti-trafficking law. The government did not establish a database to track and compile information on victims identified and referred for protective services, which the implementing regulations required. The implementing regulations also required police and immigration authorities to follow standardized procedures and use standardized forms for case investigation, and victim identification and referral; however, such procedures were not widely used in 2016, partly due to a lack of government funding for dissemination. The government was not able to estimate how many victims were identified during the reporting period. The government identified 80 domestic and four foreign trafficking victims (Burundian forced child labor victims), and referred all identified victims for care to NGOs, where they received assistance. The government did not operate any trafficking shelters, but it streamlined its referral process to more effectively place victims in NGO-run shelters. NGO-run shelters provided medical care, psycho-social counseling, and family tracing for victims. Government officials offered psycho-social support for victims in those shelters, though it was not able to estimate how many victims received services. An international organization estimated that at least 100 trafficking victims received assistance from the government. The government placed children in special shelters, where they were enrolled in government schools or given vocational training.

There were no reports the government arrested or punished trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. However, officials detained a large number of Africans for immigration offenses without proactive screening as mandated by the implementing

regulations. The 2008 anti-trafficking law provides foreign victims legal alternatives to their removal to countries where their safety or that of their families may be endangered; however, the government did not grant residency or temporary stay to any victims during the reporting period. The government-funded and facilitated the repatriation of four Tanzanian victims during the reporting period, including three from India and one from China; a significant decrease from 22 repatriations in the previous reporting period. Victims typically testify in trafficking cases, but the Whistle Blowers and Witness Protection Act of 2015 gives any victim of crime the option to refuse to participate in the prosecution; however, the government did not report whether this occurred during the reporting period.

PREVENTION

The government maintained its efforts to prevent trafficking. For the third consecutive year, the government allocated a budget of 80 million TZS (\$36,731) to the ATS. In February 2015, the ATS updated the national action plan, effective through 2017, which incorporated the implementing regulations of the 2008 anti-trafficking law; however, efforts to implement the revised plan or allot funding for its implementation remained minimal, although the government did commit in-kind support.

Several government agencies conducted periodic inspections of large employers to detect cases of forced labor. During the inspections, labor commissioners verified whether employers had work permits for foreign workers. The commission of labor monitored employment abroad by requiring Tanzanians to have a letter of permission which is approved when an official examines valid passports, and inspects labor contracts for salary, leave, and health care provisions. In the semi-autonomous region of Zanzibar, the Ministry of Labor assists and oversees the contracts for Zanzibaris who are seeking employment abroad. Zanzibari officials continued to conduct anti-trafficking public awareness campaigns across the island. Immigration officials on the mainland disseminated informational brochures on trafficking for use at public events; however, the government lacked sufficient resources to effectively raise awareness among its nationals on trafficking issues. The government, in partnership with an international organization, collaborated on an anti-trafficking public awareness campaign called “Be Their Voice.” The campaign targeted primary and secondary school students through performances in 50 schools in Dar es Salaam, Arusha, Mwanza, and Dodoma. Officials made no discernible efforts to reduce the demand for commercial sex acts during the reporting period. A foreign donor facilitated specialized anti-trafficking training for Tanzanian troops prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

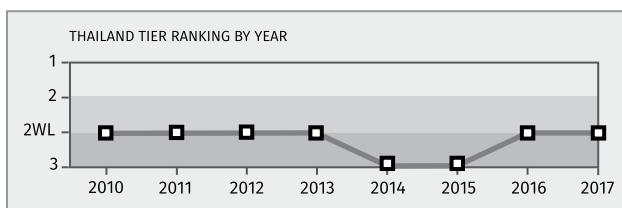
TRAFFICKING PROFILE

As reported over the past five years, Tanzania is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking and characteristically facilitated by victims’ family members, friends, or intermediaries offering assistance with education or securing employment in urban areas. Impoverished children from the rural interior remain most vulnerable to trafficking. Girls are exploited in domestic servitude throughout the country and in sex trafficking particularly in tourist hubs and along the border with Kenya. Children are subjected to forced labor on farms—including as cattle herders and occasionally as hunters—and in mines and

quarries, the informal commercial sector, and on fishing vessels operating on the high seas. Some unscrupulous individuals manipulate the traditional practice of child fostering—in which poor children are entrusted into the care of wealthier relatives or respected community members—to subject children to domestic servitude and other forms of exploitative labor. Previous media reports indicate Tanzanian children with physical disabilities are transported to Kenya for forced begging or to work in massage parlors, and girls are subjected to sex trafficking in China. Tanzanian nationals are sometimes subjected to forced labor, including domestic servitude, and sex trafficking in other African countries, the Middle East, Europe, Asia, and the United States. Trafficking victims from other countries—particularly children from Burundi, Rwanda, and Kenya, as well as adults from India, Nepal, and Yemen—are subjected to forced labor in Tanzania’s agricultural, mining, and domestic service sectors; some are also subjected to sex trafficking. Citizens of neighboring countries may transit Tanzania before being subjected to domestic servitude or sex trafficking in South Africa, Europe, and the Middle East.

THAILAND: TIER 2 WATCH LIST

The Government of Thailand 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 seizing more than 784 million baht (\$21.91 million) from traffickers, reporting more investigations, prosecutions, and convictions, convicting a business owner complicit in forced labor in the fishing sector, and extending the amount of time foreign trafficking victims and witnesses may be permitted to stay and work in Thailand. The government continued to increase dedicated anti-trafficking resources and approved a policy to allow hiring foreign nationals as interpreters in order to increase the number of available interpreters for labor inspections and interviews. The government implemented new guidelines to improve the victim identification process used by multidisciplinary teams and provided numerous anti-trafficking trainings for government officials. However, the government did not demonstrate increasing efforts compared to the previous reporting period. It did not aggressively prosecute and convict officials complicit in trafficking crimes, and official complicity continued to impede anti-trafficking efforts. Officials identified fewer victims compared to the previous reporting period, and although forced labor investigations slightly increased, the number of labor trafficking investigations was low compared to the scale of the problem. Although the government continued to increase the number of inspection centers at fishing ports, inspections resulted in relatively few identified victims and criminal investigations. Therefore, Thailand remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR THAILAND

Proactively investigate and prosecute officials allegedly complicit

in trafficking, and convict and punish those found guilty with dissuasive sentences; improve efforts to proactively screen for and identify victims among vulnerable populations, including migrants, fishermen, stateless persons, children, and refugees; prosecute and convict traffickers through proactive law enforcement employing a victim-centered approach; increase training for law enforcement and first responders who are not assigned to anti-trafficking units and to recognize cases of forced labor where physical coercion is absent; continue to train and increase resources for multidisciplinary teams and labor inspectors to improve the quality of fishing vessel inspections that result in the identification of victims and criminal investigations; increase incentives for victims to cooperate with law enforcement in the investigation and prosecution of trafficking cases, including by providing foreign trafficking victims legal alternatives to their removal to countries in which they would face retribution or hardship, continuing to increase opportunities for victims to work, providing witness protection services, and providing restitution and compensation to victims from forfeiture or other funds; fully implement new guidelines to improve the consistency for victim identification and interview procedures; regulate and investigate labor recruitment practices for migrant workers and investigate indicators of trafficking; foster greater collaboration with civil society in investigating and reporting human trafficking crimes; increase and improve anti-trafficking awareness efforts, including those directed at employers and clients of commercial sex, such as sex tourists; and improve migrant workers' rights, legal status, and labor migration policies to minimize the risk of trafficking.

PROSECUTION

The government maintained law enforcement efforts. The 2008 anti-trafficking law as amended in 2016 prohibits all forms of trafficking and prescribes penalties up to 12 years imprisonment and a maximum fine of 1.2 million baht (\$33,550), and up to 20 years imprisonment for trafficking a child; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The amendment also expanded the definition of exploitation to include "practices similar to slavery" and the definition of forced labor to include debt bondage. The Beggar Control Act, which went into effect in July 2016, imposed new penalties of up to three years imprisonment for recruiting, employing, supporting, encouraging, or seeking benefits from beggars, including additional penalties for official complicity in forced begging.

The government reported investigating 333 trafficking cases (317 in 2015), prosecuting 301 cases (251 in 2015) involving 600 suspects (690 in 2015), and convicting 268 traffickers (205 in 2015) in 2016. Despite the prevalence of forced labor in Thailand, the government reported only 83 investigations (72 in 2015) and 62 prosecutions involving suspected cases of forced labor. The government did not report disaggregated numbers of convictions it obtained for forced labor and sex trafficking. Fifty-seven percent (64 percent in 2015) of convicted traffickers received prison sentences greater than five years, and 82 percent (84 percent in 2015) received sentences of more than three years imprisonment. The anti-money laundering office seized over 784 million baht (\$21.91 million) in nine trafficking cases in 2016, compared to 210 million baht (\$5.87 million) seized in 2015. These funds were not known to be used for the restitution of trafficking victims or dedicated to other protection measures. In addition, civil courts ordered the forfeiture of 87 million baht (\$2.43 million) in six cases. The government investigated ship owners, captains, and brokers for labor trafficking in the

fishing industry in 43 cases (39 in 2015); five ship owners, 36 captains, and 26 others were arrested as a result of these investigations, and prosecutions were initiated in 37 cases. In one case, a business owner and five others were convicted on trafficking charges and sentenced to 14 years imprisonment for their involvement in the forced labor of minors on fishing trawlers; four others were acquitted. This represents the first conviction of a business owner complicit in forced labor in the fishing sector in Thailand. Of the 23 investigations initiated in 2014 related to the trafficking on the Indonesian islands of Ambon and Benjina, the government initiated prosecutions in 21 cases in 2016 and received convictions in four cases; three cases were acquitted.

Law enforcement officials cooperated with foreign counterparts to investigate Thai traffickers and victims abroad, and foreign nationals involved in trafficking in Thailand; this resulted in the arrest of at least 41 alleged traffickers in 2016. The government-funded trainings focused on anti-trafficking laws for 799 police, prosecutors, and other law enforcement officials. In an effort to improve the quality of trafficking prosecutions across the country, authorities appointed additional prosecutors and established a sub-unit within the Office of the Attorney General's (OAG) trafficking unit to provide guidance and mentoring for provincial law enforcement, prosecutors and other court officials. The government required all judicial branch officials to report all trafficking-related cases into an integrated case database, which became operational in 2016. An international training center partially funded by the government trained more than 2,000 Thai police officers. In addition, more than 300 judges and prosecutors were trained on how to prosecute and adjudicate trafficking cases. However, in some cases first responders, prosecutors, and judges did not adequately enforce and interpret trafficking laws, especially for forced labor. Notably, NGOs closely monitored developments of a case in Ranong province involving physical and verbal abuses in the fishing sector that could set precedent for the interpretation of human trafficking in future cases.

This reporting period represented the first full year in which the full complement of specialized anti-trafficking divisions within the Bangkok Criminal Court, OAG, and the Royal Thai Police (RTP) were fully functioning. The Human Trafficking Criminal Procedures Act, which took effect in May 2016, introduced an inquisitorial system in trafficking cases, allowing courts to proactively investigate cases and more easily order restitution for victims. In addition, the act allows courts to use pre-trial testimony and video conferences in witness cross-examination and strengthens bail criteria to prevent trafficking suspects from fleeing. During the reporting period, courts cleared the backlog of cases submitted in 2014 and reduced the backlog from 2015 to six cases. Some victims were reluctant to participate in prosecutions due to fear of detention, an inadequate understanding of the Thai legal process, language barriers, and preferring repatriation over lengthy stays in shelters, which may cause them to forego livelihood opportunities. The government continued to increase resources and leverage legislation enacted in 2015, which criminalized the possession and distribution of child pornography, to build cases against those involved in internet-facilitated child sex trafficking. Officers assigned to the Thai Internet Crimes Against Children Task Force (TICAC) investigated 64 allegations of child exploitation, including four human trafficking cases. TICAC partnered with and assigned police officers to Thailand's two child advocacy centers (CACs), and signed an agreement with a U.S.-based NGO in March 2017, giving police direct access to information regarding cases of child sexual exploitation.

The government made some efforts to address official complicity, but corruption and official complicity in trafficking crimes continued to impede anti-trafficking efforts. In 2016, the government filed criminal charges against 10 officials, as compared to 34 officials in 2015. It investigated and charged 10 police officers allegedly complicit in sex trafficking crimes; authorities dismissed one officer from the government and the other nine remained under investigation by the public sector anti-corruption commission at the end of the reporting period. From January to March 2017, the government investigated an additional six police officers and one local politician allegedly complicit in trafficking crimes. The government also initiated an investigation involving high ranking officials and police officers allegedly complicit in exploiting children in sex trafficking in one province. During the reporting period, of the 34 officials initially investigated in 2014 or 2015, two were convicted on human trafficking charges and one was convicted for procurement, and sentenced to 36 years imprisonment, 16 years imprisonment with a fine of 360,000 baht (\$10,060), and two years and six months imprisonment with a fine of 75,000 baht (\$2,100), respectively. The charges against one official were dismissed and 29 remained under investigation or consideration for prosecution at the end of the reporting period. Trial proceedings were ongoing for a case initiated in 2015 involving 22 officials, including a senior military officer, and several other police, military, and local officials associated with trafficking of Rohingya migrants; civil courts ordered the seizure of 11.1 million baht (\$310,320) in assets from the military officer and a local politician.

PROTECTION

The government maintained efforts to identify and protect trafficking victims. The government identified 824 trafficking victims in 2016, compared with 982 victims in 2015. The Ministry of Social Development and Human Security (MSDHS) reported providing assistance to 561 victims at 76 temporary and nine long-term government shelters in 2016 (compared with 471 in 2015), including 207 Thai victims (126 in 2015) and 360 foreign victims (345 in 2015.); 317 were victims of forced labor and 244 were victims of sex trafficking. Thailand ratified the ASEAN Convention against Trafficking in Persons, especially women and children (ACTIP), of which the government was a co-author, in July 2016, and signed the ASEAN Plan of Action against Trafficking in Persons in November 2016. Government agencies participating in multidisciplinary teams who deployed to screen for indications of trafficking among vulnerable populations used a standard questionnaire to guide interviews with potential victims. Some NGOs asserted that the government improved the consistency of its use of the standard questionnaire; however, at least one local NGO noted implementation of identification procedures may not have been consistent outside large cities. To address varying levels of effectiveness among multidisciplinary teams, the government implemented new guidelines in December 2016 on improving the efficiency of the victim identification process. A local NGO noted a short authorized period for victim identification limited proactive screening and may have led to unidentified victims except in the most obvious cases of trafficking. Police working under specialized anti-trafficking units were often successful in identifying trafficking victims; however, in at least one province, first responders who lacked adequate training on human trafficking placed unidentified victims in immigration detention centers (IDCs). Some officials failed to recognize non-physical indicators of trafficking. Labor inspectors could be held personally liable for claims of abuse of power, which limited their ability or willingness to perform their work. In

addition to trainings for law enforcement, the government trained more than 2,500 multidisciplinary team members, labor inspectors, social workers, and interpreters on victim identification and referral systems.

The government continued to screen for trafficking indicators among fishermen returning to Thailand and on fishing vessels in Thai waters, as well as among workers in seafood processing facilities. NGO observers noted both at-port and at-sea inspections conducted by multidisciplinary teams of the Command Center for Combating Illegal Fishing (CCCIF) resulted in few identified trafficking victims. Observers said that during the reporting period, interviews were conducted in front of ship captains, or ship captains acted as interpreters, which hindered workers from speaking freely and may have led to unidentified trafficking victims. Others reported the inspection process often only consisted of a review of documents, and in some cases, inspectors reportedly did not board vessels or speak to crew members. Following recommendations from NGOs and international organizations, the government reported efforts to expand inspections to interview workers away from employers, utilize standard interview forms, and automate the documentation process to increase available resources for interviews. An international organization stated workers often did not feel comfortable sharing information on possible exploitation or abuse to authorities until undergoing multiple interviews, and one organization reported interviewing trafficking victims exploited on fishing vessels who had never been identified by the government as trafficking victims during CCCIF inspections.

To address the shortage and quality of interpreters available for certain languages, which limited some government efforts to identify and protect victims, the prime minister ordered that, as of November 2016, non-Thai nationals can be employed as interpreters for labor inspections and interviews. The government registered and trained 115 additional interpreters in 2016 and hired 11 at the beginning of 2017, bringing the total number of available interpreters to 265; MSDHS provided refresher training for 63 existing interpreters. The government also initiated the hiring of two additional interpreters for each of the 32 port-in-port-out inspection centers; 49 had been hired by the end of the reporting period. The government continued to refer victims to the 76 short-stay shelters or the nine long-term regional trafficking shelters operated by MSDHS, where they had access to counseling, legal assistance, medical care, civil compensation, financial aid, witness protection, education or vocational trainings, and employment. In partnership with several NGOs, the government opened a second CAC in Pattaya, which serves as a child-friendly space in which law enforcement, NGOs and social workers can conduct forensic interviews of child trafficking victims with a victim-centered approach. The Beggar Control Act provides health and social services to beggars, some of whom may be trafficking victims. The government and civil society groups partnered to open a service center for fishermen to provide workers information on their rights, skills training, health screenings, and other resources. In 2016, the government disbursed 5.8 million baht (\$162,150) from its anti-trafficking fund to 648 victims (472 in 2015). Seventy-three trafficking victims received civil restitution from traffickers and under labor laws in the amount of 5.45 million baht (\$152,360); and 23 trafficking victims received restitution from the government for criminal injuries totaling 455,000 baht (\$12,720). In complicated cases, MSDHS hired human rights lawyers to serve as victim advocates, participating in interviews and coordinating and preparing witnesses for trial. Following a significant influx of Rohingya and Bangladeshi migrants in 2014

and 2015 and the discovery of largely abandoned smuggling/trafficking camps and mass graves on the Thai-Malaysian border, 202 Rohingya remained in Thailand at the end of the reporting period, including at least 49 trafficking victims. During the reporting period, in coordination with UNHCR and IOM, 69 Rohingya trafficking victims were resettled in third countries and 15 Bangladeshis were repatriated. Other potential unidentified victims, including some Rohingya men and children, and those whose nationalities could not be determined, continued to be housed at IDCs, sometimes for periods longer than a year, despite IDCs being designated for stays up to only 15 days.

NGOs reported concerns over the lack of appropriate options for foreign children whose families were complicit in their trafficking or whose identity could not be established. Boys were more likely to be sent to juvenile detention facilities than to receive specialized services. Although past reports indicated judicial officials did not always follow procedures to ensure the safety of witnesses, some local NGOs said during the reporting period, judicial officials closely followed procedures in cases involving children to prevent any further victimization. The government increased efforts to ensure adult trafficking victims were able to travel, work, and reside outside shelters as provided by Thailand's anti-trafficking law. In 2016, 35 percent of victims in government shelters worked outside the shelter, compared to 10 percent in 2015. Of the 561 victims in government shelters, 196 were employed either inside or outside shelters (compared to 47 in 2015) during the course of legal proceedings. Others were reportedly either in the process of being formally repatriated, in the recovery period, chose not to work, or were too young to work. At least 14 male Rohingya victims were able to work outside shelters during the reporting period; however, many other male victims whose nationalities could not be verified, including among Rohingya, were not given permission to leave the shelters. The government approved a daily allowance of 300 baht (\$8.39)—which is the minimum wage in most parts of Thailand—to victims residing in MSDHS shelters who wish to work but are unable to do so due to security concerns or are awaiting an employment opportunity, as well as some victims not residing in MSDHS shelters who intend to work. The government did not provide legal alternatives to victims who faced retribution or hardship upon return to their home countries. Authorities assisted in repatriating 323 victims (401 in 2015), including 80 Thais exploited abroad and 243 foreign victims exploited in Thailand, through a government-to-government process if they were unwilling to testify or following the conclusion of legal proceedings. The government facilitated the return of 30 Thai victims from the Indonesian islands of Ambon and Benjina in 2016 and assisted them to claim wages or civil compensation from employers. The government extended the amount of time foreign trafficking victims and witnesses may be permitted to stay and work in Thailand. During the previous reporting period the government increased the limit from six months to one year, allowed foreign victims to renew work permits after the completion of their case, streamlined the process of obtaining works permits from 45 days to 10 days, and stated all witnesses of human trafficking cases would be automatically entitled to the witness protection program; 335 victims and witnesses in trafficking cases have benefitted from these measures since they were enacted. In December 2016 a cabinet resolution then extended the stay permit for trafficking victims and witnesses to two years and allowed victims and witness to work in all sectors, whereas they were previously limited to working in labor-intensive sectors and domestic work. Since the government fully implemented the regulation in January 2017, it granted two victims this right.

All victims and witnesses who entered MSDHS shelters fell under the previous resolution approved in March 2016, but will be eligible to request annual one-year extensions to their temporary residency status.

The law protects victims from prosecution for acts committed as a result of being subjected to human trafficking; however, flaws in the government's implementation of victim identification procedures and its efforts to arrest and soft deport immigration violators increased victims' risk of being re-victimized and treated as criminals. A local NGO reported the government arrested child victims of forced labor in the fishing industry, detained them in youth correctional facilities, and prosecuted them with immigration, prostitution, and illegal fishing charges, and prosecuted women from Europe and Africa for immigration violations after failing to identify them as trafficking victims. Advocates expressed concerns the conviction of a labor rights activist on criminal defamation charges and violations of the Computer Crimes Act had the effect of silencing other human rights advocates and preventing research of forced labor in supply chains. This development also inhibited a climate conducive to discovering and reporting trafficking crimes, identifying and protecting victims, and apprehending additional traffickers. The government amended the anti-trafficking law in 2015 to provide protection to whistleblowers but did not report whether this new provision has been applied.

PREVENTION

The government maintained efforts to prevent trafficking. It increased funding for migrant labor management and anti-trafficking efforts from 2.08 billion baht (\$58.15 million) in fiscal year 2016 to 2.58 billion baht (\$72.1 million) in fiscal year 2017. The government allocated an additional 625.75 million baht (\$17.49 million) in fiscal year 2017 to the CCCIF, which has some responsibilities for addressing forced labor in the fishing and seafood processing sectors. It conducted campaigns through newspapers, television, radio, social media, and billboards, and handouts to raise public awareness of human trafficking throughout the country. Given the low literacy rate and diversity of languages among at-risk persons, however, this information remained inaccessible to many. MSDHS and the Ministry of Labor (MOL) operated hotlines with operators fluent in foreign languages; the MSDHS hotline received 269 calls related to possible trafficking cases in 2016. MSDHS increased the number of available hotline interpreters to 43 in 2016, and MOL maintained 15 interpreters for its hotlines in 2016. In an effort to prevent trafficking of children, both CACs provided social service interventions, including acute care needs, to children vulnerable to exploitation, and childcare was offered at a service center for fishermen.

A royal ordinance increasing regulations for employing migrant workers in Thailand went into force in August 2016 (and the implementing regulations in November 2016), further defining mechanisms for migrant workers to enter Thailand either directly through employers or through recruitment agencies. Recruitment agencies are now required to apply for a license from the government and pay a deposit fee that will be applied toward a worker repatriation fund; unregistered agencies are liable to three years imprisonment and/or fines up to 60,000 baht (\$1,680). The rules also mandate employers to cover all costs, including recruitment fees and transportation, associated with bringing migrant workers to Thailand. From November 2016 to March 2017, 59 agencies from Cambodia, Laos, and Burma were licensed and 2,697 employers requested permits under the new rules. The government established three post-arrival centers

to assist migrant workers entering Thailand through formal MOU channels and 10 migrant workers assistance centers; these centers assisted 105,647 workers from August 2016 to February 2017 by providing resources in multiple languages, including for trafficking awareness, and assisting the migrant workers to register with the government. The government registered and offered work permits (“pink cards”) to 45,441 undocumented migrant workers in the fishing sector from November 2015 to July 2016 and to 143,528 undocumented migrant workers in the seafood processing sector from November 2015 to August 2016 in an attempt to regularize their legal status. However, observers reported that some multidisciplinary teams and labor inspectors have assumed a worker with a pink card could not be a trafficking victim or be working under exploitive situations, leading to the misidentification of victims. In 2016, the government found unlawful practices in nine of the 202 labor recruitment agencies that facilitate overseas and domestic employment. For these cases, the government suspended the licenses of three agencies and filed criminal charges against six agencies. It further initiated prosecutions against 108 illegal brokers under the Employment and Job-Seeker Protection Act in 91 cases involving 187 Thai laborers.

Critical gaps in Thailand’s labor laws preventing migrant workers from forming labor unions may contribute to exploitation. In addition, NGOs and international organizations widely reported that the government did not adequately enforce the application of minimum wages in sectors with high employment of migrant workers. The government continued efforts to reduce the costs for Thais in overseas guest worker programs, but excessive fees incurred by some Thai workers to obtain employment abroad, which the government was ineffective in regulating, made them vulnerable to debt bondage or exploitive conditions. While the number of migrant workers entering Thailand through formal government-to-government migration systems increased, most migrant workers did not use this mechanism due to high costs tied to corruption on both sides of the border, lack of information, lengthy processing times, and difficulties in changing employers. However, the government reduced the processing time for migrant workers to enter through these systems in 2016 and reported providing some flexibility for workers to change employers before the end of their employment contract.

The Department of Labor Protection and Welfare (DPLW) conducted 1,346 labor inspections at high-risk workplaces, including sugarcane farms, garment factories, shrimp and fish processing facilities, pig farms, and poultry farms in 2016, finding 136 violations, taking three legal actions, and collecting fines in the amount of 45,000 baht (\$1,260). The CCCIF established four additional port-in-port-out centers in 2016 (32 in total) plus 19 additional forward inspection points, which perform inspections at port, at sea, and on land to ensure that fishing vessels are operating legally and workers have contracts, work permits, and identity documents. In 2016 the multidisciplinary teams of the CCCIF inspected 415 on-land seafood processing workplaces and found 66 cases of illegal employment from October to November 2016. In addition, the CCCIF found 35 seafood processing factories violated employment laws or the Royal Ordinance on Fisheries Act. The government subsequently prosecuted these factories and issued administrative orders to suspended business operations for 10-30 days. The CCCIF also found 64 factories in violation of labor protection laws and issued orders to correct the violations and pay unpaid wages. The government did not report how many of these cases and violations had direct ties to trafficking. Civil society and government officials expressed concerns

that due to varying levels of enforcement at port-in-port-out centers, some boat captains choose ports where inspections and enforcement were weaker. In order to thwart interference with technical monitoring, the government passed new fisheries regulations in February 2017, prohibiting captains from moving or turning off vessel monitoring systems equipment. The new law imposed penalties (ranging depending on the size of the boat) for those who violate these regulations.

The government continued to grant citizenship to stateless persons in 2016 and approved two regulations to provide legal residency to non-Thai children born in Thailand and to grant citizenship to stateless or abandoned children. In an effort to prevent the crossing of both traffickers and vulnerable populations at risk of exploitation, the government strengthened border control enforcement. To prevent child sex tourism, the government reported it denied entry to 2,054 known foreign sex offenders, an increase from 511 in 2015. The Ministry of Tourism organized six trainings for 417 local government officials, tourism sector workers, students, youth, and civil society organizations on prevention of child sexual exploitation in the tourism industry. The government took steps to decrease the demand for commercial sex acts, including a public awareness campaign to inform tourists and Thai citizens of the severe criminal punishment for those found to be involved in child sexual exploitation. The Ministry of the Interior inspected “high risk” adult entertainment venues and ordered 238 to cease business activity for five years. The government made efforts to decrease demand for forced labor, including by publicizing investigations and prosecutions of prominent forced labor cases in the export-oriented commercial fishing and seafood processing sectors. The government provided anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Thailand is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Some of Thailand’s 65 million people and some of the estimated four million migrant workers in Thailand are forced, coerced, or defrauded into labor or sex trafficking. Labor trafficking victims are exploited in commercial fishing and related industries, the poultry industry, factories, agriculture, and domestic work, or forced into street begging. Thailand’s commercial sex industry remains vast, increasing vulnerabilities for sex trafficking. Women, men, boys, and girls from Thailand, Laos, Cambodia, Vietnam, Burma, Philippines, Sri Lanka, Russia, Uzbekistan, and African countries are subjected to labor and sex trafficking in Thailand. One local NGO reported an increase in male sex trafficking victims from Africa in Thailand, including some who were reportedly exploited by foreign criminal organizations. Thailand is also a transit country for victims from China, North Korea, Vietnam, Bangladesh, India, and Burma subjected to sex trafficking or forced labor in countries such as Malaysia, Indonesia, Singapore, Russia, South Korea, the United States, and countries in Western Europe.

Thai nationals have been subjected to forced labor and sex trafficking in Thailand and in countries in North America, Europe, Africa, Asia, and the Middle East. Members of ethnic minorities, highland persons, and stateless persons in Thailand have experienced instances of abuse indicative of trafficking. Children from Thailand, Burma, Laos, and Cambodia are victims of sex trafficking in brothels, massage parlors, bars, karaoke lounges, hotels, and private residences. Some parents or brokers force children from Thailand, Cambodia, and Burma

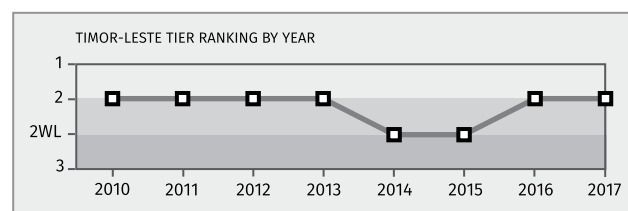
to sell flowers, beg, or work in domestic service in urban areas. Separatist groups in southern Thailand continue to recruit and use children to commit acts of arson or serve as scouts. Many foreign trafficking victims migrate willingly to Thailand seeking employment, through irregular channels without identity or travel documents. Instances of human trafficking, smuggling, abduction, and extortion of migrants occur as migrants move between Thailand and neighboring countries. Traffickers, including some registered and unregistered labor brokers of Thai and foreign nationalities, bring foreign victims into Thailand through both formal migration and smuggling routes and serve as intermediaries between job-seekers and employers. Some brokers charge substantial fees or collaborate with corrupt law enforcement officials, and some Thai and migrant workers incur significant debts to obtain employment and are subjected to debt bondage. There are reports that some brokers and employers continue to confiscate identity documents. Thai men and women who migrate overseas also rely on registered and unregistered labor brokers to facilitate acquisition of low-skilled contract work or agricultural labor and are sometimes subjected to conditions of forced labor and debt bondage. Trafficking in the fishing industry remains a significant concern. Thai, Burmese, Cambodian, Vietnamese, and Indonesian men and boys are subject to forced labor on Thai and foreign-owned fishing boats. Some remain at sea for several years, are paid very little or irregularly, work as much as 18 to 20 hours per day for seven days a week, or are reportedly threatened, physically beaten, drugged to work longer, and even killed for becoming ill, attempting to escape, or disobeying orders. Some trafficking victims in the fishing sector had difficulty returning home due to isolated workplaces, unpaid wages, and the lack of legitimate identity documents or safe means to travel.

Corruption continues to undermine anti-trafficking efforts. Reports persist that some government officials are directly complicit in trafficking crimes, including through accepting bribes from business owners and brothels where victims are exploited. Migrant workers, especially those who are undocumented, are fearful of reporting trafficking crimes and cooperating with authorities due to lack of awareness of their rights and minimal protections both in Thailand and in countries of origin and a general fear of authority that may stem from their country of origin or their experience in Thailand. Some government officials reportedly profit from bribes and direct involvement in the extortion of migrants and their sale to brokers. Some of these migrants are kidnapped and held for ransom, which increases their vulnerability to sexual servitude, forced labor, or debt bondage. Credible reports indicate some corrupt officials protect brothels and other commercial sex venues from raids and inspections and collude with traffickers.

TIMOR-LESTE: TIER 2

The Government of Timor-Leste 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, Timor-Leste remained on Tier 2. The government demonstrated increasing efforts by significantly increasing the number of investigations and prosecutions of trafficking cases; promulgating draft anti-trafficking legislation; conducting training sessions for law enforcement; and taking steps to strengthen its interagency capacity and coordination with civil society to address key anti-trafficking deficiencies.

However, the government did not meet the minimum standards in several key areas. Efforts to establish a standard operating procedure on victim identification were incomplete at the end of the reporting period. Authorities charged some suspected trafficking victims with immigration violations and confiscated their passports, and detained and deported without proper screening dozens of foreign women who may have been subjected to sex trafficking while working in establishments suspected of forced prostitution. Shelters upon which the government relied for victim protection were largely unable to provide adequate accommodations due to space constraints. The government did not obtain any convictions for trafficking offenses during the reporting period.



RECOMMENDATIONS FOR TIMOR-LESTE

Adequately fund law enforcement agencies to conduct thorough investigations of trafficking offenses, proactively initiate prosecutions, and convict and punish traffickers, including complicit officials, in accordance with new anti-trafficking legislation; strengthen efforts to ensure victims do not face arrest, deportation, or other punishment for acts committed as a direct result of being subjected to trafficking; finalize, implement, and train officials on formal procedures for victim identification among vulnerable populations, such as individuals in prostitution, domestic workers, and migrant workers on fishing vessels, and ensure proper screening procedures are employed upon detention or prior to initiating deportation; increase resources for protective services focusing on trafficking victims, and establish and train officials on standard operating procedures to ensure victims are consistently referred to appropriate care; conduct training for prosecutors and judges, including on how to integrate victim protection throughout the duration of court proceedings; finalize data collection procedures through the Interagency Trafficking Working Group; and increase anti-trafficking education and awareness campaigns for the public.

PROSECUTION

The government made increased law enforcement efforts and took steps to strengthen relevant legislation. Articles 163 and 164 of the criminal code criminalize all forms of trafficking and prescribe eight to 25 years imprisonment—penalties which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In February 2017, the government promulgated the Law on Preventing and Combating Human Trafficking to amend the criminal code, extending criminal liability for trafficking to “legal persons,” such as corporations. The new law prescribes fines, judicial dissolution, and asset forfeiture as penalties, and authorizes compensation of victims.

The government reported that it investigated 176 cases of suspected trafficking—a significant increase from 12 in 2015. It confirmed 79 of these as genuine trafficking cases and initiated 16 prosecutions, an increase from six in 2015. For the fourth consecutive year, the government did not obtain

any convictions; all prosecutions remained pending at the end of the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. In the past, police officers reported using their own personal funds to pursue trafficking investigations due to inadequate resource allocation from the government. The government held an anti-trafficking training for 20 national police (PNTL) officers, 20 immigration officers, and 10 serious crimes investigators, and allocated a PNTL chief investigator to the Bali Process Regional Support Office in Bangkok for a three-month secondment. Despite these efforts, police and prosecutors generally lacked adequate training in victim-centered approaches to law enforcement and legal proceedings.

PROTECTION

The government demonstrated increased efforts to protect victims. Among the 176 suspected trafficking victims identified, the PNTL referred 21—all Chinese nationals—to short-term shelter and protective services run by a local NGO. This was an increase from 10 in 2015. It is unclear how many identified victims, if any, benefited from protective services made available directly by the government. The justice ministry continued to develop standard operating procedures to formalize victim identification intended to replace the current methodology, in which police ask 25 probative questions largely reliant on the presence or lack of movement to determine whether or not a case is human trafficking. It was unclear how often police employed this process during the reporting period. The government allocated funds to two NGOs to provide psycho-social and shelter services to trafficking victims; however, with space for only four victims at a time, the primary protective service NGO experienced severe logistical constraints in accommodating the aforementioned 21 victims. Most female victims received services available to victims of other crimes, such as domestic violence and sexual assault; according to one international organization, this arrangement complicated provision of protective services to male victims of trafficking.

The government's referral system employed Ministry of Social Solidarity field staff to receive tips from local communities and coordinate with police and NGOs, which reported improved cooperation through the referral network. An unknown number of victims received vocational training, legal assistance, or reintegration support from NGOs, some of which received government funds. According to immigration officials, police, and media sources, foreign women in prostitution—many of whom were possible victims of sex trafficking—were sometimes detained en masse during law enforcement raids and then deported without proper screening, or as a result of arresting officers' inability to derive pertinent information from the women due to their having been coached to provide identical accounts. For this reason, PNTL officers claimed they were not able to obtain sufficient evidence to prosecute the owners of a karaoke bar who may have subjected 67 foreign women to sex trafficking during the reporting period. The PNTL reported karaoke bar owners confiscated the passports of foreign workers and only surrendered them if the police ordered the foreign workers' deportation. Authorities also charged some suspected victims with immigration violations, after which they appeared at initial court hearings and were made to forfeit their passports to secure their reappearance. Authorities believed this arrangement pushed some of the victims to return to their offending places of work rather than face deportation. The government did not provide foreign victims with alternatives to their removal to countries where they may face hardship

or retribution, and it is unclear if it assisted in the voluntary repatriation of any victims.

The 2017 Law on Preventing and Combating Human Trafficking provides extensive protections for victims, including those specific to victims testifying in criminal cases. The new law also authorizes a period of reflection and potential residence permits to foreign victims as well as voluntary repatriation of Timorese victims from abroad. The Ministry of Justice began working with an international organization to formulate implementing regulations for the new law during the reporting period.

PREVENTION

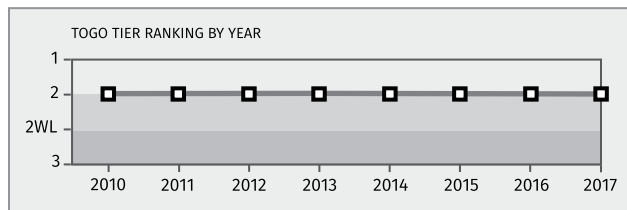
The government demonstrated increased efforts to prevent trafficking. The government did not conduct research to assess the trafficking problem in the country, nor did it systematically monitor its anti-trafficking efforts, but it took steps to initiate the process. It set up a monitoring committee intended to measure the progress of its Interagency Trafficking Working Group in effectively implementing the National Action Plan on Combating Human Trafficking. It also formed a joint government and civil society-led data collection sub-working group to help address key anti-trafficking deficiencies. According to the Secretary of State for Professional Training and Employment, Timor-Leste will only enter into bilateral government-to-government labor agreements—and not with members of private industry—to protect Timorese laborers from exploitation abroad; during the reporting period, the government rebuffed private firm offers from Malaysia and Dubai due to these concerns. Unlike in previous years, the government conducted anti-trafficking trainings for its diplomats in partnership with IOM. It did not take measures to reduce the demand for forced labor or commercial sex.

TRAFFICKING PROFILE

As reported for the last three years, Timor-Leste is a source and destination country for men, women, and children subjected to forced labor and sex trafficking, and is a source for women and girls sent to Indonesia and other countries for domestic servitude. Timorese women, girls, and occasionally young men and boys from rural areas are led to the capital with the promise of better employment or education prospects and are subjected to sex trafficking or domestic servitude; there are reports of official complicity in these practices. Timorese family members place children in bonded household and agricultural labor, primarily in domestic rural areas but also abroad, to pay off family debts. Foreign women, including those from Cambodia, China, Indonesia, the Philippines, and Vietnam, are vulnerable to sex trafficking in Timor-Leste. Transnational traffickers may be members of Indonesian or Chinese organized crime syndicates, and they appear to rotate foreign victims of sex trafficking in and out of the country for the length of a 90-day tourist visa in order to avoid raising suspicions or calling attention to the crime through visa overstay violations. NGOs report fishermen on foreign vessels operating in Timorese waters may be vulnerable to trafficking. Police accept bribes from establishments involved in trafficking or from traffickers attempting to cross borders illegally, and in prior years have been identified as clients of commercial sex venues investigated for suspected trafficking.

TOGO: TIER 2

The Government of Togo 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, Togo remained on Tier 2. The government demonstrated increasing efforts by providing assistance to more transnational child trafficking victims and increasing the number of labor inspectors. The government also employed a network of “vigilance committees” in nearly every village in the country to provide education on trafficking and report cases to the government. However, the government did not meet the minimum standards in several key areas. The government did not report any efforts to identify or assist adult victims or victims within Togo.



RECOMMENDATIONS FOR TOGO

Increase efforts to prosecute and punish traffickers involved in trafficking of adults and forced child labor crimes using the amended penal code; develop a formal system to identify trafficking victims, including adults and victims within Togo, and train law enforcement, immigration, and social welfare officials on victim identification; effectively track the number of trafficking victims who receive services from the government, are referred to NGOs, or are returned to their families; develop a system among law enforcement and judicial officials to track and report on human trafficking investigations and prosecutions; enact anti-trafficking legislation that includes provisions for victim protection; allocate sufficient funds to operate the two government-run centers for victims; and increase efforts to raise public awareness about the dangers of human trafficking, including the trafficking of adults.

PROSECUTION

The government maintained law enforcement efforts. Togolese laws criminalize all forms of trafficking, but not all prescribed penalties are sufficiently stringent or commensurate with other serious crimes. The penal code, revised in 2015, prohibits all forms of trafficking in articles 317 to 320 and prescribes penalties of 10 to 20 years imprisonment and fines between 10 and 50 million CFA franc (FCFA) (\$16,000 and \$79,980). Article 317 criminalizes the use of force, fraud or coercion for specific purposes, including sexual exploitation, forced labor, slavery, servitude and begging. Article 319 provides enhanced penalties in certain circumstances. Article 320 removes the requirement of proving force, fraud or coercion when the trafficking victim is a child. Penalties for child trafficking crimes are increased to 20-30 years imprisonment and a 20-50 million FCFA (\$31,990-\$79,980) fine; article 321 prescribes application of the maximum penalty and a fine of 25-100 million FCFA (\$39,990-\$159,960) in egregious circumstances. Article 326 makes trafficking victims acting under duress not responsible for crimes they commit as a result of being trafficking victims.

Although article 317 makes forced labor a trafficking offense subject to the penalties set forth in article 318, article 338 also specifically prohibits forced labor prescribing penalties of five to 10 years imprisonment and a fine of 5-20 million FCFA (\$8,000-\$31,990). Articles 346-349 prohibit exploitative begging prescribing penalties of six months to 20 years and fines, depending on the age and vulnerability of the victim; these penalties are sufficiently stringent, and commensurate with those prescribed for other serious crimes, such as rape. Other laws that predate the 2015 penal code amendments also address trafficking offenses and impose significantly lower penalties. For example, article 4 of the 2006 labor code prohibits forced and compulsory labor, with prescribed penalties of three to six months imprisonment, which are not sufficiently stringent. The 2007 child code criminalizes all forms of child trafficking and prescribes penalties of two to five years imprisonment, which are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. The 2005 Law Related to Child Smuggling criminalizes abducting, transporting, or receiving children for the purposes of exploitation with prison sentences of three months to 10 years imprisonment; these penalties are not commensurate with other serious crimes. The government did not take action during the reporting period to enact draft comprehensive anti-trafficking legislation, pending since 2009, that would include provisions for victim protection.

The government reported investigating 101 traffickers and convicting 60 traffickers in 2016, compared with 123 investigations and 59 convictions of traffickers in 2015. The government did not report details on the provisions under which it tried these suspects or provide sentencing data. The government did not provide any trafficking-specific training to its law enforcement officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Experts reported judges were often reluctant to convict or fine parents who subjected their children to trafficking, as they felt it would exacerbate the economic situation that drove a parent to commit the crime. The government cooperated with the governments of Benin, Ghana, and Nigeria under a joint agreement on the control and monitoring of borders to prevent child trafficking, repatriate victims, and extradite traffickers. Additionally, the government cooperated with all west African states under the West African Multilateral Accord and with all west and central African states under the Multilateral Cooperation Agreement to Combat Trafficking in Persons in West and Central Africa.

PROTECTION

The government maintained modest protection efforts. The government assisted in the repatriation of, and provided services for, transnational child trafficking victims. The government-funded and facilitated the repatriation of 99 Togolese victims of child trafficking in 2016, including 78 girls and 21 boys, who were returned from Nigeria, Gabon, and Cote d'Ivoire; this was an increase from 20 repatriations the previous year. The government provided these victims with health services, food, and lodging during their reintegration and reunited them with their families. However, the government did not report identifying or providing any services to adult trafficking victims or other internal trafficking victims, nor did it provide details on any cases, and data collection remained a gap. The government also did not report the number of victims referred to care facilities.

In Lome, the Ministry of Social Affairs (MSA) continued to run a toll-free 24-hour helpline, Allo 10-11, which received

4,000 calls regarding child trafficking and other forms of child abuse. The National Committee for the Reception and Social Reinsertion of Trafficked Children, Togo's national anti-trafficking committee comprising government officials and NGOs, continued to operate jointly with the police an ad hoc referral system to respond to hotline tips. MSA continued to operate two shelters; the Tokoin Community Center served as an intermediary shelter for child victims before transfer to care facilities managed by NGOs, while another shelter, CROPESDI, provided shelter, legal, medical, and social services to child victims up to age 14. The government did not report its budget for victim assistance and protection. The government did not offer temporary or permanent residency status to foreign victims facing hardship or retribution upon return to their country of origin. The government did not have a formal process to encourage victims' participation in the investigation and prosecution of their traffickers, and it is unclear whether any victims did so during the reporting period. There were no reports of child victims being penalized for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

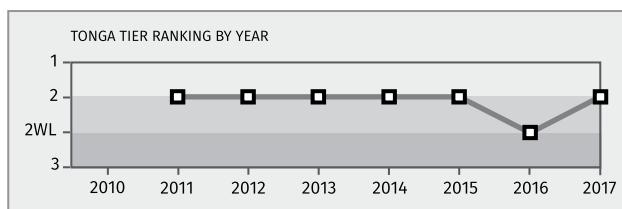
The government increased efforts to prevent child trafficking and initiated minimal efforts to prevent adult trafficking. The government coordinated its anti-child trafficking efforts and dissemination of information through MSA's Anti-Trafficking in Persons Cell, previously the National Committee for the Reception and Social Reinsertion of Trafficked Children (CNARSEVT). The Anti-Trafficking in Persons Cell acted as a central hub of information and tracked statistics on trafficking of children in Togo, including the repatriation of child victims; however, data collection and reporting remained weak during the reporting period. In 2016, the government expanded CNARSEVT's scope to include adults and re-designated it as the Anti-Trafficking in Persons Cell. The government employed a network of "vigilance committees" in nearly every village in the country to provide education on trafficking and report cases to the government, although the effectiveness of these committees varied greatly. The government employed 167 labor inspectors across all five regions during the reporting period, an increase of 58 inspectors from the previous year. Despite the increase, there were still too few inspectors compared to the scale of child labor in the country, much of which could constitute trafficking. An NGO reported inspectors often did not address even obvious cases of child labor in large, open-air markets in urban centers. During the reporting period, the Anti-Trafficking in Persons Cell identified 246 children in child labor. The government did not regulate foreign labor recruiters. The government reduced the demand for forced labor through the continuation of a program partnering with 30 traditional religious leaders to eliminate exploitation through the practice of religious "apprenticeships"—a practice in which children are entrusted to religious leaders who exploit them in forced domestic work, or, in some cases, sexual slavery when parents are unable to pay school fees. In 2016, the government co-drafted a Charter on Maritime Security and Development in Africa that aims to combat transnational crime, including child trafficking. The government distributed birth certificates with the assistance of NGOs. The government had not updated its national action plan since 2008. The government did not take any discernible measures to reduce the demand for commercial sex acts. The government provided anti-trafficking training to Togolese troops prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Togo is a source, transit and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The western border of the Plateau region, which provides easy access to major roads leading to Lome, and Accra, Ghana, was a primary source for trafficking victims during the reporting period. Most Togolese victims are children exploited within the country. Forced child labor occurs in the agricultural sector—particularly on coffee, cocoa, and cotton farms—as well as in stone and sand quarries. Traffickers bring children from rural areas to Lome, where they are subjected to forced labor as domestic servants, roadside vendors, and porters, or exploited in child sex trafficking. Boys are subjected to forced labor in construction, in salvage yards, mines, and as mechanics, often working with hazardous machinery. Children from Benin and Ghana are recruited and transported to Togo for forced labor. Girls from Ghana are exploited in sex trafficking in Togo. Togolese boys and girls are transported to Benin, Cote d'Ivoire, Democratic Republic of the Congo, Gabon, Ghana, and Nigeria and forced to work in the agricultural sector. From September to April, many Togolese adults and children migrate in search of economic opportunities to Benin, Burkina Faso, Niger, and Mali, where many are subjected to labor and sex trafficking. In Nigeria, Togolese men are subjected to forced labor in agriculture and Togolese women are exploited in domestic servitude. Togolese women have been fraudulently recruited for employment in Saudi Arabia, Lebanon, the United States, and Europe, where they are subjected to domestic servitude or forced prostitution.

TONGA: TIER 2

The Government of Tonga 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, Tonga was upgraded to Tier 2. The government demonstrated increasing efforts by providing training to police recruits on human trafficking, coordinating its efforts through an anti-trafficking taskforce, funding an NGO capable of assisting victims, and posting a police officer trained to speak Mandarin Chinese to liaise with Chinese community members, including those who may be vulnerable to trafficking. However, the government did not meet the minimum standards in several key areas. Authorities did not initiate any trafficking prosecutions, establish formal procedures to proactively identify victims, or conduct awareness-raising campaigns.



RECOMMENDATIONS FOR TONGA

Develop and fully implement procedures for proactive identification of trafficking victims among vulnerable groups; increase efforts to investigate and prosecute trafficking crimes, including child sex trafficking; amend trafficking laws to criminalize the full scope of trafficking crimes, including offenses

lacking cross-border movement; utilize the newly appointed Asian liaison position to facilitate proactive identification of foreign victims and their referral to care; increase training for law enforcement officials and labor inspectors on human trafficking, including on how to identify and assist victims; provide explicit protections and benefits for trafficking victims, such as restitution, legal and medical benefits, and immigration relief; develop a national action plan; develop and conduct anti-trafficking information and education campaigns; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. The Counter Terrorism and Transnational Organized Crime Act defines trafficking as the recruitment, transportation, transfer, harboring, or receipt of a person for the purpose of exploitation; however, it does not prohibit all forms of trafficking because it defines trafficking only as a transnational crime and does not define exploitation nor include elements of force, fraud or coercion. This law prescribes penalties of up to 15 years imprisonment for trafficking offenses involving adult victims and 20 years imprisonment for offenses involving children; these penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. Since convicting its first trafficker in April 2011, the government has not prosecuted any trafficking cases. During the reporting period the government continued one investigation of a case involving Bangladeshi men in conditions indicative of debt bondage. The Tongan police force continued providing anti-trafficking trainings for new police recruits during the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government maintained minimal efforts to protect trafficking victims. The government identified no trafficking victims during the reporting period. The government did not develop or employ systematic procedures for victim identification among at-risk groups, such as migrant workers or women in prostitution. However, Tongan police posted a new Asian liaison officer trained to speak Mandarin Chinese, increasing the police force's ability to engage with Chinese citizens living in Tonga who may be vulnerable to trafficking; nonetheless, it was unclear if this resulted in attempts to identify victims proactively during the reporting period. The government continued to provide 50,000 pa'anga (\$23,223) to an NGO for operations to assist women and children victims of crime, including shelter, counseling, and legal services. Although none were identified, trafficking victims would be eligible for these services. The government has procedures to refer victims of crime, including potential trafficking victims, to the NGO. There are no shelter facilities available to male victims older than 15 years old. Under the immigration act, the principal immigration officer has broad discretionary authority to grant trafficking victims permits to stay in the country for any length of time necessary for their protection. Victims could be granted asylum in Tonga if they feared retribution or hardship in their country of origin, although no trafficking victim has ever requested asylum. Victims had the ability to file civil cases against their traffickers, but none filed such cases in 2016. There were no reports officials penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking.

PREVENTION

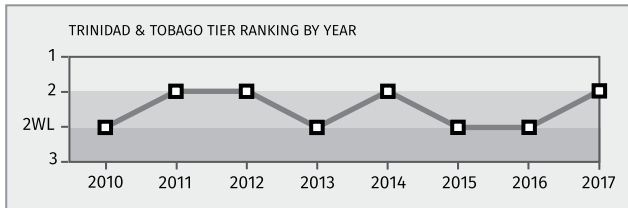
The government maintained minimal efforts to prevent human trafficking. The government did not develop a national action plan to combat trafficking or conduct educational campaigns to increase awareness of trafficking in Tonga. However, the government's human trafficking taskforce led its anti-trafficking efforts alongside the transnational crime unit of the police force. Tongans participating in seasonal worker programs overseas received orientation briefings from the government, which included information on workers' rights. The government did not take action to reduce the demand for commercial sex acts or forced labor during the reporting period, nor did it provide anti-trafficking training to its diplomatic personnel. Tonga is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, Tonga is a destination country for women subjected to sex trafficking and, to a lesser extent, a source country for women and children subjected to domestic sex trafficking and forced labor. East Asian women, especially those from China, are exploited in prostitution in clandestine establishments operating as legitimate businesses; some East Asian women are recruited from their home countries for legitimate work in Tonga, paying large sums of money in recruitment fees, and upon arrival are forced into prostitution. Some Tongan women and children are reportedly subjected to involuntary domestic servitude. Reports indicate Fijians working in the domestic service industry in Tonga experience mistreatment indicative of trafficking. Tongan adults working overseas, including in Australia and New Zealand, are vulnerable to exploitation, including through withholding of wages and excessive work hours. Some workers are rushed to sign employment contracts and may not fully understand employment terms; others are unable to retain copies of their contracts, exacerbating the potential for employers to exploit these workers. There are reports of foreign men who attempted to transit Tonga in situations of potential debt bondage.

TRINIDAD AND TOBAGO: TIER 2

The Government of Trinidad and Tobago 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, Trinidad and Tobago was upgraded to Tier 2. The government demonstrated increasing efforts by adopting and beginning to implement a new national action plan for 2016-2020, advancing prosecutions to the high court, addressing inefficiencies in the judicial system, and identifying more victims. It also changed immigration procedures to increase accountability and minimize the opportunities for immigration officials to receive bribes. However, the government did not meet the minimum standards in several key areas. It has yet to secure a conviction under its anti-trafficking law. The government decreased funding for its anti-trafficking unit and victim care. Victims were not provided specialized services, including during legal proceedings. The government did not have policies or laws regulating foreign labor recruiters and had no basis for holding them civilly and criminally liable for fraudulent recruitment.



RECOMMENDATIONS FOR TRINIDAD AND TOBAGO

Increase efforts to investigate, prosecute, and convict traffickers, including complicit government officials; train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence; provide adequate funding for robust victim services and anti-trafficking efforts; improve coordination and communication between the counter-trafficking unit, relevant agencies, and NGOs; implement procedures to guide front-line officials in the identification and referral of potential sex and labor trafficking victims, especially among foreign women in prostitution, migrant workers, and children; improve regulation of private labor recruitment agencies; and raise public awareness, especially among the migrant population, about forced labor.

PROSECUTION

The government increased law enforcement efforts, but it had yet to convict a trafficker; official complicity and inefficiencies in its judicial system continued to hamper government efforts. The Trafficking in Persons Act of 2011 prohibits both sex trafficking and forced labor and prescribes penalties of 15 years to life imprisonment and fines, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the government's anti-trafficking unit investigated 46 possible cases of trafficking, compared with 53 cases in 2015 and 35 in 2014. The government initiated the prosecution of five suspects for sex trafficking under the anti-trafficking law (five in 2015 and one in 2014). Additionally, two previously charged traffickers had hearings before the magistrate court and were committed to stand trial in high court. From previous reporting periods, a total of 23 prosecution cases awaited scheduling at the magistrate court.

Experts noted the improving quality of investigations by the counter-trafficking unit (CTU) within the national security ministry, which has led to more efficiency in bringing cases to prosecution. The CTU led efforts to investigate sex trafficking and forced labor but continued to suffer from poor coordination and communication among stakeholders; police and immigration officers on the CTU reported to their respective agencies and not to the head of the unit. The government decreased the unit's budget to three million Trinidad and Tobago dollars (TTD) (\$448,430) for FY 2016-2017, compared to eight million TTD (\$1.2 million) for FY 2015-2016, and five million TTD (\$747,384) for FY 2014-2015. Due to decreased government revenues related to lower oil and gas export earnings, all government ministries received significantly reduced budgets during the reporting period. Nonetheless, to address overall inefficiencies in the judicial system that resulted in a significant backlog of cases, the attorney general hired 30 new prosecutors to help bring cases to trial more expeditiously.

Law enforcement and civil society organizations reported some police and immigration officers allegedly facilitated trafficking and exploited sex trafficking victims, but the government did

not report any new prosecutions or convictions of government employees complicit in human trafficking offenses during the reporting period. Experts noted some victims feared police complicity and were reluctant to report their cases to the CTU. Immigration authorities arrested and charged one officer with selling visa extensions, but it was unclear if this was related to trafficking. The CTU conducted anti-trafficking training with assistance from an international organization for more than 115 new police and prison officers, compared to 100 officers trained in 2015. There were 18 labor inspectors in 2016, compared with 10 in 2015, trained to identify and report on indicators of forced labor involving children. The government collaborated with authorities in St. Vincent and the Grenadines on a child trafficking case.

PROTECTION

The government increased protection efforts. The government identified and referred 13 trafficking victims to care (five in 2015 and eight in 2014). The 13 victims included one male child, three male adults, and seven female adults exploited for labor trafficking, and two female adults exploited for sex trafficking. The victims originated from Venezuela, St. Vincent and the Grenadines, India, and Nepal. Some experts asserted labor and internal trafficking cases, including of children, were under-reported.

The government trained all new immigration officers on the anti-trafficking law and screening procedures to identify potential trafficking victims. The government trained school officials, social workers, labor inspectors, and officials who worked with child protective services on identification and screening techniques related to trafficking. The CTU, via Interpol, provided sensitization training to judges to avoid re-traumatization of trafficking victims during court proceedings. Authorities referred all suspected adult human trafficking cases to the CTU. Authorities referred child victims through the child protective services agency. The CTU and child protective services reported working to clarify the procedures for referrals between their agencies.

The CTU spent approximately 700,000 TTD (\$104,634) on victim care and protection, a decrease from one million TTD (\$149,477) in 2015 and 2014. The government separately provided additional funding to NGOs through the Ministry of Social Development and the Ministry of Gender; the CTU directly provided assistance to victims housed at all shelters. The CTU partnered with NGOs and public hospitals to provide basic services to all 13 victims. Other government-funded victim services provided to victims included food, clothing, medical assistance and services for victims with disabilities, translation services, psychological counseling, legal services, and arranging contact with families. Domestic violence shelters received modest government funding and provided accommodation to adult female trafficking victims. In the case of men and children, the government provided accommodations by securing private safe houses through NGOs; there is no dedicated shelter for male victims. In 2016, the CTU acquired a property to establish a dedicated shelter for male and female victims. Victims housed in NGO-run shelters were allowed freedom of movement after an initial security assessment by the government; however, victims housed in domestic violence shelters were not permitted to leave unchaperoned or at will. Language translation services were available for counseling sessions and police interviews; however, experts reported shelters did not have bilingual staff or volunteers. In addition, some government officials noted a shortage of interpreters available to assist with foreign national

victim testimony. Fourteen victims assisted with criminal investigations during the reporting period. There were no reports the government penalized trafficking victims for crimes committed as a direct result of being subjected to trafficking; however, some victims may have been penalized due to lack of identification from officials.

The government provided two victims with work and residence permits to remain in the country to assist law enforcement investigations. The government provided witness protection to five sex trafficking victims who chose to participate in the trial process and allowed them to return to their home countries between court hearings. The courts were in the process of acquiring technology to accept video testimony. The government provided minimal support to repatriate victims and relied on an international organization to do so.

PREVENTION

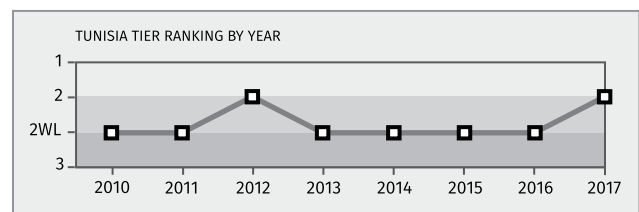
The government increased efforts to prevent trafficking. The government approved and began implementing the 2016-2020 national plan of action. The CTU assesses its activities every two years, most recently in November 2015. The CTU, in collaboration with NGOs, launched awareness campaigns at schools and youth camps, as well as a six-month nationwide child anti-trafficking campaign. The CTU also promoted the national broadcast of a locally produced movie, "Trafficked," and aired public service announcements during the broadcast. The labor inspectorate provided educational materials to educate and inform workers, including migrant workers, of their rights and the labor laws to prevent labor exploitation. The CTU conducted sensitization training with visa officers from various embassies in the country. The national trafficking hotline provided information used by the counter trafficking unit for investigations. The immigration authority changed its procedures for issuing visa extensions to provide greater accountability and reduce the opportunity for smugglers and traffickers to bribe officials. The government made efforts to reduce the demand for commercial sex acts by developing bilingual messages and two public service announcements targeting buyers of commercial sex. There were no specific laws regulating private labor recruitment agencies. The government provided training and awareness-raising sessions for diplomats and staff scheduled for overseas postings.

TRAFFICKING PROFILE

As reported over the past five years, Trinidad and Tobago is a destination, transit, and source country for adults and children subjected to sex trafficking and forced labor. Women and girls from the Dominican Republic, Guyana, Venezuela, and Colombia are subjected to sex trafficking in brothels and clubs, often lured by offers of legitimate employment, with young women from Venezuela especially vulnerable. NGOs have previously heard reports about the availability of child sex trafficking victims advertised through classified ads and children are subjected to sex trafficking for commercial sex by Trinbagonians and foreign sex tourists. Economic migrants from the Caribbean region, especially Guyana, and from Asia, in particular those lacking legal status, are vulnerable to forced labor in domestic service, the retail sector, and potentially security companies and health spas. International criminal organizations are increasingly involved in trafficking and young boys are coerced to sell drugs and guns. Police corruption has in the past been associated with facilitating prostitution and sex trafficking.

TUNISIA: TIER 2

The Government of Tunisia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increased efforts compared to the previous reporting period; therefore, Tunisia was upgraded to Tier 2. The government enacted anti-trafficking legislation that prohibits all forms of trafficking and trained officials on its application. The government investigated and prosecuted more traffickers and identified significantly more trafficking victims and referred them to care. It provided care to victims in various government-run centers for vulnerable populations and worked with NGOs to provide victims additional services. The government raised awareness of trafficking throughout the reporting period. However, the government did not meet the minimum standards in some key areas. Despite efforts to identify victims during the course of investigations, the government did not proactively screen for victims among vulnerable groups; it did not finalize and implement standard operating procedures for victim identification or the national referral mechanism during the reporting period. Some trafficking victims may have remained unidentified and therefore vulnerable to punishment for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration and prostitution violations.



RECOMMENDATIONS FOR TUNISIA

Implement formal procedures to screen and proactively identify trafficking victims among vulnerable groups, such as street children, undocumented migrants, domestic workers, and persons in prostitution, and train officials on their use; implement and use the anti-trafficking law to investigate, prosecute, and convict traffickers and train judicial and law enforcement officials on the law's application; provide adequate protection services to all trafficking victims, including appropriate shelter and rehabilitative services tailored to trafficking victims; fully implement the national victim referral mechanism to ensure all trafficking victims are referred to appropriate protection services, and train law enforcement and judicial authorities on appropriately referring victims to care; train staff at government-operated centers for vulnerable populations to provide trafficking victims with specialized care; develop procedures to ensure victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking, such as prostitution and immigration violations; provide funding or in-kind support to NGOs that provide care to trafficking victims; and allow trafficking victims the right to work while under temporary residency status.

PROSECUTION

The government significantly improved its anti-trafficking law enforcement efforts. In July 2016, the government enacted anti-trafficking legislation that criminalizes all forms of human

trafficking and prescribes penalties ranging from 10 years to life imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Various pre-existing and disparate criminal code provisions, which do not appear to have been repealed by the new law, also prohibit sex trafficking and forced labor; however, these provisions prescribe penalties that are not sufficiently stringent or commensurate with penalties prescribed for other serious crimes, such as rape. The criminal code prescribes one to three years imprisonment for forced prostitution of an adult and three to five years imprisonment for sex trafficking of a child, neither of which are commensurate and sufficiently stringent. The criminal code prescribes only one to two years imprisonment for forced child begging and penalties of up to 10 years imprisonment for capturing or detaining a person for forced labor.

The government did not fully implement and utilize the 2016 anti-trafficking law and thus investigated and prosecuted alleged trafficking crimes using other pre-existing criminal code provisions. The data in this reporting period is an improvement from the previous reporting period when the government did not report prosecutions or convictions of traffickers. During the reporting period, the Ministry of Interior (MOI) investigated 134 potential trafficking crimes, which included 46 cases of sexual exploitation of women; six cases of domestic servitude involving three male, one female, and two child victims; and 82 cases of economic exploitation of children, which included 72 male and 10 female child victims who were involved primarily in forced begging crimes. Of these investigations, the MOI investigated, broke up, and arrested the alleged perpetrators of a child begging ring in Sfax. The MOI also investigated a sex trafficking case of three alleged traffickers for fraudulently recruiting 10 Tunisian women to work in a nightclub in Lebanon and forcing the victims into prostitution, confiscating their passports and holding them in debt bondage. The MOI also investigated and referred for prosecution a case of a 15-year-old child in domestic servitude. In 2016, the Ministry of Justice (MOJ) reported 495 prosecutions of crimes involving forced begging and 22 prosecutions involving forced prostitution. The MOJ also reported 135 violations of the labor code involving forced child labor or forced labor of adults. The MOJ reported that all 657 of the prosecutions in this reporting period led to convictions, some of which may have been for trafficking-related crimes under the criminal code, but it did not provide details on the sentences given to the perpetrators. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government held multiple anti-trafficking trainings for officials during the reporting period. In addition, since the passage of the 2016 anti-trafficking law, the government held two conferences—both in cooperation with international organizations—on implementation of the law for judges and lawyers. In March 2017, the government also began a training program for judicial police on application of the 2016 anti-trafficking law.

PROTECTION

The government significantly increased its efforts to identify and provide protection services to trafficking victims and it worked with NGOs to do so. The government lacked formal victim identification procedures and relied on NGOs to identify and provide care to trafficking victims; however, it worked in cooperation with civil society groups to train key law enforcement, judicial, immigration, and social services personnel to identify victims among high-risk populations.

During the course of investigations in 2016, the MOI reported identifying 134 trafficking victims, including 46 female sex trafficking victims, six victims of domestic servitude, and 82 child victims of forced begging. This demonstrated a substantially higher number of identified victims than the previous reporting period when the government identified three victims. Based on the 2016 anti-trafficking law, the government developed in 2016 a new national victim referral mechanism for officials to refer trafficking victims to government-operated social centers or NGO-run shelters; it began training officials on its implementation at the end of the reporting period. In 2016, the Ministry of Social Affairs (MSA) signed cooperation agreements with two NGOs to assist those at risk of abuse and exploitation, including trafficking victims; the MSA also organized capacity-building trainings for NGOs on irregular migration patterns and treatment of vulnerable groups, including trafficking victims. Of the victims identified in 2016, the MOI referred for protection services all adult victims to the MSA and all child victims to the Delegation for the Protection of Children at the Ministry of Women, Family, and Childhood. The government provided medical and psychological treatment to a 15-year-old child victim of domestic servitude. Among the victims identified by an international organization in 2016, the government provided shelter and health services to 18 victims and provided repatriation assistance to 28 victims.

The MSA continued to operate centers for vulnerable populations, including trafficking victims, victims of domestic violence and sexual assault, asylum-seekers, unaccompanied minors, and the homeless. Through these shelters, the government provided vulnerable groups, including trafficking victims, with food, clothing, full and free medical care, and psychological services, as well as legal aid through a network of pro bono lawyers. Four of these centers in Tunis, Sousse, and Sfax had designated areas available for victims of all forms of trafficking and the MSA increased trafficking-specific care available at these shelters; the center in Sfax caters to migrants and refugees, although none of the shelters are dedicated only to trafficking victims. The MSA collaborated with an international organization to assess and improve shelter capacity and services dedicated to trafficking victims. The center in Tunis held a dedicated office for male and female trafficking victims with a trained social worker and offered medical and psychological exams. This center also allowed foreign embassies access to their nationals to provide assistance, including provision of legal documents and repatriation services. During the reporting period, the MSA—in cooperation with an international organization—provided victim identification and protection training to the staff of the Sfax and Sousse shelters.

The government offered foreign trafficking victims legal alternatives to their removal to countries where they might face hardship or retribution. During the reporting period, the government offered all foreign trafficking victims relief from deportation and, for those who chose to return home, repatriation services. Trafficking victims could not seek legal employment while under temporary residency status. However, in 2016, the government offered permanent residence, which includes the ability to seek employment, to four trafficking victims who chose not to return home. Under the new anti-trafficking law, the government encouraged victims to participate in the prosecution of their traffickers and provided psychological and physical protection services to victims and witnesses of trafficking crimes. The new law institutionalizes the principle that the government should not punish or prosecute trafficking victims. Nevertheless, the government did not implement systematic policies and procedures to protect unidentified

victims from being punished for unlawful acts committed as a direct result of being subjected to human trafficking, such as women in prostitution, child sex trafficking victims, or illegal immigrants.

PREVENTION

The government continued to improve its efforts to prevent trafficking. The MOJ-led national anti-trafficking committee—which included representatives from 12 ministries, two experts from civil society, one media expert, and a member of National Commission for Human Rights—met several times during the reporting period to develop an anti-trafficking strategy and implement the national anti-trafficking action plan. In February 2017, the MOJ appointed a member of the Tunisian Judges Union to be the president of the commission for a five-year term. Throughout the reporting period, the government conducted numerous anti-trafficking public awareness and information campaigns. In April 2016, the government—in cooperation with an international organization—launched a national anti-trafficking public awareness campaign. Additionally, during the reporting period, the MOI placed announcements on social media sites and newspapers to inform the public about fraudulent work contracts and forced labor. The government reported efforts to reduce the demand for forced labor. During the reporting period, the government began to implement its national action plan for the elimination of child labor, in coordination with an international organization. The labor inspectorate at the MSA designated 25 labor inspectors and 24 social workers trained as specialized points of contact for trafficking victims. To address fraudulent labor recruitment practices, the Ministry of Vocational Training and Employment filed complaints against 15 private employers for cases of fraud, extortion, or unauthorized abuses of Tunisians employed abroad; it also took action against 26 private employers who recruited workers without proper registration. The government did not report efforts to reduce the demand for commercial sex acts or child sex tourism. The government provided anti-trafficking training for its diplomatic personnel.

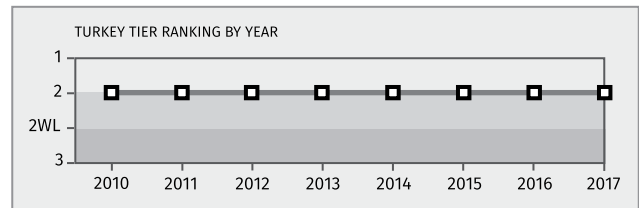
TRAFFICKING PROFILE

As reported over the past five years, Tunisia is a source, destination, and possible transit country for men, women, and children subjected to forced labor and sex trafficking. According to a baseline study published in 2013, Tunisian youth are subjected to various forms of trafficking. According to the study and as reported by an NGO in 2016, some Tunisian girls, mainly from the northwest, working as domestic servants for wealthy families in Tunis and major coastal cities experience restrictions on movement, physical and psychological violence, and sexual abuse. International organizations report an increased presence of street children and rural children working to support their families in Tunisia since the 2011 revolution; according to the baseline study, these children are vulnerable to forced labor or sex trafficking. Tunisian women have reportedly been forced into prostitution under false promises of work both within the country and elsewhere in the region, such as Lebanon, United Arab Emirates, and Jordan. Civil society organizations report an increase in women, primarily from West Africa, subjected to domestic servitude in private homes in Tunis, Sfax, Sousse, and Gabes. According to international organizations, nationals from Cote d'Ivoire are exploited in Tunisia after accepting fraudulent job offers in Europe. Migrants fleeing unrest in neighboring countries continue to be vulnerable to trafficking in Tunisia. Security officials reported in 2016 that organized

gangs force street children to serve as thieves and beggars and transport drugs.

TURKEY: TIER 2

The Government of Turkey 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, Turkey remained on Tier 2. The government demonstrated increasing efforts by adopting a national action plan, identifying more trafficking victims, training government and security personnel on trafficking issues, and creating a specialized anti-trafficking unit within the Turkish national police (TNP). The government continued prosecuting traffickers, and opened two specialized shelters for female sex trafficking victims. However, the government did not meet the minimum standards in several key areas. The government ordered the permanent closure of an NGO-run shelter and offered insufficient funding for another NGO-run shelter, resulting in its closure. Interagency cooperation remained weak, leading to obstacles in victim identification. Efforts to identify Turkish victims and protect the growing and highly vulnerable refugee and migrant communities in the country continued to need improvement.



RECOMMENDATIONS FOR TURKEY

Vigorously investigate, prosecute, and convict traffickers, including forced labor offenders; significantly increase proactive victim identification efforts among vulnerable populations, such as refugees, Turkish and foreign women and girls in prostitution, and children begging in the streets; establish a multi-disciplinary victim-centered framework for victim identification and provide specialized care for all victims, including Turkish citizens, children, and male victims; enhance training for law enforcement officers, prosecutors, and judges on a victim-centered approach to effective prosecution of trafficking cases; provide stable funding for shelters and institutionalize partnerships with NGOs, international organizations, and civil society representatives to provide victim services; increase training for law enforcement and other first responders on victim identification, including recognizing the signs of non-physical methods of control used by traffickers; ensure effective interagency cooperation and allocate adequate funding to implement the national action plan; and make trafficking-related data, especially disaggregated statistics on victims and on prosecutions and convictions of perpetrators, available to the public on a regular basis.

PROSECUTION

The government maintained law enforcement efforts. Article 80 of the penal code prohibits both sex and labor trafficking by use of force, threats, or abuse of power and prescribes punishment

of eight to 12 years imprisonment. Article 227(1) prohibits the facilitation of child prostitution and prescribes punishment of four to 10 years imprisonment. Punishments under both articles are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Ministry of Justice (MOJ) prosecuted 53 new cases with 257 defendants in 2016, compared to 50 cases with 238 defendants in the first three quarters of 2015. The MOJ continued to prosecute 187 cases with 1,594 defendants from the previous year. Courts convicted 40 traffickers, compared to 37 traffickers in 2015. All convicted traffickers received prison sentences and 37 traffickers also received a fine. Courts acquitted 272 suspected traffickers.

The government created the Department of Combatting Migrant Smuggling and Human Trafficking (DCMH), a specialized unit within the TNP. DCMH consisted of 50 officers and opened regional offices to coordinate with local law enforcement. Observers reported law enforcement did not proactively investigate trafficking offenses related to migrants and refugees. Corruption and official complicity in trafficking crimes remained concerns, and credible observers reported corruption may have inhibited law enforcement action in certain cases during the year. The government reported investigating media and other allegations of official complicity and found no evidence to support the allegations. The government, independently and in cooperation with international organizations, provided anti-trafficking training to law enforcement, coast guard, labor inspectors, social workers, and immigration officials. The government reported cooperating regionally, but provided limited information on international cooperation and extradition; observers reported insufficient international cooperation in combating trafficking.

PROTECTION

The government maintained victim protection efforts. The government identified 181 foreign-born trafficking victims, compared to 108 trafficking victims in 2015; of these, 163 victims were female and 18 were male (91 female victims and 17 male in 2015); 29 victims were children (26 in 2015); and 143 were victims of sex trafficking and 38 of forced labor. NGO- and government-run shelters provided 141 of the 181 victims with at least short-term support and a temporary residence permit for 30 days, which could be extended up to three years. The government reported Turkish citizens were victims of trafficking within Turkey, although it did not report identifying any Turkish victims in 2016. International organizations and NGOs reported assisting Turkish victims in Azerbaijan and Israel; however, the government reported no requests for assistance or repatriation of Turkish victims subjected to trafficking abroad.

During the previous reporting period, the government approved a new regulation that further defined the roles and reporting lines across government agencies in the national referral mechanism. Among other things, the regulation required law enforcement to conduct preliminary interviews and refer potential victims to the Directorate General for Migration Management (DGMM), Turkey's lead agency on trafficking issues, to make the official identification. Observers generally reported weak interagency coordination, which may have resulted in some potential victims not receiving official victim status and the government services such status affords. The Ministry of Health and the Ministry of Family and Social Policies (MOFSP) deployed specialized staff to government-operated migrant and refugee camps to screen camp residents for indicators of trafficking; however, observers reported the government did not make sufficient victim identification efforts in the highly vulnerable refugee

and migrant communities located outside of camps or provide sufficient protection resources to address trafficking in these communities. NGOs expressed concern that the government had increasingly removed them from identifying and providing services to victims.

The law entitles trafficking victims to shelter, medical and psycho-social services, work options, education, translation services, temporary residency, repatriation assistance, and legal counseling. The government reported providing funding for three NGO-run shelters in conjunction with funding from an EU project but did not provide budget numbers. After the EU project ended, government-offered funding was not sufficient for NGO-run shelters to continue operations and all three NGO run shelters that provided the majority of support services to trafficking victims since 2004 closed operations during the reporting period. One NGO-run shelter chose to close due to security concerns; the second chose to close in response to the government funding shortfall; and the third was closed by the DGMM. DGMM opened a specialized shelter in the fall of 2016 in Kirikkale, a city near Ankara, and the Ankara municipality opened a specialized shelter in early 2017. The two government-run shelters accommodated female sex trafficking victims and provided psychological support, health care, access to legal aid, and vocational training. After the closure of the NGO-run shelters, DGMM transferred all trafficking victims sheltered in the NGO-run shelters to the government-run shelter in Kirikkale. The government offered facilities for Turkish citizen, male, and child trafficking victims through MOFSP, these services were not specialized for trafficking victims. NGOs reported significant hurdles for victims in the work permissions process, including a requirement that victims move out of trafficking shelters to be eligible to work. The government did not require victims to participate in investigations or court procedures to receive support services. There were no reports that authorities detained, fined, or penalized trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. Turkish law makes witness protection measures available to victims who participate in the investigation and prosecution of their alleged traffickers; the government did not provide statistics on trafficking victims who participated in criminal investigations or legal procedures. The government provided protection to migrants and refugees from returning to countries where they would face hardship.

PREVENTION

The government maintained prevention efforts. The government adopted a new national action plan that prioritized strengthening coordination with NGOs and capacity building, and coordinated with an international organization to identify sources of funding. A senior-level national committee formed to coordinate interagency anti-trafficking activities convened for the first time in March 2017. The government ratified the Council of Europe's Convention on Action against Human Trafficking, which has an independent monitoring mechanism. DGMM assumed the management of a national trafficking hotline from an international organization and trained new employees on trafficking issues, though observers reported a decrease in capacity to handle trafficking cases, possibly due to budget shortfalls to maintain the hotline. The government continued to prepare and distribute brochures on trafficking in six languages. DGMM published annual data reports on its website for 2013-2015. Law enforcement developed flowcharts illustrating the national referral mechanism and informed relevant actors on how provincial TNP units combat trafficking. The government continued to implement comprehensive migrant registration

protocols by registering approximately three million Syrians and providing birth registrations for newly born refugee children and reported efforts to prevent trafficking among Syrian refugees by fostering educational opportunities within government-operated camps. The government did not report efforts to reduce the demand for commercial sex acts or possible forced labor. Observers reported two Turkish nationals arrested in Moldova for providing children to Turkish nationals engaging in child sex tourism; however, the government identified no cases of child sex tourism within Turkey. Turkish armed forces participated in anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government did not report providing anti-trafficking training to diplomatic personnel.

TRAFFICKING PROFILE

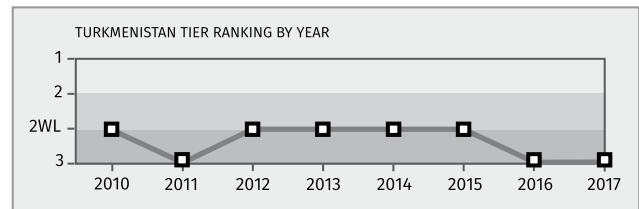
As reported over the past five years, Turkey is a destination and transit country, and to a lesser extent source country, for women, men, and children subjected to sex trafficking and forced labor. Trafficking victims in Turkey are primarily from Central and South Asia, Eastern Europe, Syria, Indonesia, and Morocco. Of the 183 victims identified in 2016, Syrians made up the largest number of victims (36) from a single country, followed by Kyrgyz (33), Georgians (23), and Uzbeks (16); the other 73 victims were from a range of countries including Indonesia, Moldova, Morocco, Pakistan, and Turkmenistan. Some Georgian men and women are subjected to forced labor. Foreign victims are commonly promised jobs in entertainment, modeling, or domestic work, but upon arrival, traffickers force them into forced labor or prostitution in hotels, discos, and homes. Some Turkish men are subjected to trafficking at least in Azerbaijan and Israel. The government and NGOs reported traffickers use psychological coercion, threats, and debt bondage to compel victims into sex trafficking. Traffickers increasingly use social media to recruit victims and employ foreign females as recruiting and management assistants. Unknown numbers of ethnic Roma and refugee children may be vulnerable to trafficking while working on the street collecting garbage, selling flower and other items, or begging.

Turkey continues to host a large refugee population that is increasingly vulnerable to trafficking: approximately three million displaced Syrians, 120,000 Afghans, and 125,000 Iraqis resided in Turkey during the reporting period. Unknown numbers of Syrian refugee and other children engaged in street begging and also reportedly worked in restaurants, textile factories, markets, mechanic or blacksmith shops, and agriculture, at times acting as the breadwinners for their families; some are vulnerable to forced labor. Experts reported children worked long hours, with low wages, in some cases in substandard working conditions. Syrian refugee women and girls are vulnerable to sex trafficking by prostitution rings. Some Syrian and other girls have reportedly been sold into marriages in which they are vulnerable to domestic servitude and sex trafficking. Reports indicate some youth in Turkey, sometimes under coercion, joined the Kurdistan Workers' Party (PKK), a U.S.-designated terrorist organization.

TURKMENISTAN: TIER 3

The Government of Turkmenistan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Turkmenistan

remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including the continued implementation of its national action plan for trafficking in persons, adoption of a new anti-trafficking law in October 2016, and amending its criminal code to criminalize trafficking in persons. The government also allows for free legal assistance to those applying for recognition as trafficking victims. However, the new criminal code provision defines the crime of trafficking in a manner not fully consistent with international law and has not yet been implemented. Further, the government continued to use the forced labor of reportedly tens of thousands of its adult citizens in the harvest during the reporting period. It actively dissuaded monitoring of the harvest by independent observers through harassment, detention, penalization, and, in some cases, physical abuse. The government did not fund any victim assistance programs, despite being required to do so under domestic law.



RECOMMENDATIONS FOR TURKMENISTAN

Take action to end the use of forced adult labor during the annual cotton harvest, particularly by modifying government policies that create pressure for mobilizations of labor; provide victim care services directly or by funding civil society to do so, as required under the 2016 anti-trafficking law; train police to recognize and investigate sex and labor trafficking crimes; finalize and adopt formal written procedures to identify and refer victims to protection services and train police, migration officers, and other relevant officials on such procedures; while respecting due process, investigate and prosecute suspected sex and labor trafficking offenses using article 129/1 of the criminal code and convict and punish traffickers, including officials complicit in trafficking; expand training for relevant government authorities on implementation of the provisions of the 2016 anti-trafficking law and article 129, as amended in 2016; and increase awareness of trafficking among the general public through government-run campaigns or financial support for NGO-run campaigns.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. Article 129/1 of the criminal code, as amended in November 2016, defines trafficking in persons as acts done by force, fraud, or coercion, but it does not appear to include in its definition the purpose of the crime, which is exploitation. It also exempts trafficking victims from criminal responsibility for acts committed as a result of being trafficked. Article 129/1 prescribes penalties of four to 25 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2016, the government amended its administrative code to include punitive fines and penalties for failure to prohibit forced labor, the disclosure of information that could harm a victim, or the failure to provide assistance to victims. Penalties range from 200 to 500 manat (\$57 to \$143) for private citizens, 500 to 1,000 manat (\$143 to \$286)

for government officials, and fines from 1,000 to 2,000 manat (\$286 to \$573) or administrative suspension of up to three months for businesses.

The government reported it independently trained officials on trafficking-related issues. It initiated prosecution of three cases in 2016, the same number as in 2015, and compared to six cases in 2014. The government reported convictions of three traffickers in 2016, compared with nine in 2015, and nine in 2014. Despite continued reports of widespread corruption, it did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking, nor did it report any efforts to end officials' mobilization of persons for forced labor. In October 2016, the government arrested and charged with fraud Gaspar Matalaev, a reporter who published an article documenting the use of forced labor in the annual cotton harvest. Authorities allegedly tortured Matalaev and forced him to confess to taking and distributing photographs of the cotton harvest; Matalaev was sentenced to three years in a labor camp and remains imprisoned.

PROTECTION

The government maintained minimal protection efforts. The government identified 11 victims in 2016, compared to 12 in 2015, 19 in 2014, and 33 in 2013. An international organization reported assisting 25 victims, but estimated the total number of victims was significantly higher, as evidenced by the 7,200 calls to the country's two foreign-funded trafficking hotlines. The government did not provide comprehensive services to all victims of trafficking, nor did it fund international organizations or NGOs to provide such services. An NGO operated one shelter for female trafficking victims in Turkmenistan with foreign donor funding. The shelter provided comprehensive services to 11 female victims in 2016, including reintegration in society and locating legal employment. In accordance with the national action plan, the government worked with an international organization to develop formal identification and referral mechanisms. Authorities remained without formal written procedures to identify victims or refer them to care providers, but informally referred suspected trafficking victims to an international organization for services. Some law enforcement agencies only identify individuals as trafficking victims if their cases lead to trafficking convictions. The prosecutor general's office reported victims could apply for physical protection and assistance in obtaining free medical care; however, officials did not provide details of specific cases in which such assistance was provided during the year, and NGOs indicated previously that some victims were required to pay for their own treatment. The 2016 anti-trafficking law provides that victims, including those who participate in criminal proceedings, are exempt from administrative or criminal liability for conducting unlawful acts as a direct result of being subjected to trafficking, and are guaranteed employment. It also requires law enforcement agencies to respect the confidentiality of victims. An additional amendment to the legal code, effective February 2017, provides free legal assistance to trafficking victims who apply for official status as such. The 2016 law provides that victims are eligible for a wide range of services from the government; however, all services available during the reporting period were provided by foreign-funded NGOs and international organizations. Prosecutors reported they would not pressure victims into giving information in support of prosecution efforts. There were no reports of victims seeking or obtaining restitution in civil suits. The government made no attempts to identify sex trafficking victims among women arrested for engaging in prostitution. Consequently, officials may have penalized

sex trafficking victims for prostitution offenses. After some Turkmen, including trafficking victims, returned home following their deportation from other countries, the migration service reportedly blocked them from exiting Turkmenistan for a period of up to five years; the government reported that it stopped fining its citizens deported to Turkmenistan from abroad, including potential victims.

PREVENTION

The government increased efforts to prevent human trafficking, primarily through the establishment of a legal and institutional framework for the implementation of its national action plan; however, it did not take steps to end the use of forced labor during the cotton harvest. The 2016 anti-trafficking law calls for the creation of an interagency anti-trafficking committee, comprised several cabinet-level agencies and under the authority of the cabinet of ministers, to coordinate, plan, monitor, and report on the government's anti-trafficking efforts and analyze trends, improve victim protection measures, raise awareness, and monitor implementation of the national action plan. The 2016 law also assigns responsibilities for anti-trafficking efforts among government agencies and charges the cabinet of ministers with planning, funding, and implementing anti-trafficking policy. The government made efforts to implement its national action plan, adopted in March 2016, by requesting assistance from the ILO and working with another international organization to draft standard operating procedures for victim identification and referral. Government officials also attended seminars and workshops on implementation of the national action plan, conducted by an international organization, with some funding by the government.

The law requires the Ministry of Internal Affairs to record data on trafficking crimes; however, the government has not reported any systematic efforts to monitor its anti-trafficking efforts, and government data on the incidence of trafficking and trafficking-related prosecutions was not publicly available. The government maintained an official website that provided information on the risks of becoming a trafficking victim and cooperated with NGOs to conduct awareness campaigns in rural areas targeting vulnerable populations. The campaigns included newspaper advertisements for two foreign-funded telephone hotlines, which provided information to potential migrants and offered legal assistance and psychological counseling to trafficking victims. In July 2016, the government-funded a public awareness event, organized in cooperation with international organizations, to mark the World Day against Trafficking in Persons. The government did not report efforts to punish labor recruiters or brokers involved in the fraudulent recruitment of workers. The stateless population in Turkmenistan, mostly consisting of former Soviet citizens, was vulnerable to trafficking; in 2016 the migration service worked with UNHCR to grant Turkmen citizenship to 1,381 stateless persons. The government reported an international organization provided anti-trafficking training for its diplomatic personnel. The government made efforts to reduce the demand for commercial sex acts by routinely arresting purchasers of commercial sex, but did not make efforts to reduce the demand for forced labor.

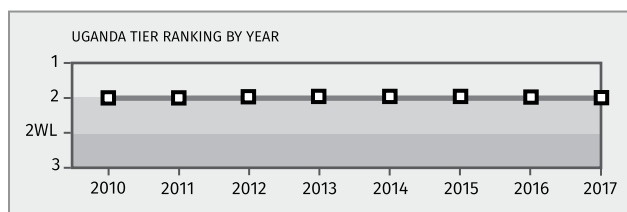
TRAFFICKING PROFILE

Turkmenistan is a source country for men, women, and children subjected to forced labor and sex trafficking. Forced labor constitutes Turkmenistan's largest trafficking problem; in 2016, an ILO Committee of Experts' report noted "with deep concern the widespread use of forced labor in cotton production." To

meet government-imposed quotas for the cotton harvest, local authorities require university students, private-sector institutions, soldiers, and public sector workers (including teachers, doctors, nurses, and others) to pick cotton without payment and under the threat of penalty. Government officials threatened public sector workers with dismissal, reduced work hours, or salary deductions. Authorities threatened farmers with loss of land if they did not meet government-imposed quotas. In addition, the government compulsorily mobilized teachers, doctors, and other civil servants for public works projects, such as planting trees. Workers in the construction sector are vulnerable to forced labor. Turkmen men and women are subjected to forced labor after migrating abroad for employment in the textile, agricultural, construction, and domestic service sectors. Turkmen women are also subjected to sex trafficking abroad. Turkey, Russia, and India are the most frequent destinations of Turkmen victims, followed by other countries in the Middle East, South and Central Asia, and Europe. Residents of rural areas in Turkmenistan are most at risk of becoming trafficking victims, both within the country and abroad.

UGANDA: TIER 2

The Government of Uganda 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, Uganda remained on Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and achieving convictions in more cases than in the previous reporting period. Unlike previous years, the government initiated criminal prosecution of labor recruitment agencies for allegations of their involvement in trafficking. The government also elevated Uganda's Coordination Office to Combat Trafficking in Persons (COCTIP) to an official department with a small permanent budget allocation, which enabled the office to improve its anti-trafficking efforts. However, the government did not meet the minimum standards in several key areas. Insufficient funding, in general, hindered government efforts, especially in victim protection. Corruption may have impeded government oversight of labor recruitment agencies. The government did not employ systematic procedures to assist victims, and availability of victim services was inconsistent. The government has not institutionalized anti-trafficking training among law enforcement and front-line officials. Despite its elevation of COCTIP, the government remained without an official lead agency with authority to manage, fund, and drive the efforts of the national taskforce and ensure effective country-wide measures to combat trafficking.



RECOMMENDATIONS FOR UGANDA

Significantly increase the availability of victim services by allocating resources for government-provided care or to NGOs that assist victims; increase efforts to work with destination

country governments and recruitment agencies to facilitate the release and repatriation of Ugandan migrant workers exploited by employers abroad; establish formal policies and procedures for all front-line officials to identify trafficking victims and formally refer victims to assistance; authorize an official entity to lead and coordinate national anti-trafficking efforts between ministries and oversee services for trafficking victims to ensure appropriate services are rendered; increase resources dedicated to anti-trafficking efforts within the Ministry of Internal Affairs (MIA), the External Employment Unit (EEU), and COCTIP; continue efforts to prosecute and convict suspected traffickers, including allegedly complicit officials; increase funding to Ugandan embassies to assist trafficking victims abroad; finalize regulations to fully implement the protection and prevention provisions of the 2009 Prevention of Trafficking in Persons (PTIP) Act; complete amendments to labor export regulations and use existing laws to proactively investigate and punish labor recruiters who fraudulently recruit Ugandans and exploit them in forced labor or prostitution abroad; institutionalize anti-trafficking training, including victim identification techniques, for all front-line officials, including diplomatic personnel; establish a unified system of documenting and collecting data on human trafficking cases for use by law enforcement, labor, and social welfare officials; expand the anti-trafficking public awareness campaign, and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. The 2009 PTIP Act criminalizes all forms of trafficking, prescribing punishments of 15 years to life imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law includes both sexual exploitation and forced labor, which are explicitly included in the 2000 UN TIP Protocol definition; however, it also includes both illegal adoption, child selling, and human sacrifice, which are not included in the listing of forms of exploitation in the protocol. Amendments to the PTIP Act, proposed by the EEU, would increase oversight of employment contracts and extend criminal liability for trafficking offenses to labor recruiters; however, it remained pending for the fifth consecutive year. In May 2016, amendments to the Children (Amendment) Act came into effect, including an amendment to article 8, which prohibits the unlawful use of "children in prostitution," subject to a fine not exceeding one hundred currency points or imprisonment for five years; these punishments are well below that required by the 2009 PTIP Act for sex trafficking of children. Another amendment to article 8 also prohibits the "harmful or hazardous employment" of children under 16, which includes slavery, trafficking in persons, debt bondage, and other forms of forced labor, forced recruitment for use in armed conflict, prostitution, pornography, and illegal activities. These terms are not defined and there is an overlap and potential conflict with the PTIP Act, which criminalizes these exploitative acts. Furthermore, it is not clear what punishments are imposed for their breach under the 2016 amendments. In addition, the Children (Amendment) Act of 2016 amends article 42 by imposing extensive reporting requirements on government officials engaged in child protection where such officials have grounds to believe, among other things, that a child has been subjected to child trafficking. Furthermore, contrary to the requirements of the UN TIP Protocol definition and contrary to the 2009 PTIP Act, it defines child trafficking to require that force, fraud, or coercion have been used to exploit the child.

The government reported 114 trafficking investigations,

prosecutions of 32 defendants in 20 cases, and convictions of 16 traffickers in 2016 under the 2009 PTIP Act, compared to 108 investigations, 15 prosecutions, and three convictions in 2015. The 16 convictions may have included cases of human sacrifice, a non-trafficking crime also prohibited under the 2009 PTIP Act; additional details were unavailable. Of the 20 prosecuted cases, nine cases involved transnational trafficking, four of which ended in convictions, and nine cases involved internal child trafficking for labor or sexual exploitation, six of which ended in convictions. Unlike previous years, the government also pursued criminal prosecution of two labor recruitment agencies under the 2009 PTIP Act. The 2015 trial of an Indian national charged with trafficking 43 Indian citizens to South Africa through Uganda for labor exploitation remained ongoing. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking; however, following a November 2015 request from the Department of State, the Ugandan government declined to waive immunity to allow the prosecution of a Ugandan diplomat and his spouse for labor trafficking and related offenses. The couple has departed the United States. Additionally, the media reported several high-level officials associated with the labor recruitment agencies impeded investigations of suspected trafficking offenses committed by such agencies. An NGO reported that some complicit immigration officers at border-crossings facilitated passage of trafficking victims. The government organized several workshops and working group meetings during the reporting period. The immigration department conducted monthly sessions to train its officers on anti-trafficking issues, and the MIA collaborated with an NGO to develop an anti-trafficking training curriculum for the immigration department. However, some police and immigration officers lacked an understanding of the anti-trafficking law, and may have misclassified cases or encouraged victims to accept financial compensation from traffickers in exchange for dropping their cases.

PROTECTION

The government maintained uneven protection efforts. The government reported identifying at least 270 victims, a decrease from 347 the previous reporting period; however, data from this reporting period was more precise than years past. Of the 270 trafficking victims, 42 children and 206 adults were victims of forced labor, and six children and 16 adults were victims of sex trafficking. Of the 42 child victims of forced labor, eight children were identified in the Democratic Republic of the Congo (DRC) as potential child soldiers from Uganda, who were separated from an armed group, the Allied Democratic Front (ADF). The vast majority of identified victims (222) was foreign, including persons from Somalia and Rwanda, and was made to transit Uganda to other countries; Saudi Arabia, Oman, the United Arab Emirates, Kenya, and the DRC were the most common destination countries. The government continued to employ victim identification and assistance guidelines for adult and child trafficking victims, developed in the previous reporting period in partnership with NGOs; the immigration department distributed these guidelines to immigration officers and provided training on their implementation. The government did not enact the implementing regulations for the 2009 PTIP Act or allocate funding for the implementation of its victim protection provisions; however, the government held various working group meetings to review and edit the draft regulations. The government reported providing an unknown number of victims with medical treatment, counseling assistance, emergency shelter, and transportation through police clinics. However, it continued to rely on NGOs and

international organizations to provide the vast majority of victim services via referrals to NGO-operated shelters, which provided psychological counseling, medical treatment, family tracing, resettlement support, and vocational education without contributing in-kind or financial support. Victim care remained inadequate and available services were primarily for children and women, with few NGOs offering shelter for adult males. Child victims in need of immediate shelter often stayed at police stations, sometimes sleeping in impounded vehicles, or at a juvenile detention center while awaiting placement in more formal shelters. Occasionally, due to a lack of government funding and procedures for victim referral, police and other government employees temporarily sheltered victims in their homes. The government did not report, and does not collect information about, how many victims it referred to care.

The government did not provide adequate shelter for many Ugandan citizen victims identified outside Uganda; it lacked funding and safe housing to temporarily house victims. The government generally provided replacement travel documents to facilitate the repatriation of its citizens from abroad, while an NGO provided funding for travel; however, there were reports that some Ugandan diplomatic missions were unwilling to provide trafficking victims with assistance or provide new travel documents. The MIA reported the government facilitated the repatriation of and assisted 129 Ugandan victims abroad in 2016, while 87 remained awaiting repatriation. According to the MIA, all 48 victims of internal trafficking received assistance. This figure did not include the eight children separated from an armed group in the DRC, who remained there due to difficulties with family tracing. While the PTIP Act prohibits the penalization of trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, and the government generally encourages, but does not require victim cooperation, reports indicated that the government detained some trafficking victims, including children, in an attempt to compel them to cooperate with criminal investigations. Police intermittently rounded up street children, including potential trafficking victims, and held them for a number of days at a juvenile rehabilitation center before returning them to their families. Authorities sent some of the children to a youth training center that provided food, counseling, and three months of vocational training, before being returned to their families. Reports also indicated police and communities sometimes treated street children as criminals, arbitrarily arresting, detaining, and beating them, and forcing them to clean detention facilities. Ugandan law permits foreign trafficking victims to remain in Uganda during the investigation of their case and to apply for residence and work permits. The government worked to keep victims' identities anonymous by using voice distortion and video link facilities. The law allows for victims to file civil suits against the government or their alleged traffickers for restitution; however, there were no reports this occurred during the reporting period.

PREVENTION

The government maintained modest prevention efforts. The National Taskforce continued to coordinate all anti-trafficking efforts, with COCTIP serving as its secretariat, led by an MIA Permanent Secretary. During this reporting period, the government elevated COCTIP to an official department within the MIA with a small permanent budget allocation; however, the national taskforce remained without a lead ministry, strategic mandate, or direct funding. COCTIP and the taskforce coordinated information-sharing and cooperation with NGOs and international organizations on victim assistance. However,

they had limited effectiveness without an official mandate to drive national anti-trafficking efforts or authority to fund and propose improvements and activities for participating agencies. In 2016, the government continued its national awareness campaigns—composed of talks, media outreach, and distribution of written materials. The national taskforce and COCTIP, with funding from MIA, coordinated with NGOs to conduct awareness campaigns through broadcast media and billboards, purposefully targeted at potential victims, including community outreach to schools and at religious centers. MIA produced trafficking brochures and hung posters at locations where Ugandan job seekers frequented, and passport and immigration officers often co-unseled potentially at-risk Ugandans seeking passports about the dangers of trafficking. The Office of the Prime Minister conducted an awareness campaign against child trafficking among the refugee community and several NGOs conducted awareness forums with youth leaders and students and an anti-trafficking awareness walk in Kampala.

In January 2016, the government banned Ugandans from traveling abroad for domestic work due to reports of abuse, including trafficking. Immigration officials scrutinized travel documents, passports, and reasons for travel before clearing travelers to depart Uganda for work in foreign countries. According to the government, authorities intercepted a total of 250 Ugandan travelers before departure en route to countries in which there was a high risk of them becoming a victim of trafficking, or could not adequately explain the purpose for their travel. The government continued its oversight of labor recruitment agencies. The government held various meetings to review the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005, and Guidelines on the Recruitment and Placement of Ugandan Migrant Workers Abroad. The Ministry of Gender, Labor, and Social Development (MGLSD) reported it required labor recruitment companies to register and undergo a thorough vetting process. Registered companies were required to maintain a minimum bank deposit and a credit line, to ensure they maintained the financial resources to repatriate workers if they became trafficking victims. The MGLSD reported vetting all labor requests received by local companies and all contracts executed between international employers and the Ugandan business. COCTIP reported conducting pre-departure briefings for migrant workers. As part of the government's public awareness campaign, it published a list of the 63 licensed labor recruitment companies and urged the public to only seek work through those agencies.

In an effort to protect migrant workers, the government worked with labor recruitment agencies to ensure that the relevant Ugandan embassies were aware of their citizens working in those countries. The government did not report making efforts to close unlicensed recruitment agencies or suspend the licenses of those suspected of facilitating human trafficking. Corruption reportedly inhibited EEU oversight of labor recruitment firms, as did insufficient staffing. In October 2016, the MGLSD signed a bilateral labor agreement with the Kingdom of Jordan's Ministry of Labor to increase labor protections for Ugandans working in Jordan. The government did not provide anti-trafficking training for its diplomatic personnel and the government did not report whether Uganda's peacekeepers received anti-trafficking training prior to deployment. The government did not make discernible efforts to reduce the demand for commercial sex acts or forced labor. Uganda is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

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

and destination country for men, women, and children subjected to forced labor and sex trafficking. Ugandan children as young as seven are exploited in forced labor in agriculture, fishing, forestry, cattle herding, mining, stone quarrying, brick making, carpentry, steel manufacturing, street vending, bars, restaurants, and domestic service. Girls and boys are exploited in prostitution. Recruiters target girls and women aged 13-24 years for domestic sex trafficking, especially near sports tournaments and road construction projects. An international organization reported that most internal trafficking victims are Ugandans, the majority of which are exploited in forced begging. Young boys and girls were the most vulnerable to internal trafficking, mainly for labor or begging in Kampala and other urban areas. Authorities subjected some prisoners in pre-trial detention to forced labor.

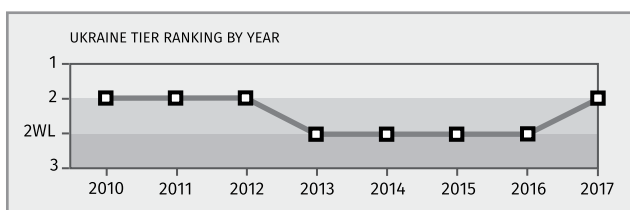
During the reporting period, Ugandan victims were identified in neighboring countries, including Kenya, South Sudan, and the DRC. Children from the DRC, Rwanda, Burundi, Kenya, Tanzania, and South Sudan are subjected to forced agricultural labor and exploited in prostitution in Uganda. South Sudanese children in refugee settlements in northern Uganda are vulnerable to trafficking. Some Ugandans abducted by the Lord's Resistance Army (LRA) prior to 2006 remain unaccounted for, and may remain captive with LRA elements in the DRC, Central African Republic, and the disputed area of Kafia Kingi, which is claimed by both Sudan and South Sudan.

Young women remained the most vulnerable to transnational trafficking, usually seeking employment as domestic workers in the Middle East; at times Ugandan women were fraudulently recruited for employment and then exploited in forced prostitution. Ugandan migrant workers are subjected to forced labor and sex trafficking in United Arab Emirates (UAE), Saudi Arabia, Oman, Qatar, Kuwait, Iraq, Iran, Egypt, Turkey, and Algeria. Despite the government's complete ban in 2016 on Ugandans' travel abroad for domestic work, some licensed and unlicensed agencies circumvented this ban by sending Ugandans through Kenya and Tanzania. An international organization reported identification of 14 victims in Malaysia and Thailand and additional victims in Poland, Switzerland, and Ukraine. Official complicity may have hindered government oversight of labor recruitment agencies. Traffickers, who appear to be increasingly organized, are frequently relatives or friends of victims, or may pose as wealthy women or labor recruiters promising vulnerable Ugandans well-paid jobs abroad or in Uganda's metropolitan areas. Some traffickers threatened to harm the victims' family or confiscated travel documents.

UKRAINE: TIER 2

The Government of Ukraine 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, Ukraine was upgraded to Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting officials complicit in trafficking, increasing interagency coordination and training for government officials, and taking some steps to improve law enforcement efforts. The government secured slightly more convictions in 2016, ending a five-year downward trajectory. The government also improved its efforts to protect trafficking victims in Ukraine, increasing subsistence payments to victims and drafting legislation that

would better protect foreign victims. However, the government did not meet the minimum standards in several key areas. It did not vigorously investigate and prosecute traffickers, initiating progressively fewer investigations and prosecutions for the last six years. Lax sentencing, likely aggravated by corruption, meant most convicted traffickers avoided imprisonment, which is inadequate to deter trafficking crimes and disproportionately low compared to the seriousness of the crime. Foreign donors and NGOs continued to fund and provide most victim services. International organizations continued to identify far greater numbers of victims than the government, indicating inadequate identification efforts by the government and a continuing lack of trust in the government's ability to protect victims and ensure their fair treatment. Ongoing Russian aggression continued to drain Ukrainian government resources, displacing close to two million people, and making a large population vulnerable to exploitation.



RECOMMENDATIONS FOR UKRAINE

Vigorously investigate and prosecute trafficking offenses, including public officials complicit in trafficking crimes, and ensure convictions result in proportionate and dissuasive sentences; certify more victims to ensure they are afforded their rights under the trafficking law and modify the procedure for granting victim status to lessen the burden on victims to self-identify and divulge sensitive information; provide adequate resources for and fully implement the 2016-2020 national action plan; increase training for law enforcement, prosecutors, and judges in the investigation and prosecution of trafficking cases, particularly on forced labor, a victim-centered approach, and how to gather evidence outside of victims' testimony; develop victim/witness protection measures and take active measures to end intimidation of victims during legal procedures; increase training for officials on victim identification, particularly in proactive screening for labor trafficking and of vulnerable populations, such as women in prostitution, children in sex trafficking, foreign migrant workers, and internally displaced persons; increase law enforcement monitoring of recruitment firms engaged in fraudulent practices associated with exploitation; increase funding for services to support trafficking victims, including rehabilitation centers; increase cooperation with law enforcement officials in countries where Ukrainians are subjected to human trafficking; and harmonize the trafficking law and the Law on the Legal Status of Foreigners to ensure foreign victims are entitled to remain in the country and access to victim services.

PROSECUTION

The government slightly increased law enforcement efforts and took action on official complicity. Article 149 of the criminal code prohibits all forms of trafficking and prescribes penalties from three to 15 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government drafted legislation that will better align legal definitions of trafficking

in persons and punishments with international standards. Law enforcement investigated 112 trafficking offenses in 2016, compared with 111 in 2015. These cases included 72 instances of sexual exploitation, nine for labor trafficking, 26 for "forced involvement in criminal activity", three for trafficking of children, and two for forced begging. Authorities initiated prosecutions of 45 cases in 2016, compared to 59 cases in 2015. The government convicted 28 traffickers in 2016 under article 149 (25 in 2015), ending a five-year downward trajectory. Of the 26 convicted traffickers who were sentenced in 2016, 21 (81 percent) did not receive prison sentences, five received prison sentences (19 percent) which ranged from two to 10 years, and the government confiscated assets from two defendants; 20 of the 32 (62 percent) traffickers convicted in 2015 did not receive prison sentences, and six had property confiscated. The repeated issuance of suspended or significantly reduced sentences to convicted traffickers is indicative of weakness in government prosecution efforts. Experts noted law enforcement, prosecutors, and judges demonstrated limited understanding and capacity to identify and prosecute labor trafficking cases.

The government increased coordination among agencies engaged in anti-trafficking efforts and issued several directives prioritizing anti-trafficking work.

The prosecutor general issued directives that prioritized the use of surveillance resources for trafficking cases; authorized penalties for Office of the Prosecutor General officials complicit in trafficking; called for investigations of alleged complicity in other government offices; and mandated disciplinary penalties for investigators and prosecutors who downgraded trafficking offenses to lesser charges. Additional directives instructed prosecutors to insist on pretrial detention for alleged traffickers and called for stricter sentencing for trafficking offenses. Authorities collaborated with foreign governments on transnational investigations and extraditions, including Poland, Czechia, France, and Germany.

Official complicity and willful negligence have resulted in the abuse of children in state-run institutions and orphanages, who are especially vulnerable to trafficking. Institutional reforms in Ukraine over the past two years have led to widespread turnover in many government institutions, notably within the ranks of the national police and the judiciary. The recertification and restructuring of police units that took place during the reporting period included mandatory training and testing on human trafficking, with assistance from an international organization, and reduced the number of officers suspected of corruption. The government, in conjunction with international funding and partners, significantly increased training for judges, prosecutors, law enforcement, and other government officials. The government increased its law enforcement efforts against official complicity, compared to the previous reporting period during which it did not report any investigations, prosecutions, or convictions of public officials. The government began investigating and arresting several officials allegedly complicit in trafficking, including the commander of the Kyiv City police counter-trafficking unit. In addition, courts convicted two police officers and sentenced them to six months in prison; three police officers remained under house arrest pending trial. Authorities arrested a teacher at a government-run boarding school for orphans in Kharkiv who attempted to sell one of her students.

PROTECTION

The government increased efforts in some areas of protection.

An interagency working group submitted draft legislation that is intended to help ensure the safety of persons with disabilities from exploitation, improve procedures for establishing victim status, expand the network of victim service providers, and improve protections for foreign victims and stateless persons. The government continued to rely on international organizations and NGOs, with international donor funding, to identify victims and provide the vast majority of victim protection and assistance. The government increased identification through the national referral mechanism and identified 103 victims in 2016 (83 in 2015). In 2016, an international organization in Ukraine assisted 1,105 victims, compared with 699 in 2015. International organizations reported that the majority of the victims who received assistance were victims of labor trafficking. As was the case in the two prior years, law enforcement and other officials identified less than 10 percent of the victims referred to an international organization in 2016. Authorities approved 110 out of 124 applications requesting official victim status in 2016, compared to 83 out of 91 in 2015 and 27 out of 48 in 2014. The government's current procedure to identify victims primarily relies on the victims—often exiting traumatic situations—to self-report and provide evidence of their victimization; unless police and other government officials are sensitive to the hurdles victims face and adopt a victim-centered approach, many victims will refuse to go through the process. Although the law directs law enforcement officials to proactively identify trafficking victims, observers reported police did not display a willingness to screen individuals in prostitution for signs of trafficking. Experts report law enforcement officials often do not understand the international definition of labor trafficking and therefore do not adequately identify labor trafficking victims.

The government significantly increased its funding for victim assistance and anti-trafficking efforts during the reporting period. The government disbursed 98,800 hryvnia (\$3,659) to the national budget and 219,220 hryvnia (\$8,119) to local budgets for anti-trafficking measures in 2016, compared to 46,300 hryvnia (\$1,715) to the national budget and 215,900 hryvnia (\$7,996) to local budgets in 2015. The government provided officially recognized victims with financial assistance. In November 2016, the government tripled the amount of its financial assistance payment to trafficking victims, raising it to 4,630 hryvnia (\$171), three times the official subsistence level.

Ukraine's trafficking law outlines protection requirements for victims and entitles victims to receive free temporary housing at a government shelter, psychological assistance, medical services, employment counseling, and vocational training, regardless of whether a criminal case proceeds or the victim cooperates with law enforcement. Trafficking victims whom the government has granted official status are assigned a case management team, which provides referrals to care facilities, NGOs, or other services according to an individual plan. Some victims requiring shelter stayed at a rehabilitation center run by an international organization with funding from international donors, housed in a state-run hospital; the government has considered taking on responsibility for the center, but has not yet committed to doing so. Adult victims could also stay at government-run centers for socio-psychological assistance for up to 90 days and receive psychological and medical support, lodging, food, and legal assistance. The government increased the number of centers for socio-psychological assistance from 18 to 20 and opened 36 additional social services centers, bringing the total to 692. Observers reported the provision of assistance was problematic due to funding shortfalls and shortage of trained staff. Child victims could be accommodated in centers for socio-psychological rehabilitation of children for

up to 12 months and receive social, medical, psychological, education, legal, and other types of assistance. The government, often in cooperation with international organizations, provided significantly more training for government officials on victim identification and assistance during the reporting period. The Ministry for Social Policy (MSP), in cooperation with an international organization, has developed an interactive e-learning module on the identification and referral of trafficking victims. The government reported it assisted in the repatriation of 15 citizens in 2016 to Ukraine who had been subjected to trafficking abroad: eight from Kuwait; two each from Lebanon, Cyprus, and Jordan; and one each from Malaysia and Poland.

Victims have the legal right to file civil suits for restitution, and courts ordered restitution payments for 79 trafficking victims in 2016. Various protective measures were legally available inside courtrooms for victims who testified at trial, but in practice, authorities rarely applied these measures and often did not treat trafficking victims serving as witnesses in a victim-sensitive manner. NGOs reported the government often did not provide legal assistance, other support, or protection to victims during criminal cases.

Officials asserted that illegal migrants are screened for indicators of trafficking, and migrants determined to be trafficking victims are offered official status and referrals to services. There were no reports the government punished or deported victims for crimes committed as a direct result of being subjected to trafficking; however, due to uneven screening, authorities may have detained, deported, or punished trafficking victims. There is no legal way for foreign victims to extend their stay, change legal residency, secure employment rights, or seek protection from being returned to countries where they face hardship or retribution. The government's interagency working group presented draft amendments to the legislature that would allow foreign victims to remain in Ukraine for extended periods and work legally in the country.

PREVENTION

The government increased prevention efforts. The government allocated full funding of anti-trafficking programs in its 2017 budget, in accordance with its national action plan. Authorities coordinated with NGOs and international organizations, carrying out a wide range of awareness campaigns, including television programs, street advertising, public events, and community policing. National and regional educational institutions developed and implemented lectures and training sessions for students and teachers on victim identification and trafficking prevention. Authorities placed 40 billboards and distributed 4,000 flyers publicizing the government-run Counter-Trafficking and Migrant Advice Hotline, which assists over 20,000 persons annually.

Police conducted investigations of both formal and informal recruitment networks, resulting in the arrest and investigation of several members of criminal groups engaged in the fraudulent recruitment of Ukrainian citizens who were forced to smuggle drugs across borders. The State Labor Inspectorate added 190 labor inspectors to its force, but observers noted business inspections and oversight of compliance with labor laws remained inadequate, as the government extended a moratorium on labor inspections through December 2017, limiting the ability of police to proactively investigate small businesses. The MSP continued to maintain a list of licensed recruitment companies. The government conducted counter-trafficking pre-deployment trainings for Ukrainian troops assigned to

multinational missions and provided anti-trafficking training for its diplomatic personnel. The government did not demonstrate specific efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

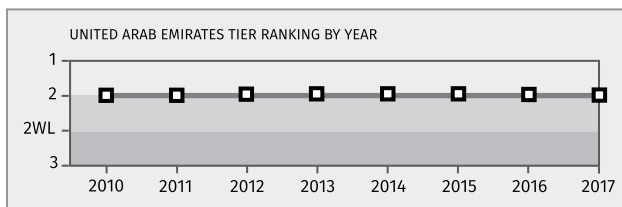
As reported over the past five years, Ukraine is a source, transit, and destination country for men, women, and children predominantly subjected to forced labor and to a lesser extent, to sex trafficking. Ukrainian victims are subjected to sex trafficking and forced labor in Ukraine as well as in Russia, Poland, Turkey, the United States, and other parts of Europe, Central Asia, and the Middle East. Ukrainian women and children are subjected to sex trafficking within the country. Some Ukrainian children and vulnerable adults are subjected to forced begging. A small number of foreign nationals, including those from Moldova, Russia, Vietnam, Uzbekistan, Pakistan, Cameroon, and Azerbaijan, are subjected to forced labor in Ukraine in a variety of sectors including construction, agriculture, manufacturing, domestic work, the lumber industry, nursing, and street begging; experts report the number of foreign victims in Ukraine has fallen dramatically since the beginning of hostilities in eastern Ukraine. Although the government lacks a centralized system for tracking migrants, the government reported that it continued to be a route for human smugglers attempting to smuggle people between Europe, Central Asia, and the Middle East; such migrants are vulnerable to human trafficking en route or in Ukraine. The approximately 82,000-200,000 children institutionalized in state-run orphanages were especially vulnerable to trafficking. Officials of several state-run institutions and orphanages were allegedly complicit or willfully negligent in the sex and labor trafficking of girls and boys under their care.

Fueled by Russian aggression, the conflict in eastern Ukraine has displaced nearly two million people, and this population is especially vulnerable to exploitation. In areas controlled by the Russia-led separatists, the situation has become particularly challenging. Employment options are limited and separatist "authorities" have restricted international humanitarian aid that would help meet civilian needs. Women and girls from conflict-affected areas have been kidnapped for the purposes of sex and labor trafficking in Ukraine and Russia. Internally displaced persons were subjected to trafficking, and some Ukrainians were subjected to forced labor on territory not under government control, often via kidnapping, torture, and extortion. The large displaced population and economic crisis has increased vulnerability of Ukrainians to trafficking throughout the country. International experts reported the demographics of Ukrainian trafficking victims has shifted since the beginning of the conflict to include more urban, younger, and male victims subjected increasingly to forced labor and criminality, such as drug trafficking and couriers. Russian-backed militants issued decrees calling for the conscription of minors and continued to regularly use children as soldiers, informants, and human shields. The OSCE Special Monitoring Mission in Ukraine reported children as young as 15 continued to take part in active combat as part of combined Russian-separatist forces. Children ages 15 to 17 were actively being recruited to participate in militarized youth groups that teach children to carry and use weapons. Children who excel in this training were encouraged to form their own reconnaissance and sabotage groups and begin to fight. A Ukrainian government official reported that one children's battalion associated with this training program, the St. George the Victor Battalion, may include children as young as 12 years. The recruitment of

children by militant groups took place on territory not under the control of the government and in areas where the government was unable to enforce national prohibitions against the use of children in armed conflict.

UNITED ARAB EMIRATES: TIER 2

The Government of the United Arab Emirates (UAE) 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 UAE remained on Tier 2. The government demonstrated increasing efforts by initiating the direct oversight of domestic laborers by the Ministry of Human Resources and Emiratization (MOHRE, formerly the Ministry of Labor) and implementing other labor reforms intended to prevent and reduce forced labor among foreign workers in the private sector. The government increased the number of labor trafficking prosecutions and overall trafficking convictions compared to the previous reporting period. The government also launched a five-year trafficking prevention plan targeting victims, witnesses, staff, and government authorities that included a program for trafficking survivors to educate vulnerable groups on the risks of trafficking. In addition, the government increased penalties for delayed salary payments and enhanced cooperation with source country governments in regulating labor recruitment. However, the government did not meet the minimum standards in several key areas. Officials did not strengthen the UAE's enforcement of a prohibition on withholding workers' passports by employers, which remained a problem throughout the country. Legal and regulatory protections for domestic workers remained weak, and criminal trafficking prosecutions focused predominantly on sex trafficking victims rather than labor trafficking.



RECOMMENDATIONS FOR THE UNITED ARAB EMIRATES

Finalize and implement comprehensive laws that conform with international standards and regulations to provide protections for domestic workers; strictly enforce prohibitions on withholding workers' passports; continue to expand usage of standard procedures for victim identification among foreign workers subjected to forced labor, particularly domestic workers who have fled their employers; provide protection services to all trafficking victims, including by increasing services for forced labor victims; increase efforts to investigate, prosecute, and punish trafficking offenses, especially labor trafficking involving domestic workers, and labor-related crimes such as fraud, restrictions on movement, or using force to compel labor; convict and punish labor traffickers, including exploitative recruitment agents and employers; allow labor trafficking victims access to services at shelters; and, increase published data and access to information pertaining to labor practices, trafficking crimes, and anti-trafficking efforts.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. Federal law 51 prohibits all forms of trafficking and prescribes penalties ranging from one year to life in prison, as well as fines and deportation. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government prosecuted 106 alleged traffickers in 25 cases, of which nine cases were brought to final verdicts, while the remaining 16 were ongoing at the close of the reporting period. This is compared with 54 prosecutions in 17 cases, of which the government concluded three in the previous reporting period. In 2016, sentences ranged from one year plus a fine to life in prison. Of the 25 cases officially registered as human trafficking, 22 related to sex trafficking, while the remaining related to attempts to sell children. No labor violations were officially registered as human trafficking cases under anti-trafficking federal law 51; however, media reports indicated the government prosecuted more than 10 individuals for forced labor-related allegations, such as restrictions on movement or physical threats and abuse to compel labor. This compares with two labor-related trafficking cases in 2015. The government did not uniformly enforce a prohibition on employers withholding workers' passports, which remained a pervasive problem, especially for domestic workers. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking crimes.

The government continued its extensive monitoring and inspection program for private sector manual laborers, including automated electronic monitoring of salary payments for 95 percent of the private sector workforce via the Wage Protection System (WPS), identifying and settling delayed wage payments for tens of thousands of workers, and carrying out more than 200,000 labor-related inspections. However, labor law violations containing indicators of trafficking, such as delayed wage payments, unpaid overtime, or substandard housing, are rarely processed criminally but rather as regulatory violations, typically resulting in fines or the cancellation of business licenses; fines for trafficking in lieu of imprisonment are inadequate to deter the crime.

The government continued to train its officials on human trafficking in 2016. The national committee to combat human trafficking (NCCHT), Dubai police, and the Dubai judicial institute completed a first and began a second four-month, 95 classroom hour diploma program to train relevant government officials on trafficking issues, including investigations, victim protection, forced labor, and interagency and inter-emirate coordination. As of early 2017, more than 50 senior officials from police, judicial, social services, and other government ministries had enrolled in the diploma program. In addition, the Ministry of Interior (MOI) conducted 35 specialized anti-trafficking programs and lectures for judges, prosecutors, immigration officials, and workers, with total participation of more than 2,700 individuals. The MOI and Dubai police conducted eight anti-trafficking workshops and training programs for more than 200 government and private sector personnel engaged in counter-trafficking initiatives, as well as eight anti-trafficking lectures with more than 1,000 participants.

PROTECTION

The government maintained limited protection efforts. Its efforts to provide protective services focused almost entirely on sex trafficking victims, rather than labor trafficking. To identify victims, the government continued to rely predominantly

on third-party referrals from foreign embassies; religious institutions; reactive police investigations; or tips received through hotlines, smartphone applications, and the internet; and to a lesser degree proactive screening mechanisms employed by officials, such as at border entry points. During the reporting year, the government identified 34 trafficking victims, an increase from 24 victims in the previous year. Of the total identified, 24 were transferred to protective services during the reporting year. Authorities continued to implement a system to move suspected trafficking victims from detention centers, or facilities run by home country embassies or consulates, to shelters, upon the completion of victim identification; however, some victims continued to express fear of being sent to prison for immigration or other violations rather than being accepted into a shelter. The government maintained funding for its shelters offering housing and assistance for female and child victims of sex trafficking and abuse in Abu Dhabi and Dubai; protective services included medical, psychological, legal, educational, rehabilitation and reintegration, and vocational assistance. During the reporting year, the government closed two additional shelters in the emirates of Sharjah and Ras al Khaimah because they were reportedly not being utilized. The government also continued to fund a shelter for male victims, but it was not used during the reporting period. According to a MOU between the MOI and the government-funded shelters, police were responsible for referring and escorting victims safely to shelters, though officials reported some victims voluntarily seek assistance at the shelters. Some foreign domestic workers, including potential trafficking victims, sought shelter assistance at their respective embassies and consulates in part due to fears of arrest and to a lack of government shelters for forced labor victims.

The government allocated 65,000 dirham (\$17,700) in 2016 to help with repatriation expenses such as housing, children's education, medical expenses, and business start-up grants. The government exempted from fines trafficking victims who had overstayed their visas. It also offered trafficking victims shelter, vocational training, counseling, and immigration relief. The government did not provide permanent or formal temporary residency status to victims; however, it permitted their stay in shelters to recover and participate in court proceedings, and worked with international organizations to resettle in third countries victims who could not return to their countries of origin. Laborers were entitled to seek new employment in the country after 60 days of wage non-payment by their existing employer. The government trained labor inspectors and immigration officers at all UAE borders to screen for potential trafficking victims, and authorities provided educational materials in multiple languages to foreign workers at points of entry. Dubai International Airport maintained billboards in its arrival halls warning against human trafficking and providing emergency contact information for victims who need assistance.

PREVENTION

The government sustained its robust efforts to prevent human trafficking. In 2016, the government began implementation of three labor decrees intended to reduce forced labor practices among private sector workers. Ministerial decree 764 requires employers to give potential employees a contract at the time an offer is made, which meets standard criteria and is in a language the individual understands, prior to the prospective employee applying for a work visa to enter the country. The contract must then be signed by the worker a second time within one week of entering the country, making it legally enforceable in the UAE and eliminating employers' ability to alter the

terms of the original job offer. Ministerial decree 765 makes it easier for employees, unilaterally or in mutual agreement with an employer, to terminate job contracts. Ministerial decree 766 ensures an employee may seek employment with a new employer as long as the old employment relationship was terminated as stipulated by the aforementioned decree. However, the three decrees, announced in 2015 and enacted in 2016, do not apply to domestic workers. A draft law protecting the rights of domestic workers was approved by the cabinet in January 2012, and revised in early 2017; however, it still awaits final approval and enactment for the fifth consecutive year. In December, the MOHRE commenced regulatory jurisdiction over domestic workers and opened 12 centers to review domestic worker contracts for legal compliance. In addition, MOHRE took over the full regulation of domestic workers in the emirate of Dubai. The government continued to investigate workers' complaints of unpaid wages through a dispute resolution process and the WPS, intended to ensure workers are paid according to their contracts, and employers are punished with administrative and financial penalties for failing to comply. During the reporting period, the government tightened the timelines for enforcement from 30 days of delayed payments to 15 days, and helped recover overdue financial payments for tens of thousands of workers. Workers filed thousands of labor complaints through smartphone applications, telephone hotlines, websites, email, and formally with MOHRE offices and mobile units.

The government continued to carry out its national action plan to address human trafficking. The NCCHT hosted a website with information on its anti-trafficking strategy and produced an annual publication of the government's efforts. In April 2016, labor officials launched the second phase of a multilingual "Know Your Rights" campaign that targeted manual laborers living in labor dormitories. The government also continued a two-year national awareness campaign—launched in October 2015—aimed at recruitment agencies for domestic labor. The campaign consisted of police visits to recruitment agencies to educate recruiters on their legal requirements and how to recognize signs of human trafficking. The campaign also included the distribution of literature to domestic workers arriving at airports warning them of recruiting scams and providing information on how to seek help. The Dubai police and representatives from the Dubai Foundation for Women and Children commenced a five-year anti-trafficking plan during the reporting period targeting victims, witnesses, staff, and government authorities. The plan included a program for trafficking survivors to educate vulnerable groups on the risks of trafficking when they return to their respective home countries and communities. Radio stations frequently aired segments alerting the public to human trafficking risks, indicators, and options for reporting suspected trafficking activity or seeking help for trafficking crimes. To assess the effectiveness of its anti-trafficking awareness efforts, the government conducted surveys during the reporting period showing 94 percent of people polled had at least some awareness of human trafficking risks and the options for reporting suspected trafficking cases or seeking help. In August, the UAE began a joint program with India, the largest labor source country, to help oversee manual laborers. Under the program, Indian officials verify the terms of a contract offered to an Indian worker, and confirm the terms match those filed with, and approved by, the UAE before a worker is allowed to travel to the UAE, thus curtailing the ability of recruiters to provide workers fraudulent visa or job offers. The MOHRE continued an extensive labor inspection program, conducting tens of thousands of housing and work site inspections using a team of 380 full-time labor inspectors,

in addition to seven dedicated anti-trafficking inspectors. The government did not take measures to reduce the demand for commercial sex acts in the UAE. The Ministry of Foreign Affairs and International Cooperation maintained provision of workshops and awareness programs on human trafficking for its diplomatic personnel.

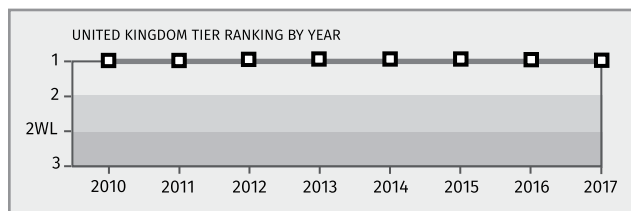
TRAFFICKING PROFILE

As reported over the past five years, the UAE is a destination and transit country for men and women subjected to forced labor and sex trafficking. Foreign workers, recruited globally, comprise more than 95 percent of the UAE's private sector workforce. Low wage positions, including most manual labor and a significant portion of the service sector, are occupied almost entirely by migrant workers predominantly from South and Southeast Asia and the Middle East, with a small but growing percentage from East and West Africa. Some of these workers are subjected to practices indicative of trafficking, such as passport retention, abuse of the legal process, non-payment of wages, fraudulent employment promises, fraudulent documentation, substandard food and housing provisions, and physical abuse, and may be victims of forced labor. Women from some of these countries travel willingly to the UAE to work as domestic workers, massage therapists, beauticians, hotel cleaners, or elsewhere in the service sector, but some are subjected to forced labor or sex trafficking after arrival. Sponsorship laws contribute to vulnerability to trafficking, particularly for domestic employees, by restricting the ability of employees to leave or change employers, and giving employers the power to cancel residence permits, deny employees permission to leave the country, and threaten employees with abuse of legal processes. Although under UAE laws employers must cover the cost of recruitment, and the UAE government has taken steps to further regulate recruitment in both the corporate and domestic sectors, many source-country labor recruiters charge workers exorbitant fees, causing workers to enter service in the UAE owing debts in their respective countries of origin, increasing vulnerability to trafficking through debt bondage. Reports persisted in the domestic labor sector of deceitful employment promises, which were subsequently broken after individuals arrived in the country. Similar cases were reported among workers who circumvented labor protections by entering the country on tourist visas, with the intention of later converting these to work visas. Some women, predominantly from Eastern Europe, Central Asia, South and Southeast Asia, East Africa, Iraq, Iran, and Morocco, are subjected to forced prostitution in the UAE.

UNITED KINGDOM: TIER 1

The Government of the United Kingdom (UK) fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, the UK remained on Tier 1. The government demonstrated serious and sustained efforts by launching a wide variety of national awareness campaigns, identifying more potential victims and prosecuting more traffickers than in the previous reporting period, and strengthening enforcement of labor standards in sectors with high vulnerability to trafficking. The government continued to implement provisions of The Modern Slavery Act enacted in 2015 that strengthened existing laws to pursue perpetrators, increased protections for victims, and established the UK's first Independent Anti-Slavery Commissioner. Although

the government meets the minimum standards, the victim identification and referral system, did not consistently assist all those requiring help, and the quality of care varied between jurisdictions in the UK. The government did not always ensure victim care following a 45-day reflection period, after which authorities in many cases deported foreign victims who were not assisting in an investigation and prosecution.



RECOMMENDATIONS FOR THE UNITED KINGDOM

Increase funding for, and access to, specialized services for trafficking victims across all UK jurisdictions, regardless of their immigration status; provide a trafficking-specific long-term alternative to deportation or repatriation for foreign victims; consider extending the reflection and recovery period beyond 45 days for all service providers; increase efforts to prosecute, convict, and sentence traffickers with strong sentences; establish a database on sentencing of convicted traffickers across the UK, categorized by type of trafficking conviction; expand the independent child trafficking advocate program nationally; make training on trafficking mandatory for all social workers and care providers working with trafficking victims, especially those working with children; increase training for law enforcement, public defenders, prosecutors, judges, and front-line responders, including in UK overseas territories, to improve responses to trafficking victims and ensure victims are not prosecuted for crimes committed as a result of being subjected to trafficking; and develop a comprehensive monitoring and evaluation framework for effective implementation of the Modern Slavery Act and related anti-trafficking laws and regulations across UK jurisdictions.

PROSECUTION

The government maintained prosecution efforts. The Modern Slavery Act of 2015, applicable to England and Wales, prohibits trafficking and prescribes penalties up to and including life imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Northern Ireland and Scotland enacted similar legislation in 2015, also with sufficiently stringent and commensurate penalties. For a conviction in a trial following an indictment, the sentence is life imprisonment. Provisions in the Modern Slavery Act that became effective in August 2016, provide law enforcement authority to pursue criminals, including human traffickers at sea, and including authority to board, divert, and detain vessels; make arrests; and seize evidence while investigating potential offenses at sea. Laws across the UK now allow for the seizure of convicted traffickers' assets for payment to victims.

The government did not report the total number of trafficking investigations initiated in 2016. The government reported the Crown Prosecution Service, which handled cases in England and Wales, prosecuted 343 suspected traffickers and convicted 216 traffickers between 2015 and 2016, an increase from the previous year's prosecution of 295 individuals and conviction of 192 individuals. Authorities in Northern Ireland reported

investigating eight trafficking cases and three convictions in 2016, with sentences ranging from one year to two and a half years imprisonment; one trafficking case was pending trial. In Scotland, there were nine prosecutions and three convictions in 2015. The UK government did not report the proportion of convictions that were for sex trafficking versus labor trafficking and did not report statistics on sentences imposed on convicted traffickers. NGOs expressed concern that prosecutions lag and court-imposed sentences and fines have been minimal and insufficient to deter potential perpetrators.

In November, a court convicted five Czech nationals of labor trafficking; sentences in the case ranged from two years to six and a half years in prison. In August, a Nigerian woman was convicted and received a 22-year prison sentence for sex trafficking Nigerian victims in France, after transiting through Heathrow Airport, following her arrest under Operation Hudson, targeting organized trafficking groups, and led by UK Immigration Enforcement. In January, a court convicted two Polish citizens and sentenced each to six years in prison for forcing migrant workers to work in a sporting equipment factory and withholding wages.

The government provided varying levels of anti-trafficking training to law enforcement officers, prosecutors, and justice officials. All new police recruits and detectives were mandated to complete training modules on human trafficking. An NGO published a set of trafficking survivor care standards that the government disseminated widely and included in law enforcement training materials. The Independent Anti-Slavery Commission implemented guidelines for training for all 43 police forces in England and Wales, including a training manual for use by each unit in conducting their own trainings. In Northern Ireland, the police service trained 1,788 front-line officers by the end of 2016 and focused external training on call-handlers who often have first contact with potential trafficking victims. The Northern Ireland police service continued providing around-the-clock support to front-line officers and other agencies through their dedicated anti-trafficking unit. The UK government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government increased protection efforts. Through the national referral mechanism (NRM), authorities identified 3,805 potential trafficking victims in 2016, compared with 3,266 potential victims in 2015. This 17 percent increase followed a 40 percent increase in 2015; these were concurrent with expanded public awareness efforts and implementation of the Modern Slavery Act. Of these potential victims, 51 percent were female, 49 percent were male, and five potential victims were transgender, while 67 percent were adults and 33 percent were children. Victims came from 108 countries, with 66 percent from the UK. Among adult victims, 13 percent were referred for domestic servitude, 44 percent for other forms of labor trafficking, 38 percent for sex trafficking, and five percent for unknown exploitation. Overall, the percentage of minors referred as potential victims increased by 30 percent from 2015. Authorities referred eight percent of the minors for domestic servitude, 37 percent for other forms of labor trafficking, 28 percent for sex trafficking, and 27 percent for unknown exploitation. The Modern Slavery Act includes a "duty to notify" requiring specific government agencies report all potential adult victims encountered to authorities under the guidelines of the NRM. In July 2016, by executive decrees, the

government required that when police refer a potential victim to the NRM, they must also record the encounter as a potential crime of human trafficking under the Modern Slavery Act. Despite increases in identification of victims resulting from this effort, the Independent Anti-Slavery Commissioner reported in August that data from 43 regional police forces across the UK revealed failings in the comprehensive recording of modern slavery crimes in England and Wales.

The UK operates the NRM as a process for identifying and providing care and support for trafficking victims. The initial referral to the system is generally made by a first responder, such as the police, the border patrol, or local authorities. Following the initial referral, the NRM has two steps for identification: a preliminary finding of “reasonable grounds” that an individual is likely a trafficking victim and a final decision of “conclusive grounds” that triggers victim protection measures. There is no formal appeal process for preliminary or final decisions, but a reconsideration of the decision can be requested. The UK Visas and Immigration in the Home Office and the UK Human Trafficking Centre makes these determinations. Once a reasonable grounds decision is made, the victim enters a 45-day period and program of reflection and recovery with access to services such as accommodation, health care, and counseling. During this period the victim decides whether to assist in the investigation and potential prosecution of the perpetrator. The Modern Slavery Act requires that victims receive a determination on their status as a victim under the NRM within 45 days, although in many cases the government did not meet this deadline, leaving some potential victims in limbo.

The UK government-funded a £9 million (\$11.08 million) contract with an NGO to coordinate the provision of care for adult victims in England and Wales under the NRM during the 45-day recovery and reflection period for the 2015-2016 fiscal year. In Wales, the Anti-Slavery Leadership Group tailored an individual plan that can extend beyond the 45-day reflection period. In Northern Ireland, authorities contracted NGOs to work in tandem with government agencies to provide care for victims; however, there was a lack of government funding for victims who do not enter the NRM or who require support following conclusive decisions on their trafficking cases and remain in Northern Ireland. Victims of trafficking in Scotland also had the right to access support and assistance, and the Scottish government provided £700,000 (\$862,070) to two victim support organizations reflecting the priority for victim care in the government strategy launched in October 2016. For victims who choose to return voluntarily to their country of origin, the UK government provides up to £2,000 (\$2,460) toward their reintegration there.

Foreign victims who assist with investigations may be granted temporary residency for up to one year. However, authorities otherwise typically deported foreign victims. Long-term legal alternatives to removal to countries where victims might face hardship or retribution were only available through asylum procedures. NGOs in Northern Ireland criticized this practice and noted legal representatives of potential victims often discourage them from entering the referral system because applying for asylum is a more promising route to remain in Northern Ireland longer. NGO representatives reported potential victims in Northern Ireland were typically deported one year from a positive decision under the NRM and were not allowed to apply for asylum, whereas asylum-seekers typically spend many years in Northern Ireland and often become permanent residents.

Government funding of NGOs tripled over the past four years to £9 million (\$11.08 million) but some NGOs say care is insufficient for the growing number of identified victims once the 45-day reflection period ends, and that no record is kept once the victims leave the system. The government is currently reviewing the NRM system, including a determination whether to extend the 45-day reflection period. NGOs reported cases of victims returning to prostitution or being re-trafficked due to lack of long-term support. The Wales Anti-Slavery Leadership Group established a “Survivor Care Pathway” with a long-term individual plan for survivors. North Wales implemented a multi-faceted victim reception model designed to be operational in support of a victim within two hours after identification.

Local children’s services offices were charged with providing support for children, but NGOs raised concern that with no mandatory training for social workers, children did not receive adequate care. The Modern Slavery Act provides for the appointment of Independent Child Trafficking Advocates (ICTA), to represent and support children victims within the legal system. However, the government did not expand the program nationwide pending a second pilot program to assess effectiveness of the model, and NGOs expressed disappointment in this decision. The government announced in June 2016 a plan to provide training for all ICTAs, and provided £3 million (\$3.69 million) over the next three years, to address the issue of missing children at risk of re-victimization. Scotland’s Human Trafficking and Exploitation Act also provides for an independent child trafficking guardian. Northern Ireland’s Human Trafficking and Exploitation Act 2015 provides for an independent legal guardian for children subjected to trafficking and unaccompanied children who arrive without a parent or primary caregiver.

Under the Modern Slavery Act, victims have a statutory defense for crimes committed as a consequence of their trafficking. Similar provisions exist under Northern Ireland and Scotland law, although NGOs in Northern Ireland raised concerns some individuals who were prosecuted may have been trafficking victims. UK and Northern Ireland law protects victims during court hearings by allowing them to testify by video, behind a screen, or with the public removed from the court. Courts may confiscate assets of convicted human traffickers and compensate victims through reparation orders, and now can include assets accrued over the past six years.

The government implemented provisions of the Modern Slavery Act allowing foreign domestic workers who are trafficking victims to change employers during the six-month period for which they are admitted. Effective April 2016, any domestic worker determined to be a victim is allowed to remain in the UK for an additional two years. All domestic workers entering on an employment visa into the UK for more than 42 days must attend a session to inform them of their rights and available protections. Some observers still argued this system of “tied” visa status to actual employment continued to leave workers vulnerable, as it discouraged victims from reporting abuses.

PREVENTION

The government increased prevention efforts. The Independent Anti-Slavery Commissioner published an annual report in October 2016, highlighting achievements one year into the 2015-2017 strategic plan. Results included increased awareness raising, efforts to improve the recording of potential trafficking victims, and increased protection of vulnerable children. Under the Slavery and Trafficking Risk Orders provision in the Modern

Slavery Act, there were 19 individuals determined under court order as posing a high risk of committing a human trafficking offense, and restricted from such activities as working with children, employing staff, or traveling to specific countries. Similar orders were available in Scotland and Ireland through their anti-trafficking laws. A national helpline launched in early 2016, received 468 calls between October and December, with 47 percent being potential trafficking cases. The Immigration Act 2016 significantly expanded the scope of the Gangmasters Licensing Authority to enforce labor standards in high-risk sectors by allowing the agency to investigate regulatory and criminal offenses in employment, and created a new position of Director of Labour Market Enforcement, responsible for setting priorities for labor market enforcement to fight worker exploitation. In July the Prime Minister announced she would chair a new taskforce, which began meeting regularly, and set up to improve the operational response to slavery, to develop an international strategy, and to increase coordination among government agencies, and between the government and service organizations. In November the government announced a new £8.5 million (\$10.47 million) Police Transformation Fund, which includes a Joint Slavery and Trafficking Analysis Centre within the National Crime Agency, focused on research and developing best practices in trafficking-related issues such as cybercrime, child protection, immigration crime, financial crime, effective training, and awareness building.

Under The Modern Slavery Act, all businesses with annual revenue exceeding £36 million (\$44.34 million) must publish an annual statement detailing efforts to ensure its operations and supply chains are free of human trafficking. This approach seeks to create a “race to the top” among companies through transparent reporting and inter-industry collaboration. The anti-slavery commissioner noted the UK is a leader in developing this approach, and many companies are tackling the issue directly, developing toolkits, running training programs, and introducing agreements with suppliers. However, consistent use of best practices was sporadic and critics noted the lack of monetary or criminal penalties for non-compliance.

Authorities may prosecute citizens for sexual offenses committed against children overseas, but the government did not report any actions against UK nationals engaged in child sex tourism. All registered sex offenders must notify the government of foreign travel, enabling the police to share information with other jurisdictions or apply for a sexual harm prevention order, preventing such travel. The government did not report anti-trafficking training provided to its diplomatic personnel or members of the military prior to deployment abroad as part of international peacekeeping missions in 2016.

National awareness campaigns included a broad range of activities, including press communications by the Home Office regarding transparency in supply chains, as well as promoting activities and events on Anti-Slavery Day, October 18. Officials in Scotland used the day for an interagency operation to visit business premises, including food production companies, agricultural firms, car washes, and beauty shops, and identified 11 potential trafficking victims in the process. Wales includes an anti-trafficking module in school curriculum, as well as poster campaigns in public buildings.

TRAFFICKING PROFILE

As reported over the past five years, the United Kingdom is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor, including

domestic servitude. The government estimates there may be up to 13,000 persons subject to trafficking, with one-fourth to one-third children. Most identified victims are subject to labor trafficking. Most foreign trafficking victims come from Africa, Asia, and Eastern Europe. Albania, Vietnam, Nigeria, Romania, and Poland were the top countries of origin during the past year. UK children continue to be subjected to sex trafficking within the country. Children in the care system and unaccompanied migrant children are particularly vulnerable to trafficking. Migrant workers in the UK are subjected to forced labor in agriculture, cannabis cultivation, construction, food processing, factories, domestic service, nail salons, food services, car washes, and on fishing boats. In Northern Ireland, migrants from Albania and Romania are particularly vulnerable to forced labor, including in agricultural work.

OVERSEAS TERRITORIES OF THE UNITED KINGDOM

BERMUDA

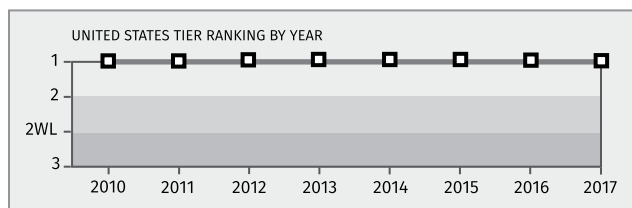
Bermuda is a limited destination territory for women and men subjected to forced labor. Some foreign migrant workers from Asia and Latin America are vulnerable to domestic servitude and abuse or to forced labor in the construction and agricultural industries in Bermuda. The Department of Immigration received several reports of suspected forced labor cases, but after investigation determined them not to be trafficking cases. The government did not report any other investigations, prosecutions, or convictions of trafficking offenses in 2016. Some employers reportedly confiscate passports, withhold wages, deny benefits, and threaten migrant workers with repaying the cost of airline tickets. Migrant workers in Bermuda operate under a strict system of government work permits obtained by employers on behalf of foreign workers. The Transnational Organized Crime Act 2013 criminalizes all forms of sex and labor trafficking and prescribes penalties of up to 20 years imprisonment. Government resources were inadequate to conduct inspections to identify possible exploitation of foreign workers. No government officials were prosecuted or convicted for involvement in trafficking or trafficking-related criminal activities in 2016.

TURKS AND CAICOS

Turks and Caicos Islands are a destination for men, women, and children subjected to sex trafficking and forced labor. According to local experts, the large population of migrants from Haiti, the Dominican Republic, and Jamaica are vulnerable to sex trafficking and forced labor, with stateless children and adolescents especially at risk. Local stakeholders, including law enforcement officials, have reported specific knowledge of sex trafficking occurring in bars and brothels and noted trafficking-related complicity by some local government officials was a problem. The government did not report any updates on anti-trafficking legislation, introduced in 2012, which was still pending at the end of the previous reporting period. Penalties under the proposed legislation include up to ten years imprisonment. The government did not report protection or prevention efforts undertaken during the reporting period. Four government officials participated in a regional anti-trafficking training session in June. The absence of specific legislation criminalizing trafficking as defined by the 2000 UN TIP Protocol; the absence of victim identification, screening, and protection procedures; and limited awareness of human trafficking on the part of officials and the public continued to hinder anti-trafficking efforts.

UNITED STATES OF AMERICA: TIER 1

The Government of the United States fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, the United States remained on Tier 1. The government demonstrated serious and sustained efforts by investigating and prosecuting both sex and labor trafficking, and significantly increasing the number of convictions; providing services to a greater number of trafficking victims and increasing overall funding levels for these services; providing various types of immigration relief for foreign national victims, including a pathway to citizenship; granting T nonimmigrant status to more trafficking victims and extending Continued Presence from one to two years duration to allow victims to remain in the United States temporarily during the investigation and prosecution of their traffickers; enhancing outreach to and engagement with survivors to improve training, programs, and policies on human trafficking; expanding industry- and sector-specific outreach initiatives; and continuing funding for an NGO-operated national hotline and referral service. Although the government meets the minimum standards, advocates called for increased efforts to investigate and prosecute labor trafficking cases and continued to urge more consistent, victim-centered implementation of anti-trafficking laws and policies, including increased efforts to ensure more trafficking victims have timely access to immigration relief. Furthermore, NGOs reported continued instances of state and local officials detaining or prosecuting trafficking victims for criminal activity related to their trafficking, notwithstanding “safe harbor” laws in some states. Advocates called for the U.S. Congress to adopt a federal *vacatur* bill that would allow trafficking victims to vacate any such convictions and encouraged the government to enhance protections for foreign workers, who are particularly vulnerable to labor trafficking.



RECOMMENDATIONS FOR THE UNITED STATES

Increase investigation and prosecution of labor trafficking cases and cases involving nonviolent forms of coercion; dedicate additional resources for and increase access to comprehensive services across the country, including appropriate housing for all trafficking victims and economic opportunities for survivors; encourage state, local, and tribal authorities to adopt policies not to criminalize victims; increase training of prosecutors and judges on criminal restitution for trafficking victims; strengthen survivor engagement and incorporate survivor input in policies and programs; increase protections for foreign workers in the United States; ensure federal law enforcement officials apply in a timely and consistent manner for Continued Presence for eligible victims; enhance screening procedures to improve identification of trafficking victims among vulnerable populations; enforce federal acquisition regulations aimed at preventing trafficking in federal contracts, including pertaining to providing strong grievance mechanisms for workers, and increase transparency related to any remedial actions against federal contractors; strengthen prevention efforts aimed at

populations vulnerable to human trafficking and the demand for commercial sex and labor trafficking; increase training for state, local, and tribal agencies on victim identification and available benefits; improve data collection on prevalence and on victims identified and assisted; and support federal legislation to allow victims to vacate federal convictions that are a direct result of being subjected to trafficking.

PROSECUTION

The U.S. government increased federal anti-trafficking law enforcement efforts. The Trafficking Victims Protection Act of 2000 (TVPA), as amended, prohibits all forms of human trafficking. U.S. law also prohibits conspiracy and attempts to violate these provisions, as well as obstructing their enforcement and benefitting financially from these acts. Additionally, a criminal statute on fraud in foreign labor contracting prohibits the use of fraud to recruit workers abroad to work on a U.S. government contract performed within or outside the United States, on U.S. property, or on military installations outside the United States. Penalties prescribed under these statutes are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Penalties can include up to life imprisonment. Several bills that address human trafficking were introduced in the U.S. Congress during the reporting period, including the Trafficking Survivors Relief Act, which would allow victims to vacate federal convictions of crimes committed as a direct result of being subjected to trafficking. Advocates noted support for the adoption of federal *vacatur* legislation.

The Department of Justice (DOJ), Department of Homeland Security (DHS), and Department of State (DOS) are the primary investigating agencies for federal trafficking offenses, with federal human trafficking cases prosecuted by DOJ. DOJ, DHS, and the Department of Labor (DOL) continued to develop complex human trafficking investigations and prosecutions through the Anti-Trafficking Coordination Team (ACTeam) Initiative and delivered advanced training to federal agents, prosecutors, and victim assistance professionals. DOJ provided \$15.8 million in fiscal year (FY) (October 1 through September 30) 2016 to 22 law enforcement agencies and victim service providers that make up 11 Enhanced Collaborative Model (ECM) anti-trafficking task forces in partnership with other federal, state, local, and tribal law enforcement entities and community partners. This represents a decrease from 16 ECM task forces funded in FY 2015. NGOs noted ECM task force grantees should receive additional training and technical assistance and called for an evaluation of the model to assess its effectiveness and identify best practices in task force development and operations.

To improve identification of labor trafficking cases, DOJ launched a labor trafficking initiative to strengthen efforts through training, enhanced intelligence models, and strategic outreach. DOL, with assistance from DOJ, enhanced its protocols for detection and referral of potential labor trafficking cases.

The federal government reports its law enforcement data by fiscal year. In FY 2016, DHS reported opening 1,029 investigations possibly involving human trafficking, compared to 1,034 in FY 2015. DOJ formally opened more than 1,800 human trafficking investigations, a significant increase from 802 in FY 2015. DOJ's ECM task forces separately initiated 982 investigations, a slight decrease from 1,011 in FY 2015. DOS reported opening 288 human trafficking-related cases worldwide during FY 2016, an increase from 175 in FY 2015. The Department of Defense (DoD) reported investigating at least 13 human trafficking-

related cases involving U.S. military personnel, compared to 10 in FY 2015. The Department of the Interior (DOI) investigated one human trafficking case involving a victim of sex trafficking, which led to a conviction and a 22-year sentence.

DOJ initiated a total of 241 federal human trafficking prosecutions in FY 2016, a decrease from 257 in FY 2015, and charged 531 defendants, an increase from 377 in FY 2015. Of these prosecutions, 228 involved predominantly sex trafficking and 13 involved predominantly labor trafficking, although some involved both. DOJ and DHS partnered with Mexican law enforcement counterparts to initiate prosecutions on both sides of the U.S.-Mexico border that disrupted international criminal enterprises.

During FY 2016, DOJ secured convictions against 439 traffickers, a significant increase from 297 convictions in FY 2015. Of these, 425 involved predominantly sex trafficking and 14 involved predominantly labor trafficking, although several involved both.

These prosecutions and convictions include cases brought under trafficking-specific criminal statutes and related non-trafficking criminal statutes, but do not include child sex trafficking cases brought under non-trafficking statutes. Sentences ranged from 12 months to life imprisonment. Advocates continued to call on federal prosecutors to seek and for courts to award mandatory restitution for victims of human trafficking.

Advocates urged for increased efforts to investigate and prosecute labor trafficking cases and more systematic efforts to prioritize these cases. Advocates continued to call for increased prosecution of trafficking cases involving nonviolent forms of coercion and called for an increased role for DOL and the Equal Employment Opportunity Commission (EEOC) to investigate labor trafficking.

State laws form the basis of most criminal actions in the United States. All U.S. states and territories have anti-trafficking criminal statutes. NGOs continued to report state and local law enforcement demonstrated uncertainty regarding their authority over forced labor cases and lacked formal structures to increase the identification of such cases. Although at least 34 states have “safe harbor” laws, advocates reported the continued criminalization of victims for crimes committed as a direct result of being subjected to trafficking, and urged federal, state, local, and tribal agencies to adopt policies not to criminalize victims. In addition, 36 states have *vacatur* laws allowing survivors to seek a court order vacating or expunging criminal convictions entered against them that resulted from their trafficking situation, and advocates noted increased efforts to provide remedies for survivors who have criminal records as a result of their exploitation. Advocates also reported inconsistencies between federal and state treatment of child trafficking victims due to differences in how child trafficking is defined, and urged states to use the definition in the TVPA.

The federal government continued to collect state and local data on human trafficking investigations during the reporting period through the Uniform Crime Reporting Program; however, not all state and local jurisdictions participated. Data from 2015 collected from participating jurisdictions are publicly available. In 2015, jurisdictions reported a total of 387 human trafficking offenses resulting in arrest or solved for crime reporting purposes, an increase from 120 in 2014, due in part to more state and local participation in the reporting program. NGOs noted an increase in law enforcement efforts to investigate and prosecute human trafficking by street gangs. There is no formal mechanism to track prosecutions at the

state and local levels.

The government continued to take some actions to address official complicity at both the federal and state levels. Authorities arrested an Army service member for sex trafficking involving a 15-year-old and administratively discharged him under other than honorable conditions for a pattern of misconduct. A federal contractor working overseas was convicted in the United States of child sexual exploitation and child sex trafficking. Law enforcement officers from several agencies around the San Francisco Bay Area were charged with crimes related to their sexual misconduct involving a child sex trafficking victim, including obstruction of justice and failure to report.

The U.S. government expanded efforts to train officials. Federal agencies collaborated with survivors to improve law enforcement strategies for victim identification, incorporate survivor-centered best practices in investigations and prosecutions, and increase efforts to prevent and detect trafficking. However, survivor advocates reported limited opportunities for input and involvement in the development of anti-trafficking training for law enforcement; they encouraged improved comprehensive training on all forms of human trafficking as well as the hiring of survivors as trainers. Advocates called for increased training of prosecutors and judges on mandatory restitution for victims of trafficking. Multiple federal agencies continued to engage in extensive capacity-building for law enforcement, judges, military personnel, pro bono attorneys, and others to more effectively investigate and prosecute trafficking cases. DOJ expanded training provided to judges and judicial officers on the dynamics of child sex trafficking of U.S. citizens and lawful permanent residents (LPR) and to law enforcement regarding the use of money laundering charges and asset forfeiture laws. DHS implemented a human trafficking training program for all transportation security and border protection employees as required in the Justice for Victims of Trafficking Act (JVTA), and collaborated with American Indians and Alaska Natives to pilot a “train the trainer” course for tribal leaders and law enforcement. DOS continued an outreach program for domestic field offices and passport centers in the United States to train personnel on human trafficking, including on investigations, prosecutions, and victim services. The Department of Health and Human Services (HHS) developed resources for courts to assist in the implementation of the Preventing Sex Trafficking and Strengthening Families Act, including the identification of and assistance to child victims of trafficking.

PROTECTION

The U.S. government increased its efforts to protect trafficking victims. It granted T nonimmigrant status to more victims than in the prior fiscal year, significantly increased overall funding for victim services, and provided services to significantly more trafficking victims. It also continued collaboration with NGOs, victim service providers, and survivors for a multidisciplinary response to victim identification and service referrals. Advocates continued to report cases of local and state authorities detaining or prosecuting trafficking victims for conduct committed as a direct result of being subjected to trafficking.

Federally-funded victim assistance includes case management and referrals for medical and dental care, mental health and substance abuse treatment, sustenance and shelter, translation and interpretation services, immigration and legal assistance, employment and training, transportation assistance, and other services such as criminal justice advocacy. Although federal funding for victim assistance increased for a third year in FY

2016, NGOs continued to report funding remained insufficient to address the myriad needs of individual victims.

HHS issued Certification and Eligibility Letters for foreign victims to be eligible for services and benefits to the same extent as refugees, provided grant funding for comprehensive case management for foreign and domestic trafficking victims, and funded capacity-building grants for community-based organizations and child welfare systems to respond to trafficking. DOJ provided comprehensive and specialized services for both domestic and foreign trafficking victims. Record-keeping systems used by DOJ and HHS did not allow for cross-referencing to determine which victims were served by both agencies.

A Certification Letter enables foreign adult victims to be eligible for federal and state services to the same extent as refugees when Continued Presence is granted or when a victim has a bona fide or approved application for T nonimmigrant status, as described further below. An Eligibility or Interim Assistance Letter allows immediate eligibility for federally-funded benefits and services to the same extent as refugees when credible information indicates a child is or may be a victim of trafficking. HHS issued 444 Certification Letters to foreign adults in FY 2016, a decrease from 623 in FY 2015, and issued 332 Eligibility Letters to foreign children in FY 2016, an increase from 239 in FY 2015. Seventy-five percent of all adult victims certified in FY 2016, more than half of whom were male, were victims of labor trafficking; and more than 73 percent of child trafficking victims who received Eligibility Letters were labor trafficking victims. HHS awarded \$6.4 million in FY 2016 to three NGOs for the provision of case management services to foreign national victims through a nationwide network of NGO sub-recipients, a decrease from \$7.5 million in FY 2015. Through these grants, HHS supported 152 NGOs with the capacity to serve individuals at 241 sites across the country that provided assistance to a total of 1,424 individuals and their family members.

In FY 2016, HHS increased funding to serve U.S. citizen and LPR victims of human trafficking and provided \$3.4 million for coordinated victim-centered services, an increase from \$3.2 million in FY 2015. It provided an additional \$2.5 million to address trafficking within child welfare systems.

DOJ continued to significantly increase the funding allocated to victim assistance, enabling service provision to more victims. During FY 2016, DOJ funded 33 victim service providers offering comprehensive and specialized services across the United States, totaling approximately \$19.7 million, compared with \$13.8 million in FY 2015 and \$10.9 million in FY 2014. DOJ provided \$6 million in new funding to improve outcomes for child and youth human trafficking victims up to age 24, and increase services for American Indian and Alaska Native trafficking victims who reside in urban areas. DOJ also provided \$2.6 million to enhance services for victims of child sexual exploitation and U.S. citizen and LPR victims of child sex trafficking. From July 1, 2015 to June 30, 2016, DOJ grantees providing victim services reported 5,655 open client cases, including 3,195 new clients, compared with 3,889 open client cases and 2,180 new clients the year before and a respective 2,782 and 1,366 the year before that. DOJ's grantees reported that 66 percent of clients served during the reporting period were U.S. citizens or LPRs and 34 percent were foreign nationals.

DOJ published a new victim assistance rule in August 2016 that provided more flexibility for states to use increased funding for crime victims, including for trafficking victims. The Department of Housing and Urban Development, in partnership with a

local housing authority and HHS, piloted the first program in the United States to offer housing vouchers for trafficking survivors. In response to the JVTIA, DOJ created a webpage for survivors with information on resources and services.

NGOs and survivor advocates expressed concern that despite federally funded programs mandating comprehensive services for all victims of trafficking, services were not always provided equally, and they reported inconsistencies in the availability and delivery of services. Advocates called for increased resources and more strategic spending of funds to provide comprehensive services for all survivors across the country. NGOs reported the need for increased availability of trauma-informed services for trafficking victims. NGOs and survivor advocates continued to report insufficient access to shelter and long-term housing options for trafficking victims and called on the U.S. Congress to establish a federal housing preference for survivors of human trafficking. NGOs and survivor advocates also called for improvements to employment and training services to create more economic opportunities, including expansion of vocational training programs, career development courses, and financial counseling. An OSCE report called for increased resources to assist vulnerable youth exiting foster care.

The United States government has formal procedures to guide officials in victim identification and referral to service providers. During the year, HHS child protection specialists continued to provide training and technical assistance to overcome barriers in identifying child trafficking victims. NGOs reported continued concern that governmental efforts to detect and address labor trafficking were insufficient.

When children are placed in the care and custody of HHS, they are screened for trafficking exploitation in the United States or abroad. When appropriate, HHS makes a determination of eligibility for benefits and services, which may include long-term assistance. HHS assisted 122 child victims of trafficking through its Unaccompanied Refugee Minors Program in FY 2016, a slight decrease from 124 served in FY 2015. This program requires states to provide such child victims with the same assistance, care, and services available to foster children. HHS also developed a guide on victim identification and other related resources for child welfare agencies and continued to enhance efforts to identify American Indian and Alaska Native victims in both rural and urban areas. Advocates noted concerns about screening procedures at the U.S. borders and in detention facilities, and called for increased training of officials and better monitoring of the care provided to unaccompanied children.

DHS provides trafficking-specific immigration options through Continued Presence, which is temporary, and T nonimmigrant status (commonly referred to as the T visa). T visa applicants must be victims of a severe form of trafficking in persons, be in the United States or at a port of entry because of trafficking, and show cooperation with reasonable requests from law enforcement unless they are younger than 18 years of age or unable to cooperate due to trauma suffered. They must also demonstrate that they would suffer extreme hardship involving unusual and severe harm upon removal from the United States. T visa applicants may petition for certain family members, including certain extended family members who face a present danger of retaliation; T visa beneficiaries and their derivative family members are authorized to work and are eligible for certain federal public benefits and services. After three years, or upon the completion of the investigation or prosecution, those with T visas may be eligible to apply for lawful permanent resident status and eventually may be eligible for citizenship.

DHS granted T nonimmigrant status to 750 victims and 986 eligible family members of victims in FY 2016, a significant increase from 610 and 694 in FY 2015. In December 2016, DHS published an interim final rule amending the regulations governing the requirements and procedures for victims of human trafficking seeking a T visa to conform to legislation enacted after the initial rule was published in 2002. The rule became effective in January 2017.

DHS manages all requests from federal and state law enforcement for Continued Presence, authorizing foreign nationals identified as trafficking victims who are potential witnesses to remain lawfully and work in the United States during the investigation and prosecution of the crime. In FY 2016, DHS issued Continued Presence to 129 trafficking victims, who were potential witnesses, a decrease from 173 in FY 2015. It granted 179 extensions of Continued Presence, a decrease from 223 in FY 2015. In October 2016, DHS updated the Continued Presence guidance to law enforcement to improve consistency, extend the duration from one to two years, and increase the renewal duration from one year to up to two years. NGOs continued to call for consistent implementation of Continued Presence across the United States, making sure officials request it as soon as possible during an investigation to enhance the use of this law enforcement tool.

International organizations recommended better training for officials, especially at the local level, on the different types of immigration options available to trafficking victims as well as speeding up the process by which these benefits are granted.

Another form of immigration relief available to trafficking victims is U nonimmigrant status (commonly referred to as the U visa) for victims of certain qualifying crimes who are helpful in the investigation or prosecution of the qualifying criminal activity and meet other specific eligibility requirements. DHS no longer delineates the number of U visas issued based on the specific underlying crimes for which they are issued.

In FY 2016, a DOS program reunified 279 family members with identified victims of trafficking in the United States, compared with 244 in FY 2015. This program provided two survivors with assistance returning to their home country.

Multiple agencies across the federal government continued to provide training to federal, state, local, and tribal law enforcement, as well as to NGO service providers and health and human service providers to encourage more consistent application of victim-centered and trauma-informed approaches in all phases of victim identification, assistance, recovery, and participation in the criminal justice process. An NGO noted limited training and resources for child welfare agencies to provide trauma-informed services for trafficking victims.

Advocates reported authorities continued to arrest trafficking victims for crimes committed as a direct result of being subjected to trafficking. Survivor advocates continued to call on states to reform their laws to ensure trafficking victims are not criminalized for offenses their traffickers force them to commit. NGOs called for special conditions in federal grants to law enforcement entities that would bar the use of funds to criminalize human trafficking victims. NGOs and survivor advocates continued to report the criminalization of victims creates barriers to accessing public benefits, employment, housing, and other needs essential to avoid re-trafficking and facilitate recovery. NGOs also called on the U.S. government to address labor trafficking at the same levels as sex trafficking, as much as practicable, in anti-trafficking programs and activities.

Survivors continued to report some victims felt pressure to testify against their traffickers to obtain access to services.

PREVENTION

The U.S. government increased efforts to prevent trafficking. Federal agencies conducted numerous awareness and training activities for their own personnel, including law enforcement and acquisition professionals, and field office staff. The Department of the Treasury (Treasury) joined the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF) to bring added expertise, including in evaluating the nexus between money laundering and human trafficking. To enhance transparency and stakeholder input, the PITF included the presidentially-appointed survivor advisory council in its annual meeting and reported on agency accomplishments in combating human trafficking. The government continued to implement its strategic action plan on victim services in the United States and publicly released the second status report in December 2016. The government released a national action plan on responsible business conduct that included commitments to combat human trafficking in supply chains.

The government continued public outreach measures on the causes and consequences of human trafficking and continued efforts to increase victim identification among vulnerable populations and sectors and improve prevention efforts. HHS continued to fund an NGO to operate the national human trafficking hotline and in January 2017 launched a training and technical assistance center to enhance the public health response of communities and professionals to human trafficking. In FY 2016, the national hotline received 51,167 calls from across the United States and U.S. territories. In October 2016, the government updated the "Know Your Rights" pamphlet. U.S. embassies and consulates provide applicants for temporary work and exchange visitor visas, incorporating public input, including from survivors, and featuring additional resources for workers. In FY 2016, the pamphlet generated 459 calls to the national hotline, compared to 424 calls generated by the pamphlet in FY 2015.

In 2016, DHS continued its nationwide human trafficking awareness Blue Campaign and developed new products, including a toolkit for the hospitality sector. DOJ prepared a toolkit of materials and resources for distribution during outreach events that includes victim identification practices and protocols for assisting possible trafficking victims. HHS launched a new awareness campaign that incorporated stakeholder and survivor input and continued to provide training to health care and social service professionals. The Department of Transportation (DOT) and DHS worked with survivor advocates, law enforcement, and aviation experts to revise their training module for airline personnel. In July 2016, a legislative amendment added an annual training requirement for flight attendants on recognizing and responding to potential victims of trafficking, which led to an increase in the number of airlines partnering with DOT and DHS from four to 16. In FY 2016, the EEOC conducted more than 240 trafficking outreach events, reaching more than 25,000 individuals. The Department of Agriculture (USDA) developed and distributed across the United States a pamphlet on human trafficking and industry vulnerabilities, and it conducted outreach visits to rural communities in three states to increase awareness of trafficking. Treasury continued to analyze and disseminate information received from financial institutions related to human trafficking. The U.S. Agency for International Development funded anti-trafficking activities in 34 countries and continued its mandatory

trafficking training for employees, including its acquisition workforce. The Department of Education continued outreach efforts to integrate trafficking information into school curricula and resources. DoD incorporated mandatory human trafficking training for contract and acquisition officers into its standard curricula. DOS continued to provide anti-trafficking training for its diplomatic personnel; it provided both classroom and web-based training for Diplomatic Security personnel, consular officers, and other employees. To prevent human trafficking, NGOs called for a more comprehensive approach to address the factors and conditions that increase vulnerabilities to human trafficking. Advocates asked for more specific, easily accessible data on prevalence and on victims identified and assisted.

NGOs continued to report abuses, including allegations of human trafficking, of workers in the United States on work-based or other nonimmigrant visas. Advocates urged enhanced protections for workers, including regulatory changes to uncouple work visas from an employer or sponsor, and called for the allocation of more resources to protect workers from unscrupulous recruiters.

Both the H-2A and H-2B programs prohibit directly or indirectly charging foreign workers job placement, recruitment, or other fees—including certain salary deductions—related to employment, and both require disclosure of the terms of employment. Since August 2016, DOL has maintained an online list of H-2B foreign labor recruiters to increase transparency in the recruitment process, help workers verify legitimate H-2B job opportunities in the United States, and better enforce recruitment violations. In January 2017, DHS and DOL approved an agreement to share data on employers participating in nonimmigrant and immigrant visa programs. NGOs continued to report inadequate government oversight and enforcement of the recruitment fee ban and noted that workers were still being charged prohibited fees.

DOS has implemented steps to ensure the health, safety, and welfare of participants in the J-1 Visa Exchange Visitor Program, which includes the Summer Work Travel (SWT) and the au pair programs. DOS conducted field monitoring of the SWT program in the 2016 summer and winter seasons, visiting 446 SWT exchange visitor sites in 25 states and the District of Columbia. DOS also continued outreach efforts with 25 community support structures in 19 states with significant SWT populations to educate participants on personal safety, among other things. In January 2017, DOS sought public comment on a proposed new rule amending the SWT program requirements, which adds protections for visitors and new responsibilities for sponsors. In March 2017, a Florida man was sentenced to 30 years in prison for sex trafficking in a 2011 case involving the exploitation of two SWT exchange visitors. With respect to the au pair program, DOS continued to monitor the health, safety, and welfare of au pairs. Recent media reports detailed allegations of abuse in a small number of cases under the au pair program involving au pairs working extra hours without additional pay and not receiving the appropriate wage for their placement jurisdiction.

U.S. law exempts U.S. vessels in fleets that fish for highly migratory species from a requirement that at least 75 percent of crew on vessels in U.S. waters be U.S. citizens. As a result, most workers on these fleets, which dock at ports in Hawaii and along the U.S. west coast, are foreign nationals. These workers are not eligible, based on this work, for any U.S. work-based visas to enter the United States, are not covered by U.S. labor law protections, and consistent with industry practice

are subject to a requirement whereby vessel captains hold the crew's identity documents. DHS monitored these workers' conditions to mitigate potential risks of exploitation.

In February 2017, a federal judge certified a class of immigration detainees who allege they were forced to work in violation of the TVPA during their detention in a privately owned and operated prison company contracted by DHS. The class certification has been appealed. DHS is not party to the lawsuit.

In 2016, DOS continued to administer its In-Person Registration Program for domestic workers on A-3 and G-5 visas employed by foreign mission and international organization personnel, respectively, in the Washington, DC area and began annual renewal appointments. DOS hosted a briefing for senior foreign embassy and international organization officials to reiterate program requirements, introduce a suggested employment contract template, and emphasize foreign mission responsibility for the welfare of these workers. DOS also held a consultation with NGOs on issues related to domestic workers. Despite these efforts, an OSCE report called for expansion of the In-Person Registration Program to include all A-3 and G-5 visa holders in the United States and raised concerns that some foreign mission personnel evade current protection measures for foreign domestic workers. NGO reports called for increased efforts to prosecute domestic servitude cases involving diplomats when possible, the inclusion of all domestic workers in federal labor and employment law protections, and strengthened protections under state laws.

Civil enforcement of federal laws continued to be a significant component of the government's anti-trafficking efforts. DOL investigated complaints and conducted targeted civil labor investigations involving workers in industries and sectors known to be vulnerable to labor trafficking. In FY 2016, DOL increased enforcement activities in industries including agriculture, landscaping, seafood, reforestation, and hospitality. However, survivor advocates noted the high number of cases in hospitality, agriculture, and construction and recommended more investigations of these industries. During the reporting period, EEOC, which enforces federal employment discrimination statutes, continued to pursue cases on behalf of trafficked workers and ensure compensation for victims of trafficking, but did not file any new cases. Federal law also allows a person subjected to trafficking to independently file a civil cause of action, and there were cases in which individuals took this action during the reporting period.

The government continued its efforts to reduce the demand for commercial sex and forced labor in the reporting period. DoD investigated at least seven cases of service members allegedly violating DoD's prohibition on procuring commercial sex, compared to at least 38 investigations the previous year. DOJ continued to prosecute individuals who pay or attempt to pay for commercial sex involving children. For example, in 2016, one defendant received a sentence of 293 months in prison for engaging in a commercial sex act with a 12-year-old child. NGOs urged increased efforts to address the demand for commercial sex, including efforts to prosecute those who solicit sex from trafficking victims.

DOJ and DHS continued to proactively investigate allegations of child sex tourism offenses perpetrated overseas by U.S. citizens and partnered with foreign law enforcement counterparts to share information regarding international travel of registered child sex offenders. Ten defendants were convicted of federal child sex tourism charges under the federal statute, 18 U.S.C.

§ 2423(c), in FY 2016, an increase from three in the previous reporting period. Offenders who abuse children abroad could be prosecuted under other statutes, and prosecutions based on other statutes are not reflected in this statistic.

DOJ and other federal law enforcement agencies continued to investigate allegations of debt bondage and excessive recruitment fees required of third-country nationals working on certain U.S. government contracts abroad, but no federal criminal prosecutions of employers or labor contractors resulted from these investigations in FY 2016. There were no reports of civil actions, debarment, or other sanctions against noncompliant employers or labor contractors from U.S. programs.

The government sought public comment on a proposed definition of “recruitment fees” in the context of the Federal Acquisition Regulation, “Ending Trafficking in Persons,” which strengthens protections against trafficking in federal contracts, and on guidance for federal contractors on anti-trafficking risk management best practices and mitigation considerations.

DHS enforces a law that prohibits the importation of goods made by prohibited forms of labor, including forced labor. Within the reporting period, the government identified two locations and detained merchandise suspected of violating the statute but did not detain any goods on grounds it was produced by forced labor.

In FY 2016, DOI partnered with the National Indian Gaming Commission (NIGC) to provide a human trafficking training session at each of the NIGC’s regional conferences. DOI worked with DHS to host meetings with tribal leaders to address crime and exploitation along U.S. borders and continued to provide human trafficking training to tribal first responders, including law enforcement and victim services personnel. For the first time, DOJ granted three awards dedicated to increasing NGO capacity to provide services for American Indian and Alaska Native victims of sex trafficking who reside in urban areas. DOJ developed a specialized training program on human trafficking in Indian Country and directed each United States Attorney’s Office with tribal communities to develop guidelines with federal and tribal partners to address sexual violence and to develop strategic plans to combat trafficking. HHS and USDA launched a trafficking outreach initiative for rural and tribal communities and held joint community listening sessions with tribal leaders. HHS provided resources, training, and technical assistance to American Indian and Alaska Native communities to strengthen community-led responses to human trafficking aimed at increasing awareness and addressing the service needs of American Indian trafficking victims. Challenges include a criminal justice infrastructure inadequate to meet the needs of Indian Country, limited victim services, and cultural barriers to recognizing vulnerabilities.

U.S. INSULAR AREAS

All forms of trafficking are believed to occur in the U.S. insular areas, including American Samoa, Guam, the Commonwealth of the Northern Mariana Islands (CNMI), Puerto Rico, and the U.S. Virgin Islands (USVI).

In Guam and in CNMI, members of DOJ-led human trafficking task forces continued to engage with community partners to provide victim services, train law enforcement, and share strategies for improving victim identification. In collaboration with the two task forces, DOJ also continued to advance an initiative that enhances coordination with stakeholders in the

Pacific Region on victim services, law enforcement responses, training, community outreach, and prevention programs. In USVI and Puerto Rico, DOJ participated with DHS in task forces designed to raise awareness of and combat human trafficking.

HHS provides services to foreign victims of trafficking in American Samoa, Guam, CNMI, Puerto Rico, and USVI. In FY 2016, the HHS-funded national hotline received 24 calls from U.S. territories, with the majority of those calls coming from USVI and CNMI.

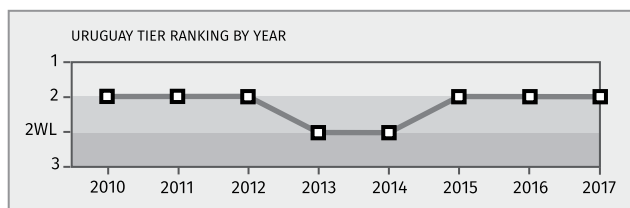
HHS provided grant-funded training and technical assistance in American Samoa, Guam, CNMI, Puerto Rico, and USVI in FY 2016 on trauma-informed care and protections available for victims of trafficking.

TRAFFICKING PROFILE

As reported over the past five years, the United States is a source, transit, and destination country for men, women, transgender individuals, and children—both U.S. citizens and foreign nationals—subjected to sex trafficking and forced labor. Trafficking occurs in both legal and illicit industries, including in commercial sex, hospitality, traveling sales crews, agriculture, seafood, manufacturing, janitorial services, construction, restaurants, health care, care for persons with disabilities, salon services, fairs and carnivals, peddling and begging, drug smuggling and distribution, and child care and domestic work. Individuals who entered the United States with and without legal status have been identified as trafficking victims. Government officials, companies, and NGOs have expressed concern about the risk of human trafficking in global supply chains, including in federal contracts. Victims originate from almost every region of the world; the top three countries of origin of federally identified victims in FY 2016 were the United States, Mexico, and the Philippines. Particularly vulnerable populations in the United States include: children in the child welfare and juvenile justice systems; runaway and homeless youth; unaccompanied children; American Indians and Alaska Natives; migrant laborers, including undocumented workers and participants in visa programs for temporary workers; foreign national domestic workers in diplomatic households; persons with limited English proficiency; persons with low literacy; persons with disabilities; and LGBTI individuals. NGOs noted an increase in cases of street gangs engaging in human trafficking. Some U.S. citizens engage in child sex tourism in foreign countries.

URUGUAY: TIER 2

The Government of Uruguay 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, Uruguay remained on Tier 2. The government demonstrated increasing efforts by convicting more traffickers and introducing a proposal for a national action plan and a comprehensive anti-trafficking bill. However, the government did not meet the minimum standards in several key areas. The government initiated fewer prosecutions, courts did not impose sufficiently stringent sentences for convicted traffickers, and the government’s efforts to provide specialized victim services remained inadequate.



RECOMMENDATIONS FOR URUGUAY

Increase availability of specialized services for trafficking victims, especially outside the capital and for male victims, and continue services throughout investigation and prosecution; vigorously investigate and prosecute labor trafficking, forced prostitution, and child trafficking and hold traffickers accountable with sufficiently stringent sentences; approve the comprehensive anti-trafficking bill and finalize the national action plan; increase anti-trafficking training for law enforcement officials, labor inspectors, prosecutors, judges, and social workers, particularly to identify and assist victims of sex and labor trafficking; and develop and operationalize a data collection system to maintain official statistics on anti-trafficking law enforcement and victim identification efforts.

PROSECUTION

The government maintained prosecution efforts. Article 78 of the 2008 immigration law criminalizes all forms of trafficking, prescribing penalties of four to 16 years imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes. This article criminalizes forced labor, slavery or other similar practices, servitude and sexual exploitation. Article 79 makes it a crime punishable by two to eight years imprisonment to facilitate the movement of persons into or out of the country for the purpose of human trafficking. Article 81 provides enhanced penalties for both articles 78 and 79, when the crime is committed by a habitual offender or by police or other safety officials and when the victim is a child or when the trafficking involves “violence, intimidation or deception.” Although some of these “means” seem to fall implicitly within the scope of article 78, which criminalizes forced labor and sexual exploitation, article 81 appears to make violence, intimidation, deceit, or abuse of the vulnerability of the victim aggravating factors rather than essential elements of the crime. Articles 280 and 281 of the penal code prohibit forced labor, prescribing sentences ranging from two to 12 years imprisonment. A 1927 law (Law No. 8.080) criminalizes the exploitation of the prostitution of another person, with penalties ranging from two to eight years imprisonment. In addition, a 2004 sexual violence law (Law No. 17.815) criminalizes the prostitution, servitude, or sexual exploitation, including child pornography, of minors or persons with disabilities, with sentences from two to 12 years; authorities use these statutes to prosecute cases of child exploitation. Uruguayan authorities did not report how many of the cases processed under these laws were for adult or child sex trafficking. Two judges in the specialized court on organized crime in Montevideo had jurisdiction over all trafficking cases carried out by organized criminal groups of three or more individuals. Most trafficking cases were tried outside of this specialized court because they involved only one or two suspects. During the reporting period, the Interagency Committee to Prevent and Combat Trafficking in Persons formally presented to the parliament, the judicial branch, and the attorney general’s office (AGO) a draft comprehensive anti-trafficking bill proposing legislation focused on prevention, investigation and support for victims

of trafficking. The newly created gender unit within the AGO focused on investigations, prosecutions, and convictions for crimes related to trafficking and the exploitation of children and adolescents.

The government did not collect comprehensive data on anti-trafficking law enforcement efforts and there was no system for tracking court cases. The AGO reported it was working on implementing a database to track cases and produce more accurate statistics. In the interim, individual courts and police departments remained the primary repositories for data collection. Uruguay’s transition from an “inquisitorial” to an “accusatorial” justice system, planned to begin in 2017, must take place before any new measures are taken to compile and centralize data. In 2016, the government initiated six investigations under article 78, three for forced labor and three for sex trafficking, and continued one sex trafficking investigation from 2015, compared with six investigations for sex trafficking initiated in 2015. In 2016, the government reported four prosecutions, two under article 78 and two under article 4 of law 17.815, compared with 16 prosecutions in 2015 and five in 2014. The government convicted three individuals for sex trafficking under article 78 in 2016, an increase from zero in 2015 and 2014. All three convictions were in the appeals process at the end of the reporting period. Authorities did not report the length of the sentences given in these cases; however, in previous instances, convicted traffickers avoided serious punishment as courts issued penalties that were inadequate to deter the crime. The government did not investigate, prosecute, or convict anyone under article 280 or article 281 of the penal code in 2016. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The Ministry of Interior (MOI) and an international organization jointly organized two workshops on criminal investigations of human trafficking, human smuggling, and the sexual exploitation of children and adolescents. The government organized a police procedure training course on gender-based violence with a module on trafficking in persons; a total of 274 officials participated. The MOI held a training course for 225 police officers on combating gender-based violence with a focus on the sexual exploitation of children.

PROTECTION

The government maintained protection efforts. The National Institute for Women (INMujeres), in the Ministry of Social Development, was the principal provider of services for female victims of abuse. The National Institute for Children and Adolescent Affairs reported assisting 333 cases of sexual exploitation of minors in 2016; although it was unclear how many were victims of trafficking. INMujeres and an NGO reported providing assistance to 131 victims of trafficking, including 111 in Montevideo and 20 in the interior of the country, a decrease from the 222 reported in 2015. It was unclear how many were victims of commercial sexual exploitation or forced labor. INMujeres strengthened outreach to the interior of the country through a 14-member mobile unit with psychologists, social workers, and lawyers who provided psychological support, social services, and legal guidance. During the reporting period the MOI and AGO began using a standardized protocol to investigate cases and assist victims. The government provided several training opportunities for law enforcement officials, labor inspectors, prosecutors, judges, and social workers on victim identification and assistance.

The government provided 4,575,647 pesos (\$157,401), an

increase from 3,638,280 pesos (\$125,156) in 2015, to INMujeres to assist adult female sex trafficking victims and women in prostitution with psychological, medical, and other services. There were no shelters designated for trafficking victims, so temporary and long-term housing solutions were determined on a case-by-case basis. There were no specialized services for male victims. According to an international organization, the government provided services for victims for 30 days after which victims received general support similar to that provided to homeless people.

The government provides protective measures to encourage victims to assist in the investigation and prosecution of their traffickers. According to an international organization, several of the protective measures available, such as victim relocation, changes of identity and economic assistance, were not fully implemented during the reporting period. Authorities reported Uruguay's small population size made effective protection of victims' identities a challenge. There were no reports victims were jailed, deported, or otherwise penalized for acts committed as a direct result of being subjected to human trafficking. While the government did not offer trafficking-specific legal alternatives to victims' removal to countries where they faced retribution or hardship, general asylum, and work permits were available for foreign trafficking victims.

PREVENTION

The government increased prevention efforts. The Interagency Committee to Fight Trafficking in Persons met monthly, including two meetings specifically to develop a national action plan, which remained incomplete at the end of the reporting period. The committee expected to finalize the plan after the parliament approves the comprehensive anti-trafficking bill. The MOI, in coordination with the National Association of Broadcasters, recorded and broadcast a media campaign to raise public awareness. INMujeres hosted several awareness campaigns focused on training social workers to better understand trafficking and improve the response at the local and national levels. The Uruguayan parliament created a special committee with representatives from five different political parties to investigate trafficking. In September, the committee organized a conference on international cooperation against trafficking where participants discussed legislative, social, judicial and educational perspectives to trafficking and the benefits of increasing cooperation with civil society. The government made efforts to prevent child sex tourism, but did not make efforts to reduce the demand for commercial sex or forced labor. In 2016, Uruguay hosted a regional conference on preventing sexual exploitation of children with a focus on exploitation-free tourism. Authorities provided peacekeeping troops, prior to their deployment, a handbook addressing human rights and international humanitarian law in peacekeeping operations, which included a chapter on exploitation and sexual abuse. The government provided anti-trafficking training for its diplomatic personnel.

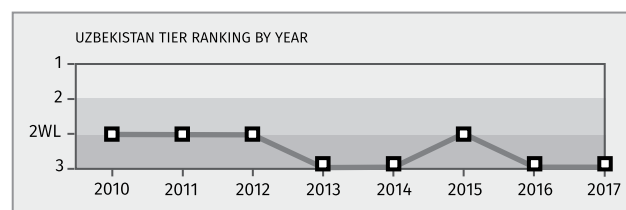
TRAFFICKING PROFILE

As reported over the past five years, Uruguay is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Uruguayan women and girls—and to a more limited extent transgender adults and male adolescents—are subjected to sex trafficking within the country. Uruguayan women and LGBTI individuals are forced into prostitution in Spain, Italy, Argentina, and Brazil; however, the number of identified Uruguayan victims exploited abroad

has decreased in recent years. Women from the Dominican Republic, and to a lesser extent from South American countries, are subjected to sex trafficking in Uruguay. Foreign workers, particularly from Bolivia, Paraguay, Brazil, the Dominican Republic, and Argentina, are subjected to forced labor in construction, domestic service, cleaning services, elderly care, wholesale stores, textile industries, agriculture, fishing, and lumber processing. Uruguayan officials have identified citizens of other countries, including China and the Dominican Republic, transiting Uruguay en route to other destinations, particularly Argentina, as potential victims of sex and labor trafficking.

UZBEKISTAN: TIER 3

The Government of Uzbekistan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Uzbekistan remained on Tier 3. Despite the lack of significant efforts, the government took steps to address trafficking including allowing the ILO to monitor the cotton harvest for child labor since 2013 and for forced labor since 2015, and to publish the results of a survey on labor recruitment practices during the 2014 and 2015 cotton harvests. The government also conducted a substantial campaign to raise awareness of the prohibition against child labor in the harvest for a third year. Authorities continued to prosecute suspected traffickers involved in transnational cases and fund a rehabilitation center for trafficking victims. Government-compelled forced labor remained widespread during the 2016 cotton harvest. The central government continued to demand farmers and local officials fulfill state-assigned cotton production quotas, and set insufficiently low prices for cotton and labor to attract a sufficient number of voluntary workers, which led to the wide-scale mobilizations of adult laborers. There were anecdotal reports of the continued use of child laborers in some locations. Attempts to conceal possible labor violations in cotton fields continued; there were several incidents in which provincial officials harassed independent monitors and isolated cases of monitors being detained and questioned. For the first time, in 2016, the government investigated cases of child labor.



RECOMMENDATIONS FOR UZBEKISTAN

Take substantive action to end the use of forced adult labor during the annual cotton harvest, through such measures as eliminating cotton production quotas and increasing remuneration and improving working conditions for workers in the cotton harvest; continue substantive actions to fully eliminate forced child labor from the annual cotton harvest; respecting due process, increase investigations and, when sufficient evidence exists, criminally prosecute officials complicit in human trafficking, including officials involved in mobilizing forced labor; grant independent observers full access to monitor cotton cultivation and fully cease harassment, detention, and abuse of activists for documenting labor conditions, and investigate, and, when sufficient evidence exists, criminally

prosecute persons complicit in human trafficking identified by observers; continue implementing the national action plan for improving labor conditions in the agricultural sector; modify agricultural policies to reduce pressure for farmers and officials to compulsorily mobilize labor for the cotton harvest; implement commitments to not mobilize teachers, medical workers, and college and lyceum students; provide adequate mechanisms to enable students and state employees to refuse to participate in the cotton harvest without suffering consequences; continue promoting awareness of labor rights, including in regard to the cotton harvest; continue improving processes for registering and investigating violations of labor rights; continue efforts to investigate and prosecute suspected traffickers, respecting due process; fund anti-trafficking NGOs assisting and sheltering victims who were not admitted to the state-run shelter; develop formal mechanisms to ensure victims are not penalized for acts committed as a result of being subjected to trafficking, including for illegal border crossing and losing personal identification documents; amend the criminal code to protect the identities of trafficking victims, and encourage prosecutors to proactively seek victim restitution in criminal cases; and continue to improve procedures for identifying trafficking victims to ensure they are systematic and proactive.

PROSECUTION

The government maintained law enforcement efforts. Article 135 of the criminal code prohibits both sex trafficking and forced labor, prescribing penalties of three to 12 years imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. For the third year in a row, investigations, prosecutions, and convictions declined. The government conducted 651 investigations and prosecuted 361 cases for crimes related to trafficking in 2016, compared to 696 investigations and 372 prosecutions in 2015 and 1,016 investigations and 641 prosecutions in 2014. Authorities reported convicting 451 people for crimes related to trafficking in 2016, compared to 460 in 2015. The government reported that 250 of the crimes investigated in 2016 were related to sexual exploitation. The government did not provide sufficient detail to determine if the reported statistics related to trafficking or sexual exploitation met the definition of trafficking under the TVPA. The government reported 404 convictions carried a prison sentence, 12 carried a sentence of correctional labor, and 29 individuals were granted amnesty.

The Ministry of Interior (MOI) maintained an investigatory unit dedicated to trafficking crimes. The government provided trafficking-specific training to police, judges, and other authorities. Despite widely reported and credible evidence of official complicity in the cotton harvest and other sectors with forced labor, the government did not report any criminal investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses this year. It did report issuing administrative fines to nine officials for forced labor violations.

PROTECTION

The government maintained efforts to identify, assist, and protect victims of sex and transnational labor trafficking, but made only limited efforts to assist victims of forced labor in the cotton harvest or other domestic sectors. The government identified 714 victims of trafficking-related crimes in 2016, a decrease from 924 in 2015 and 1,208 in 2014. Of these 714 victims,

193 were exploited within the country, while the remaining victims were Uzbek citizens exploited in other countries. The government identified 29 victims of foreign origin and reported that the majority of identified victims, whether Uzbek or foreign, were subjected to labor trafficking. NGOs and an international organization identified and assisted 327 trafficking victims in 2016 (774 in 2015 and 847 in 2014). Uzbekistan's diplomatic missions abroad helped repatriate 109 victims by issuing travel documents, a decrease from 146 in 2015. The government lacked a standardized process to proactively identify victims from vulnerable populations and refer those victims to protective services, especially those subjected to internal trafficking. Police, consular officials, and border guards who were able to identify potential trafficking victims could refer them to either a state-run shelter or NGOs for services. To be eligible to receive government-provided rehabilitation and protection services, victims must file a criminal complaint with the authorities in their community of origin, after which the MOI can decide to initiate an investigation and grant official victim status to the individual. NGOs have reported that local officials regularly refer victims who do not wish to pursue a criminal case to their offices for assistance.

The government allocated approximately 496 million soum (\$150,940) in 2016, an increase from approximately 459 million soum (\$139,680) in 2015, to operate its Tashkent-based trafficking rehabilitation center for men, women, and children with official victim status, which assisted 460 victims in 2016, a decrease from 503 victims in 2015. This center provided shelter, medical, psychological, legal, and job placement assistance. Victims could discharge themselves from the shelter, although in previous years, authorities at times required victims to stay to assist a criminal case. The center could accommodate foreign victims, but there have been no foreign victims in the shelter since its opening. The government provided funding to local NGOs to conduct vocational trainings and provide health services for victims, in addition to according them tax benefits and the use of government-owned land. These NGOs provided critical services because officials referred to them victims of sex trafficking and those who did not wish to pursue a criminal case and were therefore ineligible to access the state-run shelter. The law does not exempt transnational sex and labor trafficking victims from facing a criminal penalty for illegally crossing the border. However, NGOs previously reported authorities dropped these charges when NGOs proved to authorities the victims were subjected to human trafficking, and no reported victims had faced these penalties in the past two years. NGOs also noted that MOI officials increasingly complied with legal requirements to maintain victim confidentiality; however, victims' identities were not kept confidential during court proceedings. In 2016, a trafficking victim received court ordered restitution for the first time in Uzbekistan, although victims generally lacked an effective mechanism to seek restitution from their traffickers; victims could bring civil suits against traffickers, but the government did not provide legal representation for victims, and most victims could not afford legal representation on their own.

PREVENTION

The government did not take sufficient steps to modify agricultural policies that create pressure for the use of forced labor, including production quotas and low wages for workers. However, the 2016 harvest marked the third consecutive year the government conducted a nationwide campaign to raise public awareness of its prohibition of child labor in the cotton harvest. The central government continued to demand farmers

and local officials fulfill state-assigned cotton production quotas, leading to the wide-scale mobilization of adult forced labor. The government did not follow through on commitments to end the mobilization of teachers, students, and medical workers. Officials required state employees and adult students to sign labor agreements or statements that they would pick cotton voluntarily. For a second consecutive year, the government agreed to allow the ILO to monitor the cotton harvest for child and forced labor, allowed ILO monitors access to the cotton fields accompanied by government monitors, and allowed the ILO to publish the results of a survey of agricultural recruitment practices during the 2014 and 2015 harvests. The government publicized its newly established telephone hotlines, receiving over 5,800 inquiries and complaints, of which, 1,325 complaints were received during the cotton harvest. Of the complaints received, 56 were related to forced labor and eight resulted in the discovery of confirmed child labor cases.

The government slightly reduced the area of land available for the cultivation of cotton and increased its capacity for mechanization by continuing to develop appropriate cotton cultivars and by training farmers on mechanization. The government also committed to several projects aimed at modernization of the cotton industry including a five-year partnership on agricultural reform with the World Bank, including measures to prevent forced labor; a four year Decent Work Country Program extension to improve employment opportunities, working conditions and social protections; and pilot projects with the International Finance Corporation and private companies to work on mechanization and responsibly cultivated cotton. Additionally, the government committed to implementing ILO recommendations on addressing the risks of forced labor in pilot project areas.

The national government conducted monitoring visits and provided training to a national network of local-level commissions. Authorities promoted wide-scale public awareness efforts on transnational sex and labor trafficking, including through events, print media, television, and radio, often through partnering with and providing in-kind support to NGOs. The government did not conduct efforts to reduce the demand for commercial sex acts. In addition to attending state-funded training, government officials participated in seminars and conferences sponsored by the government and taught by NGOs, international organizations, and foreign governments.

TRAFFICKING PROFILE

As reported over the past five years, Uzbekistan is a source and destination country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Government-compelled child labor was phased out in 2015, although there were anecdotal reports of the use of child labor in some areas. Government-compelled forced labor of adults, including employees of schools and medical facilities, remained widespread during the fall cotton harvest, spring planting and weeding, and for other agriculture and construction projects. Credible international reports indicate some adults who refuse to pick cotton, do not pay for a replacement worker, or do not fulfill their daily quota can face the loss of social benefits, termination of employment, or other forms of harassment. Private companies in some regions mobilized employees for the harvest under threat of increased government inspections of and taxes on their operations. There were anecdotal reports of officials mobilizing classes of students aged 11 to 15 years in some regions, in contravention of the central government’s prohibition on child labor. Mobilizations of university and

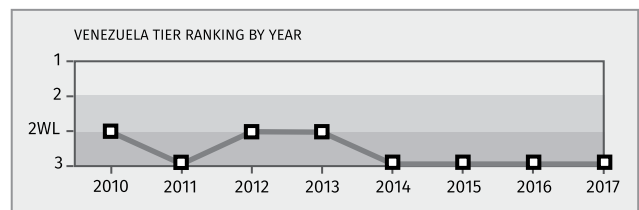
third-year college and lyceum (equivalent to a U.S. high school) students, who tend to be 18 years old but include some 17 year olds, continued in 2016. Independent observers reported that, in recent years, forced mobilization of adult workers increased to compensate for the loss of child workers.

There were isolated reports stating that local officials forced farmers to cultivate silk cocoons and, separately, that local officials forced teachers, students (including children), private businesses employees, and others to work in construction and other forms of non-cotton agriculture and to clean parks, streets, and buildings. Authorities harassed, threatened, arrested, detained, interrogated, and physically abused independent activists attempting to observe the spring weeding season and the fall harvest.

Uzbek women and children are subjected to sex trafficking in the Middle East, Eurasia, and Asia, and also internally in brothels, clubs, and private residences. Uzbek men, and to a lesser extent women, are subjected to forced labor in Kazakhstan, Turkey, Russia, United Arab Emirates, and Ukraine in the construction, oil and gas, agricultural, retail, and food sectors.

VENEZUELA: TIER 3

The Government of Venezuela does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Venezuela remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including the arrest of at least seven individuals suspected of human trafficking. However, the government did not report prosecuting or convicting traffickers, and reliable data on government anti-trafficking efforts was nonexistent. The government did not report identifying or assisting trafficking victims.



RECOMMENDATIONS FOR VENEZUELA

Draft and enact comprehensive anti-trafficking legislation prohibiting all forms of trafficking; provide specialized services for all trafficking victims, working in partnership with civil society organizations and other service providers; strengthen and document efforts to investigate and prosecute cases of sex trafficking and forced labor, and convict and punish traffickers; develop and publish an updated anti-trafficking action plan and allocate resources to implement it; enhance interagency cooperation by forming a permanent anti-trafficking working group; implement formal procedures and training for identifying trafficking victims among vulnerable populations, such as persons in prostitution, and for referring victims for care; ensure that upon entry, foreign workers receive educational material on human trafficking including risks of exploitation and where to call for help if needed; and improve data collection on government anti-trafficking efforts and make this data publicly available.

PROSECUTION

The government did not report prosecution efforts; the lack of comprehensive data on investigations, prosecutions, and convictions made overall law enforcement efforts against human trafficking difficult to assess. Venezuelan law criminalizes some forms of human trafficking, specifically trafficking of women and girls, through a 2007 law on women's rights that prescribes penalties of 15 to 30 years imprisonment. The law requires force, fraud, or coercion for all forms of sex trafficking, including that of children, whereas under international law, the prostitution of children is a crime without the use of those coercive means. The law also addresses human trafficking by organized criminal groups in its law on organized crime, which prescribes 20 to 30 years imprisonment for human trafficking carried out by a member of an organized criminal group of three or more individuals, but fails to prohibit trafficking of men. The penalties for these trafficking crimes are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the legislature did not pass a draft anti-trafficking law, first introduced in 2010.

Venezuelan authorities did not report the total number of trafficking cases investigated or individuals prosecuted or convicted for human trafficking in 2016. According to government websites and media reports, officials pursued at least five sex trafficking investigations during the year. According to press reports, at least six individuals were indicted for trafficking crimes, including three traffickers who faced possible extradition. The government publicly reported the organized crime office (ONDOFT) trained security personnel on victim identification and assistance; however, officials reported lack of funding made trainings difficult to execute. Press reports indicated Venezuela worked closely with INTERPOL on trafficking investigations during the year. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The government did not report protection efforts. Authorities did not provide information about trafficking victim identification and assistance or any protection efforts taken in 2016. ONDOFT operated a 24-hour hotline to receive reports of suspected trafficking cases. As in previous years, the government did not specify the kinds of assistance provided to victims in 2016. The government did not report on the existence of formal procedures for identifying trafficking victims among vulnerable populations or referring victims to services. Victim referrals to different government entities, including ONDOFT and the women's ministry, occurred on an ad hoc basis. The availability of victim services remained limited. There were no specialized shelters for trafficking victims in the country. Victims could reportedly access government centers for victims of domestic violence or at-risk youth, although services for male victims were minimal. The government reportedly made psychological and medical examinations available to trafficking victims, but additional victim services—such as follow-up medical aid, legal assistance with filing a complaint, job training, and reintegration assistance—remained unavailable. There was no publicly available information on whether the government provided assistance to repatriated Venezuelan trafficking victims during the reporting period or encouraged victims to assist in the investigation and prosecution of traffickers. There were no publicly available reports of victims being jailed or penalized for unlawful acts committed as a direct result of being subjected to trafficking, and NGOs and international organizations

reported this did not generally occur. International organizations continued to file asylum and relief from deportation requests for victims who feared reprisals from traffickers or criminal organizations if they returned to their country of origin. The government did not report if any requests were filed in 2016.

PREVENTION

The government made minimal prevention efforts. No permanent anti-trafficking interagency body existed, and the government did not have a current anti-trafficking plan or strategy. Awareness efforts included public service announcements and posters and pamphlets about trafficking and commercial sexual exploitation, although the government reduced the scale of its awareness campaigns compared to the previous year. There were no publicly available reports of new investigations, prosecutions, or convictions for child sex tourism offenses in 2016. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not report any specific activities to reduce the demand for commercial sex acts or forced labor during the year.

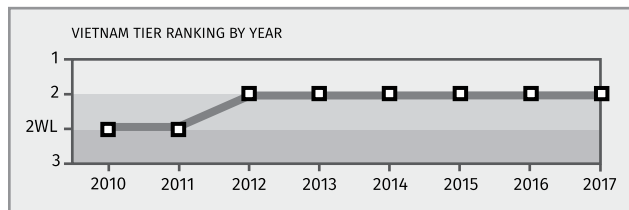
TRAFFICKING PROFILE

As reported over the past five years, Venezuela is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Venezuelan women and girls, including some lured from poor interior regions to urban and tourist centers, are subjected to sex trafficking and child sex tourism within the country. Venezuelan women are subjected to forced prostitution in Caribbean island countries, particularly Aruba, Curacao, and Trinidad and Tobago. Venezuelan children are exploited within the country, frequently by relatives, in domestic servitude. Venezuelan officials and international organizations have reported identifying sex and labor trafficking victims from South American, Caribbean, Asian, and African countries in Venezuela. Ecuadorians, Filipinos, and other foreign nationals are subjected to domestic servitude by other foreign nationals living in Venezuela. Venezuelan officials reported an increase of sex trafficking in the informal mining sector.

VIETNAM: TIER 2

The Government of Vietnam 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, Vietnam remained on Tier 2. The government demonstrated increasing efforts by identifying more victims; expanding anti-trafficking training and awareness campaigns for law enforcement, local government officials, and members of vulnerable communities; and issuing guidelines to relevant ministries and provincial authorities on the national anti-trafficking action plan. However, the government did not meet the minimum standards in several key areas. Anti-trafficking efforts were impeded by a lack of interagency coordination, unfamiliarity among provincial officials with anti-trafficking legislation and victim identification procedures, and underdeveloped data collection. Implementation of the amended 2015 Penal Code, including new anti-trafficking articles, continued to be delayed, leaving deficiencies in the law that hindered interagency coordination and law enforcement efforts. Victim protection services remained under-resourced and poorly integrated into referral mechanisms; authorities did not actively screen for trafficking among vulnerable groups

or systematically refer victims to care. In addition, authorities deported a large number of foreign victims without referring them to protection services.



RECOMMENDATIONS FOR VIETNAM

Fully enact and implement articles 150 and 151 of the new penal code; vigorously prosecute all forms of trafficking and convict and punish traffickers, especially in cases involving forced labor or complicit officials; strengthen efforts to monitor labor recruitment companies and enforce regulations prohibiting the imposition of recruitment fees; align and implement policies to identify and assist victims among vulnerable groups, such as migrant workers, individuals in prostitution, and child laborers, and train relevant officials on these procedures; finalize and conduct the national victims survey in order to improve victim referral mechanisms and services; improve interagency cooperation to effectively implement the anti-trafficking national plan of action, including by clarifying the roles of national and provincial-level government entities, fully integrating trafficking data collection into law enforcement efforts, and ensuring sufficient resources are dedicated to the national plan of action; strengthen efforts to train officials on implementation of penal code amendments, with a focus on identifying and investigating forced labor and internal trafficking cases; allow independent verification that Vietnamese drug users are no longer subjected to forced labor in government-run rehabilitation centers; expand training for consular officials on worker rights and international labor standards; develop programs that reduce stigma and promote reintegration of trafficking returnees; and fully implement the ASEAN Convention Against Trafficking in Persons, Especially Women and Children.

PROSECUTION

The government maintained modest law enforcement efforts. The 2012 anti-trafficking law expanded articles 119 and 120 of the penal code to define and criminalize sex and labor trafficking; however, these laws do not prohibit all forms of trafficking, and no one has ever been prosecuted under the labor trafficking provisions of the 2012 anti-trafficking law. In 2015, the National Assembly passed a new penal code that included amendments strengthening and clarifying some insufficient provisions of articles 119 and 120; however, these amendments were not in effect at the end of the reporting period due to a decision by the National Assembly to forestall the original July 2016 implementation date. Articles 119 and 120 prescribe punishments ranging from two to 20 years and three years to life imprisonment, respectively, and impose fines on traffickers ranging between five and 50 million Vietnamese dong (\$220-\$2,196); these punishments are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Starting in 2014, the government maintained a nationwide computer database to track trafficking cases; however, the extent to which it employed this system during the reporting period was unclear, as disparate government bodies continued to report discrepant, overlapping, or incomplete data on anti-trafficking law enforcement and

victim identification. The Police and Border Guards reported investigating 234 cases and arresting 308 suspects, but did not report how many of these individuals were prosecuted. The government conducted initial judicial proceedings against 355 trafficking suspects under articles 119 and 120 of the penal code. Of these, the court system reported initiating the prosecution of 295 defendants for trafficking offenses, leading to 275 convictions, compared to 217 convictions in 2015 and 413 convictions in 2014; sentences ranged from two to 20 years imprisonment. Authorities did not disaggregate trafficking offenses from possible smuggling cases.

The government sent interagency delegations to participate in joint investigations on an ad hoc basis in Kazakhstan, Poland, Russia, Singapore, Thailand, and the United Kingdom, and more routinely in China, Cambodia, and Laos for law enforcement rescue operations. During the reporting period, the government revised its bilateral agreements with China, Thailand, Cambodia, and Laos to strengthen counter-trafficking cooperation.

Law enforcement efforts suffered from a lack of coordination across provincial-level agencies, persistent budgetary constraints, local officials' poor understanding of anti-trafficking legislation, and confusion about individual provinces' roles and responsibilities in the context of the national action plan. Provincial authorities often did not replicate central government coordination mechanisms and activities in accordance with the national action plan, and there was no mechanism for the Ministry of Public Security (MPS)—which leads interagency anti-trafficking efforts—to transfer necessary funds to other government bodies to implement anti-trafficking activities. These obstacles resulted in uneven anti-trafficking law enforcement efforts.

Police included a trafficking module in its training for new recruits, and the MPS organized trainings for local police in several cities. The government also worked with international organizations to convene two training courses for 38 prosecutors working at the provincial level, a seminar of 25 prosecutors on anti-trafficking best practices, and a training-of-trainers course for 15 supervisory prosecutors. A government-affiliated women's union conducted trainings on victim identification, as well as on the use of its hotline, for over 10,000 local government staff. The Border Guard Command also completed a new standard operating procedure to investigate trafficking cases in its jurisdiction, but it was not under implementation by the end of the reporting period. Some complicit officials, primarily at commune and village levels, accepted bribes from traffickers, overlooked trafficking indicators, and extorted profit in exchange for reuniting victims with their families. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses.

PROTECTION

The government maintained mixed efforts to protect victims. In 2016, authorities reported identifying 1,128 victims—an increase from 1,000 in 2015 and 1,031 in 2014—but did not provide statistics disaggregating identified cases by type of trafficking, victim age or gender, source, or destination. Informally, MPS officials estimated 85 percent of identified cases involved transnational trafficking. The government adopted common victim identification criteria as part of the Coordinated Mekong Ministerial Initiative against Human Trafficking (COMMIT) and maintained its own formal procedure for victim identification, but did not proactively or widely employ either mechanism among such vulnerable groups as

women arrested for prostitution, migrant workers returning from abroad, and child laborers. It funded and conducted a national survey on victim repatriation and reintegration to better inform its victim support procedures, but the survey remained ongoing at the end of the reporting period. The government did not systematically refer victims to protective services due to inadequacies in its formal referral process, including some border guards' unfamiliarity with trafficking crimes, a lack of interjurisdictional cooperation, and incomplete data collection processes. In addition, authorities deported a large number of victims without referring them to services, including as many as 218 Cambodian victims—152 of whom were children. Some officials continued to conflate trafficking with smuggling, which precluded the identification of victims who voluntarily migrated abroad.

In 2016, the government reported assisting approximately 600 victims—a slight decrease from 650 in 2015 and 668 in 2014. Victims could request initial psychological counseling, healthcare consultations, and legal and financial assistance; the government reported providing many victims with vocational training, employment opportunities, and lines of credit at a reduced interest rate. The Ministry of Labor, Invalids, and Social Affairs (MOLISA) and a government-affiliated women's union often referred victims to NGOs depending on their individual needs. However, due to insufficient recordkeeping, it was unclear how many of the aforementioned identified victims benefitted from government or NGO protection services. Authorities did not report how many victims received the one-time government cash subsidy of up to 21.5 million dong (\$944). MOLISA continued operating 400 social protection centers through local authorities to provide services to a wide range of vulnerable groups, including trafficking victims; these centers were unevenly staffed, under-resourced, and lacked appropriately trained personnel to assist victims. NGOs reported psycho-social services for victims remained underdeveloped, and provincial-level government officials relied too heavily on poverty reduction in lieu of other more robust victim protection services.

A government-affiliated women's union, in partnership with NGOs and with foreign donor funding, continued to operate three shelters in urban cities, including one dedicated to trafficking victims. The union reported assisting 25 victims in 2016, including 18 newcomers and seven who had arrived during the previous reporting period, and helped to repatriate 42 Vietnamese women and children subjected to trafficking overseas. There were no shelters designated exclusively for male or child victims, although existing shelters provided assistance to all victims as needed.

The government maintained labor representatives at diplomatic missions in countries with large numbers of documented Vietnamese migrant workers, but reduced the number of such missions from nine to six during the reporting period. These missions could provide basic provisions, transportation, and healthcare to Vietnamese citizens subjected to trafficking abroad. However, some diplomatic personnel reportedly lacked sufficient training to adequately assist victims, and NGOs report some overseas missions were unresponsive to foreign countries' attempts to connect them with Vietnamese victims. The government reported 106 requests for victim identification at its diplomatic missions, culminating in 102 repatriations with government support; however, the total number of victims received by local authorities was likely higher. The government encouraged trafficking victims to assist in judicial proceedings against traffickers and offered them some protection and

compensation; however, the extent to which these measures were applied remained unknown. The law protects victims from prosecution for crimes committed as a result of having been subjected to trafficking, but NGOs reported victims were less likely to come forward about their abuses in a judicial setting due to fears that they may face arrest or deportation. Endemic social stigma associated with victimhood and concerns over retribution in their local communities likely further discouraged many victims from seeking or benefitting from protection services. The government did not offer foreign victims legal alternatives to their removal to countries where they may face retribution or hardship.

PREVENTION

The government increased efforts to prevent trafficking. During the reporting period, it issued guidelines to relevant ministries and provincial authorities on the 2016-2020 national anti-trafficking action plan to address forced labor, improve victim services, and implement the revised anti-trafficking penal code; however, it did not allocate sufficient funding to carry out the plan for a second year, and lack of inter-ministerial cooperation generally hampered effective implementation. It continued to develop its national database on trafficking statistics for the third year, but it was unclear if it made any demonstrable progress on bringing it closer to integration with law enforcement efforts or judicial proceedings. The government conducted workshops and hosted community dialogues on vulnerabilities to labor trafficking, targeting areas with a high prevalence of agricultural labor, construction, and foreign contract labor recruitment—especially of women. Public awareness-raising activities included advertisements, interventions at schools in high-risk geographic areas, and broadcast media campaigns. During the reporting period, the Ministry of Information and Communications directed state-run media to air more than 1,300 documentaries and news stories to raise public awareness, compared to 570 radio and television programs in 2015.

During the year, the government ratified the ASEAN Convention Against Trafficking in Persons, revised its memoranda of understanding with four primary destination countries, and signed several additional bilateral agreements that included anti-trafficking cooperative provisions. NGOs report pre-departure fee and deposit requirements for Vietnamese migrant workers—ranging from 6.5 to 65 million dong (\$285 to \$2,855)—increased their vulnerability to debt bondage overseas. The government made tangible efforts to reduce the demand for commercial sex acts during the reporting year by conducting raids at establishments notorious for prostitution and prostitution brokering and imposing fines on individuals purchasing sex. The ongoing Prostitution Prevention and Combating Program (2016-2020) aimed to reduce demand through educational campaigns targeting consumers of commercial sex and income generation programs for persons in prostitution, but its impact was unclear, and statistics about related activities were unavailable at the end of the reporting period. The government required anti-trafficking training for its diplomatic personnel prior to their departure to overseas posts.

TRAFFICKING PROFILE

As reported for the last five years, Vietnam is a source and, to a lesser extent, a destination country for men, women, and children subjected to sex trafficking and forced labor. Vietnamese men and women migrate abroad for work independently or through state-owned, private, or joint-stock labor recruitment companies. Some recruitment companies are unresponsive to

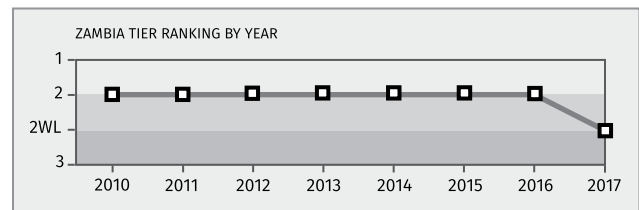
workers' requests for assistance in situations of exploitation, and some charge excessive fees that make workers more vulnerable to debt bondage. Some victims are subjected to forced labor in construction, fishing, agriculture, mining, logging, and manufacturing, primarily in Taiwan, Malaysia, Republic of Korea, Laos, Angola, United Arab Emirates, and Japan; there are increasing reports of Vietnamese labor trafficking victims in the United Kingdom, continental Europe, and the Middle East. Vietnamese women and children are subjected to sex trafficking abroad; many are misled by fraudulent employment opportunities and sold to brothel operators on the borders of China, Cambodia, and Laos, and elsewhere in Asia, including Thailand, Malaysia, Republic of Korea, Taiwan, and Singapore. Some Vietnamese women who travel abroad for internationally brokered marriages or jobs in restaurants, massage parlors, and karaoke bars—mostly to China, Malaysia, and Singapore—are subjected to domestic servitude or forced prostitution. False advertising, debt bondage, passport confiscation, and threats of deportation are tactics commonly used to compel Vietnamese victims into servitude. Traffickers increasingly use the internet, gaming sites, and particularly social media to lure potential victims into vulnerable situations; for example, men entice young women and girls with online dating relationships and persuade them to move abroad, then subject them to forced labor or sex trafficking. Vietnamese organized crime networks recruit Vietnamese adults and children under pretenses of lucrative job opportunities and transport them to Europe—particularly the United Kingdom—and subject them to forced labor on cannabis farms.

Within the country, Vietnamese men, women, and children—including street children and children with disabilities—are subjected to forced labor, although little information is available on these cases. Children are subjected to forced street hawking and begging in major urban centers. Some children are subjected to forced and bonded labor in informal garment and brick factories, in urban family homes, and in privately-run rural mines. Many children from impoverished rural areas, and a rising number from middle class and urban settings, are subjected to sex trafficking. Child sex tourists, reportedly from elsewhere in Asia, the United Kingdom and other countries in Europe, Australia, Canada, and the United States, exploit children in Vietnam. A 2014 legal provision requires a judicial proceeding before detention of drug users in compulsory drug rehabilitation centers and restricts detainees' maximum work day to four hours. Although the government reports that it no longer subjects drug users to forced labor in rehabilitation centers, there has been no independent verification of these claims, and international organizations report that authorities continue the practice. Complicit Vietnamese officials, primarily at commune and village levels, facilitate trafficking or exploit victims by accepting bribes from traffickers, overlooking trafficking indicators, and extorting profit in exchange for reuniting victims with their families.

ZAMBIA: TIER 2 WATCH LIST

The Government of Zambia 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 23 potential trafficking cases. The government increased its budget for the provision of protective services and conducted multiple awareness campaigns in border regions but did not offer any specific details regarding their scope. However, the

government did not demonstrate increasing efforts compared to the previous reporting period. The government did not prosecute any defendants or convict any traffickers compared to nine prosecutions and five convictions during the previous reporting period. The government did not amend the 2008 anti-trafficking act, which does not comply with international standards. It identified and referred to care one victim compared to 192 victims during the previous reporting period. The government did not improve the condition of its shelters and did not have shelters available to male trafficking victims. Although the government doubled the amount allocated for victim services, it referred the only victim it identified to an NGO. The anti-trafficking inter-ministerial committee did not meet during the reporting period. Therefore, Zambia was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR ZAMBIA

Proactively identify trafficking victims and refer them to protective services; amend the trafficking law to define child sex trafficking as not requiring force, fraud, or coercion be used and to define trafficking as a crime that does not require movement of the victim; vigorously investigate and prosecute sex and labor trafficking cases within Zambia involving both children and adults; formalize and implement victim identification and referral procedures, and train law enforcement and social welfare officials on their use, including in vulnerable populations; expand the availability of shelters and ensure alternative services are available for male victims; train police, immigration officials, prosecutors, and judges on investigating and prosecuting trafficking crimes; increase the number of labor inspectors and ensure they are trained on trafficking indicators; improve coordination among service providers to prevent detention of male victims; strengthen coordination and collaboration efforts between relevant ministries; develop and adopt an updated multi-year national anti-trafficking strategy and action plan and continue to conduct public awareness campaigns; and compile and make public information on trafficking cases and trends.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. The anti-trafficking act of 2008 criminalizes some forms of trafficking but requires cross-border movement, which does not comport with international law; further contrary to international law, it requires the use of threat, force, intimidation, or other forms of coercion for a child to be considered a sex trafficking victim. The act prescribes penalties ranging from 20 years to life imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

The government reported 23 trafficking cases from five provinces, involving nine adult victims, five men and four women, and 14 child victims, five of whom were boys and nine of whom were girls. The government did not convict any traffickers and did not report initiating any prosecutions, compared to initiating nine prosecutions in 2015. The government did not

investigate or prosecute companies for labor trafficking in the mining and agricultural sectors and had limited capacity to monitor these sectors; allegedly, large or foreign companies and foreign governments exerted influence over officials, preventing investigations. Despite these allegations, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The Ministry of Labor and Social Security (MLSS) Child Labor Unit used mediation with parents as the usual process for handling child labor cases. The national police academy trained 600 recruits on trafficking. The paramilitary police training school trained over 1,000 trainees on trafficking. The government maintained a database to track trafficking case data with other countries in the region. The government continued its partnerships in the region through routine coordination of anti-trafficking efforts with Zimbabwe and South Africa.

PROTECTION

The government made decreased efforts to assist victims. The government identified one victim and an international organization and an NGO identified 13 potential trafficking victims during the reporting period, compared to the government identifying 192 potential victims during the previous reporting period. It was unclear whether the victim identified by the government was a victim of trafficking, as officials often conflated cases of smuggling and trafficking, and it did not increase its capacity to adequately protect victims for the second year in a row. Of the potential victims identified, 11 were labor trafficking victims and three were sex trafficking victims. The government referred the one victim it identified to protective services. An international organization and an NGO provided care for the victims identified and facilitated the repatriation of 10 victims who received protective services in their country of origin. The government provided increased financial support to organizations providing victim assistance; however, it continued to rely on international organizations and local NGOs to provide the majority of care. The government also increased its anti-trafficking budget by 50,000 new kwacha (\$5,043) from the previous reporting period, allocating 100,000 new kwacha (\$10,086), an increase of \$5,000.

Although the government identified significantly fewer victims, officials and service providers used standard procedures to screen and identify trafficking victims among vulnerable populations, such as migrants and unaccompanied minors. The Ministry of Community Development, Mother and Child Health (MCDMCH) oversaw the placement of one victim in an NGO shelter and continued to provide in-kind assistance. Government officials, in partnership with international organizations, offered routine assistance to victims, including medical care, counseling, court preparation, and repatriation or regularization of immigration status. The Department of Immigration, in partnership with an international organization, trained officers at ports of entry to identify and interview potential victims of trafficking, but did not report referring any cases for prosecution. The government offered legal alternatives to the removal of victims to countries where they may face hardship or retribution; however, the government did not report applying such assistance in 2016.

Government and NGO shelters lacked sufficient capacity to serve victims, especially men. The MCDMCH operated a 40-person shelter for victims of trafficking and victims of sexual abuse in Luapula province, and oversaw two NGO shelters. NGO shelters did not provide accommodation for male victims older than age 12. As a result of the lack of shelter availability and

resources, it was not uncommon for the government to house victims, including children, in jail for short periods.

PREVENTION

The government decreased efforts to prevent trafficking. The national secretariat and an inter-ministerial committee were ineffective in their oversight of national anti-trafficking efforts, as overall prevention efforts decreased and prior annual engagements were not upheld during the reporting period. The anti-trafficking inter-ministerial committee did not meet during the reporting period. The government did not review or update the 2012-2015 national action plan to combat trafficking, which expired in June 2015. It did not host its annual National Symposium on Human Trafficking during the reporting period, which focused on protecting migrants from trafficking and exploitation. The Ministry of Home Affairs Research and Information Department reported it conducted multiple awareness campaigns in border regions but did not offer any specific details regarding their scope. During 2016, MLSS employed 110 labor inspectors, compared to no labor officers employed the previous year. The government did not make efforts to reduce the demand for commercial sex or forced labor. Zambian peacekeepers received anti-trafficking training on how to identify and protect potential trafficking victims. The government did not provide anti-trafficking training for its diplomatic personnel.

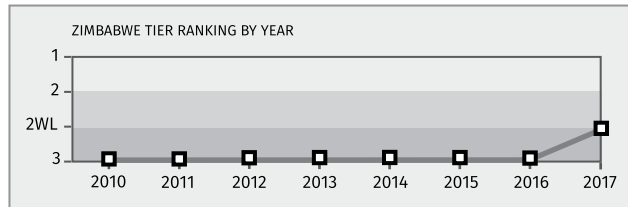
TRAFFICKING PROFILE

As reported over the past five years, Zambia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most trafficking occurs within the country's borders and involves women and children from rural areas exploited in cities in domestic servitude or forced labor in agriculture, textile production, mining, construction, small businesses such as bakeries, and forced begging. Zambian children may be forced by *jerabo* gangs engaged in illegal mining to load stolen copper ore onto trucks in Copperbelt Province. While orphans and street children are most vulnerable, children of affluent village families are also at risk of trafficking because sending children to the city for work is perceived to confer status. Zambian boys and girls are exploited in sex trafficking by truck drivers in towns along the Zimbabwean and Tanzanian borders and by miners in Solwezi. Zambian boys are subjected to sex trafficking in Zimbabwe and women and girls are subjected to sex trafficking in South Africa. Domestically, extended families and trusted family acquaintances facilitate trafficking.

Women and children from neighboring countries are exploited in forced labor and sex trafficking in Zambia. Nationals from South and East Asia are exploited in forced labor in domestic servitude, textile factories, bakeries, and Chinese-owned mines. Chinese traffickers bring in Chinese women and girls for sexual exploitation in brothels and massage parlors in Lusaka; traffickers use front companies posing as travel agencies to lure Chinese victims and coordinate with Zambian facilitators and middlemen. South African criminal groups subjected Southeast Asians transiting Zambia to forced labor in construction in South Africa. Potential trafficking victims from Ethiopia, Democratic Republic of the Congo, and Syria were identified in Zambia.

ZIMBABWE: TIER 2 WATCH LIST

The Government of Zimbabwe 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, Zimbabwe was upgraded to Tier 2 Watch List. These achievements included increased efforts to investigate and prosecute alleged trafficking crimes. The government coordinated with Kuwait to repatriate and refer to care 121 female trafficking victims, and also repatriated five victims from Sudan. It conducted a training-of-trainers for police on victim identification interview approaches. The government launched its first national action plan and implemented several key activities in the plan. The Anti-Trafficking Inter-Ministerial committee developed terms of reference to guide front-line responders in a victim-centered approach and established two provincial taskforces to implement the national action plan at the provincial level. The government-funded and conducted awareness campaigns and trained journalists on responsible reporting of trafficking cases. Despite these achievements, the government did not convict any traffickers during the reporting period. It did not amend the 2014 Trafficking in Persons Act, which was inconsistent with international law. Prosecutors used non-trafficking laws to charge cases that were potentially trafficking due to a lack of training on application of the anti-trafficking law. The government did not monitor transnational borders adequately, where corruption and official complicity can facilitate trafficking with impunity.



RECOMMENDATIONS FOR ZIMBABWE

Amend the 2014 anti-trafficking legislation to incorporate a definition of trafficking consistent with the 2000 UN TIP Protocol; investigate, prosecute, and convict traffickers, including complicit government officials; formalize procedures for identifying victims and referring them to the care of appropriate government or NGO service providers; expand training for law enforcement on investigative techniques; train officials on victim identification and referral procedures; train prosecutors and judges on trafficking and trafficking-related legislation; provide financial or in-kind support to NGOs and international organizations that provide victim services; establish safe houses for trafficking victims in each province; implement, and allocate sufficient resources to, the national action plan to combat trafficking; increase collaboration with NGOs and international organizations; and raise awareness of human trafficking and the availability of assistance for victims.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. Inconsistent with international law, the 2014 Trafficking in Persons Act defines trafficking in persons as a movement-based crime and does not adequately define "exploitation." The 2014 act criminalizes the involuntary transport of a person, and the voluntary transport for an unlawful purpose, into,

outside or within Zimbabwe. The focus on transport and the inadequate definition of "exploitation" leave Zimbabwe without comprehensive prohibitions of trafficking crimes. Zimbabwe's Labor Relations Amendment Act prohibits forced labor and prescribes punishments of up to two years imprisonment; this penalty is not sufficiently stringent. The Criminal Law (Codification and Reform) Act prohibits and prescribes penalties of up to two years imprisonment for procuring a person for unlawful sexual conduct, inside or outside of Zimbabwe; this penalty is not sufficiently stringent when applied to cases of sex trafficking. The act also prohibits coercing or inducing anyone to engage in unlawful sexual conduct with another person by threat or intimidation, prescribing sufficiently stringent penalties of one to five years imprisonment. Pledging a female for forced marriage to compensate for the death of a relative or to settle any debt or obligation is punishable under the act, with penalties of up to two years imprisonment. These penalties are not commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated 72 potential cases of trafficking, an increase from one investigation in the previous reporting period. The government reported prosecuting 42 trafficking cases in 2016, after reporting zero prosecutions in 2015; it prosecuted 21 new defendants for alleged trafficking crimes, while another 21 defendants were involved in ongoing prosecutions. Like the previous year, the government did not convict any traffickers during the reporting period. The Zimbabwe Republic Police's Victim Friendly Unit (VFU) has responsibility for investigating cases involving women and children and referring victims to support services; however, the VFU was largely inactive and did not report investigating trafficking cases during the year.

Corruption in law enforcement and the judiciary impaired the effectiveness of anti-trafficking efforts. Victims reportedly refused to report or pursue cases of trafficking due to fear their traffickers could bribe police or judges. Anecdotal evidence indicated limited government involvement in, and tolerance of, trafficking on a local level and at border crossings. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government increased its efforts to identify and protect trafficking. The government reported identifying 72 child sex trafficking victims and of trafficking, an increase from zero victims reported identified by officials in 2015; however, it did not report whether it referred these victims to care. One NGO reported assisting 17 female and six male child victims and referring seven to state-run facilities. The government provided some funding support for the repatriation of 120 victims from Kuwait and five victims from Sudan and, with support from NGOs, coordinated efforts to provide protective services. The government initiated refurbishment of the Harare rehabilitation center for victims of trafficking; however, the government did not provide exact figures. Government officials traveled to Kuwait to assist in repatriating these victims, met victims at the airport, and provided them with safe transportation. Upon arrival at the rehabilitation center in Harare, the government provided medical screening and counseling with support from international organizations and NGOs. The government also provided food and \$100 for each victim. Officials from the Ministry of Public Service, Labor and Social Welfare (MPSLSW) visited victims in their local communities to establish their immediate and long-term needs.

The MPSLSW established the technical steering committee on the protection of victims of trafficking to oversee the protection and provision of reintegration assistance and referral services to victims of trafficking. The committee developed a formal referral mechanism. The government conducted training-of-trainers for approximately 40 police on victim identification interview approaches. While the 2014 Trafficking in Persons Act required the government to establish centers in each of Zimbabwe's 10 provinces to provide counseling, rehabilitation, and reintegration services, these centers had not been established at the end of the reporting period. Children had access to health services, counseling, and some educational services at these shelters. The government did not provide foreign trafficking victims with legal alternatives to their removal to countries where they might face retribution or hardship.

PREVENTION

The government increased efforts to prevent trafficking. The Anti-Trafficking Inter-Ministerial Committee (ATIMC) met twice and led the development of the country's first national action plan, launched in July 2016, and implemented several key elements of the plan. Representatives from 13 government agencies undertook research to develop the national action plan. The ATIMC Secretariat developed terms of reference for the Protection Cluster, which provided guidance for front-line responders in the identification, referral, and protection of victims and potential victims of trafficking. The government rolled out two provincial taskforces, in Harare and Matabeleland South, in February and March 2017 to implement recommendations from the national action plan. Unlike the previous year, the government conducted awareness campaigns at the country's two annual trade fairs, in Bulawayo and Harare. A government official spoke about trafficking on the national evening news, particularly regarding victim protection, prevention strategies for potential victims, and government efforts to prevent trafficking. An international organization printed a children's book discussing the dangers of trafficking, which the government used in primary schools. The government conducted 866 labor inspections during the reporting period, and identified 376 potential trafficking crimes. The government trained media personnel on how to report on trafficking in persons, including the importance of confidentiality and victims' rights. The government did not provide anti-trafficking training to its diplomatic personnel. It did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Zimbabwe is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and girls from Zimbabwean towns bordering South Africa, Mozambique, and Zambia are subjected to forced labor, including domestic servitude, and sex trafficking in brothels catering to long-distance truck drivers on both sides of the borders. Zimbabwean men, women, and children are subjected to forced labor in agriculture and domestic service in the country's rural areas, as well as domestic servitude and sex trafficking in cities and surrounding towns. Family members recruit children and other relatives from rural areas for work in cities where they are often subjected to domestic servitude or other forms of forced labor; some children, particularly orphans, are lured with promises of education or adoption. Reports indicate that adults have recruited girls for child sex trafficking in Victoria Falls. Children are subjected to forced labor in the agricultural and mining sectors and are forced to carry out illegal activities, including

drug smuggling. There were increased reports of children from Mozambique being subjected to forced labor in street vending in Zimbabwe, including in Mbare. Additionally, the practice of *ngozi*, giving a family member to another family to avenge the spirits of a murdered relative, creates a vulnerability to trafficking.

Zimbabwean women and men are lured into exploitative labor situations in agriculture, construction, information technology, and hospitality largely in neighboring countries; some subsequently become victims of forced labor, and some women become victims of forced prostitution. Women are exploited in domestic servitude, forced labor, and sex trafficking in Kuwait and Saudi Arabia. There were previous reports of Zimbabwean women lured to China and the Middle East for work, where they are vulnerable to trafficking. Many Zimbabwean adult and child migrants enter South Africa with the assistance of taxi drivers who transport them to the border at Beitbridge or nearby unofficial crossing locations and are subject to labor and sex trafficking. Some of the migrants are transferred to criminal gangs that subject them to abuse, including forced prostitution in Musina, Pretoria, Johannesburg, or Durban. Some Zimbabwean men, women, and children in South Africa are subjected to months of forced labor without pay, on farms, at construction sites, in factories, mines, and other businesses. Men, women, and children, predominantly from East Africa, are transported through Zimbabwe en route to South Africa; some of these migrants are trafficking victims. Refugees from Somalia and Democratic Republic of the Congo reportedly travel from Zimbabwe's Tongogara Refugee Camp to Harare, where they are exploited and, in some cases, forced into prostitution. Chinese nationals are reportedly forced to labor in restaurants in Zimbabwe. Chinese construction and mining companies in Zimbabwe reportedly employ practices indicative of forced labor, including verbal, physical, and sexual abuse, and various means of coercion to induce work in unsafe or otherwise undesirable conditions.

SPECIAL CASE: LIBYA

Libya is a Special Case for the second consecutive year. The Presidency Council of the Libyan Government of National Accord (GNA)—created through the Libyan Political Agreement signed in December 2015 and endorsed by the legislature in January 2016—arrived in the capital Tripoli in late March 2016. Despite this political progress, the GNA struggled to gain institutional capacity and the resources to address trafficking, as the government was focused on consolidating control over its territory and countering extremist violence throughout 2016 and into 2017. The judicial system was not fully functioning, as courts in major cities throughout the country have not been operational since 2014. Violence driven by militias, civil unrest, and increased lawlessness continued to plague Libya throughout the reporting period. Extra-legal armed groups continued to fill a security vacuum across the country; such groups varied widely in their make-up and the extent to which they were under the direction of state authorities. These groups also committed human rights abuses, including unlawful killings. Accurate information on human trafficking continued to be difficult to obtain, in large part due to the withdrawal of most diplomatic missions, international organizations, and NGOs in 2014.

GOVERNMENT EFFORTS

The government lacked the capacity to address basic security challenges, including human trafficking, as it struggled to exert control over a significant amount of Libya's territory. The lack of rule-of-law hindered police and judicial officials' from addressing trafficking crimes; the government did not provide anti-trafficking trainings to officials. Libyan law does not prohibit all forms of human trafficking. Articles in the penal code prohibit trafficking of women for the purposes of prostitution, sexual exploitation, slavery, and child sex trafficking; however, the articles do not directly address forced labor.

Sex trafficking offenses carry penalties of one to 10 years imprisonment, which are sufficiently stringent but not commensurate with other serious crimes, such as rape; penalties for rape range from five to 15 years imprisonment. Penalties for slavery offenses are five to 15 years imprisonment, which are sufficiently stringent and commensurate with other serious crimes. As the criminal judicial system, including courts in major cities, were not functioning in 2016, the government did not investigate, prosecute, or convict any trafficking offenders. The Ministry of Interior, which was nominally responsible for anti-trafficking law enforcement efforts, was unable to carry out any anti-trafficking operations during the majority of the reporting period. Furthermore, the government did not report any investigations, prosecutions, or convictions of government officials—including Libyan Coast Guard officials, immigration officers, and Ministry of Interior's Department to Combat Irregular Migration (DCIM) prison guards—who were allegedly complicit in trafficking crimes. The government also did not make efforts to investigate or punish government-aligned militias or other armed groups that recruited and used child soldiers.

The government did not have any policy structures, capacity, or resources to proactively identify and protect trafficking victims among vulnerable groups, such as foreign migrants, street children, girls in forced sexual exploitation, and women in prostitution. It also did not have measures in place to protect children recruited and used by armed groups. The government punished victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration and prostitution violations; it treated victims as illegal migrants and therefore subjected them to detention, severe punishment, and deportation. The government arbitrarily detained migrants, including potential trafficking victims, in official DCIM-run and unofficial detention facilities for indefinite periods of time with no access to legal aid; detained victims were subjected to sexual violence and rape, ill-treatment, and unlawful killings. Moreover, authorities made no effort to protect detained foreign migrants in both official and unofficial detention centers from being sold into forced labor. In 2016, the government announced the voluntary repatriation of 200 illegal migrants from Niger, who it had held in detention centers in Tripoli. The government, however, did not make efforts to identify potential trafficking victims among this vulnerable group. The government did not encourage victims to participate in the investigation and prosecution of traffickers, and it did not provide foreign trafficking victims with legal alternatives to their removal to countries where they faced hardship or retribution.

The government lacked the political will, institutional capacity, and resources to prevent human trafficking. The government did not prevent government officials or other armed groups from forcing detained migrants to work; on the contrary, the government's system of detaining migrants enabled forced

labor crimes to occur. The government took no steps to prevent the recruitment and use of children by militia groups, groups affiliated to or aligned with the government, and other armed groups operating throughout the country. The government did not have a national coordinating body responsible for combating human trafficking, nor did it have a national action plan to combat trafficking. The government did not conduct any public anti-trafficking awareness campaigns, nor did it take actions to reduce the demand for commercial sex acts, child sex tourism, or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

SCOPE AND MAGNITUDE

As reported over the past five years, Libya is a destination and transit country for men and women from sub-Saharan Africa and Asia subjected to forced labor and sex trafficking, and it is a source country for Libyan children subjected to recruitment and use by armed groups within the country. Instability and lack of government oversight continued to allow for human trafficking crimes to persist and become highly profitable for traffickers. As reported by international organizations in 2016, trafficking victims—including men, women, and children—are highly vulnerable to extreme violence and other human rights violations in Libya by government officials and non-state armed groups, including physical, sexual, and verbal assault; abduction for ransom; arbitrary killings; and inhumane detention.

Migrants in Libya are extremely vulnerable to trafficking, including those seeking employment in Libya or transiting Libya en route to Europe. The country continued to serve as the primary departure point for migrants crossing the Mediterranean from North Africa, with more than 90 percent of those crossing the Mediterranean Sea departing from Libya. Female migrants, in particular, are highly vulnerable to sexual assault by various armed groups and smugglers along the migration routes to Libya. Prostitution rings reportedly subject sub-Saharan women to sex trafficking in brothels, particularly in southern Libya. Nigerian women are at increased risk of being forced into prostitution, while Eritreans, Sudanese, and Somalis are at risk of being subjected to forced labor. Trafficking and smuggling networks that reach into Libya from Niger, Nigeria, Chad, Eritrea, Ethiopia, Somalia, Sudan, and other sub-Saharan states subject migrants to forced labor and forced prostitution through fraudulent recruitment, confiscation of identity and travel documents, withholding or non-payment of wages, and debt bondage. One 2014 account indicated criminal groups recruited Sudanese migrants to Libya through false job offers and forced them to work in agriculture with little or no pay.

In previous years, migrants reportedly paid smuggling fees to reach Tripoli, often under false promises of employment or eventual transit to Europe; once these victims crossed the Libyan border, they were sometimes abandoned in southern cities or the desert, where they were susceptible to severe forms of abuse and human trafficking. In 2014, an international organization reported Syrian nationals temporarily residing in Sudan preferred to travel through Libya en route to Italy with the use of smugglers; these Syrians are at risk of trafficking. In February 2015, the media reported a Russian trafficking network brought hundreds of Bangladeshi nationals to Italy via Libya, where they subsequently endured forced labor.

There are multiple reports of migrants—some of whom may be trafficking victims—held in detention centers controlled by both the DCIM and non-state armed groups, where they are subject to severe abuse, rampant sexual violence, denial of

medical care, and forced labor. For example, private employers and prison officials use detained migrants from official and unofficial prisons and detention centers for forced labor as domestic workers, construction and road paving workers, and garbage collectors. As reported by an international organization in December 2016, armed groups, criminal gangs and networks, smugglers, and traffickers have cooperated and competed in the smuggling and trafficking of migrants through Libya, while carrying out serious human rights abuses and violations against migrants. Elements of the Libyan Coast Guard have reportedly worked with armed groups and other criminals, including traffickers, to exploit migrants for profit. Coast Guard officials also return migrants rescued at sea to detention centers in Libya where they are subjected to forced labor.

Since mid-2015, ISIS in Libya has abducted and taken into captivity at least 540 migrants and refugees, including at least 63 women whom ISIS forced into sexual slavery for its fighters. Since 2013, numerous reports indicate militias, some of which are used as combat forces or security enforcement by the government, recruit and use Libyan children younger than 18 years old. Children associated with armed groups are also reportedly exposed to sexual violence. An international organization reported that armed groups recruited and used children throughout 2015. For example, groups affiliated to ISIS operated training camps south of Sirte, and in December 2015, 85 children under 16 years old attended a graduation ceremony for a training camp.

SPECIAL CASE: SOMALIA

Somalia remains a Special Case for the fifteenth consecutive year. During the reporting period, the Federal Government of Somalia (FGS) controlled its capital city, Mogadishu, and regional governments retained control over most local capitals across the country. The self-declared independent region of Somaliland and the federal member state of Puntland retained control of security and law enforcement in their respective regions. The federal government had limited influence outside Mogadishu; the al-Shabaab terrorist group continued to occupy and control rural areas in the Juba Valley in south-central Somalia. The FGS focused on capacity-building and securing Mogadishu and government facilities from attacks by al-Shabaab. The sustained insurgency by al-Shabaab was the main obstacle to the government's ability to address human trafficking in practice. Some areas liberated from al-Shabaab experienced further unrest caused by rival clans fighting for political power or control of resources. The government had minimal capacity to address most crime, including human trafficking, and thereby demonstrated negligible efforts in all regions on prosecution, protection, and prevention. Some federal and regional armed forces were not paid regularly, and police across Somalia lacked proper investigatory capacity to deal with trafficking cases. Although reportedly improved during the reporting year, some Somali officials continued to lack an understanding of trafficking crimes, which they often conflated with migrant smuggling. An NGO reported officials in upper echelons of certain state governments are beneficiaries of trafficking rings in Somalia, thereby hampering efforts to effectively address complicity.

GOVERNMENT EFFORTS

Somaliland and Puntland authorities sustained limited efforts to combat trafficking during the reporting period. Due to civil

unrest and the protracted campaign to degrade al-Shabaab and establish law and order in Somalia, law enforcement and judicial officials remained understaffed, undertrained, and lacked capacity to effectively enforce the law. The pre-1991 penal code (applicable at the federal and regional levels) outlaws forced labor and other forms of trafficking in persons. Article 455 prohibits and penalizes slavery, prescribing penalties of five to 20 years imprisonment. Article 464 prohibits forced labor, prescribing penalties of six months to five years imprisonment. Article 457 prohibits the transferring, disposing, taking possession or holding of a person, and prescribes penalties of three to 12 years imprisonment. All of these penalties are sufficiently stringent. Article 408(1) prohibits compelled prostitution of a person through violence or threats, prescribing penalties of two to six years imprisonment, which is sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. The provisional constitution prohibits slavery, servitude, trafficking, and forced labor under article 14. Article 29(6) prohibits the use of children in armed conflict. Laws in Somaliland prohibit forced labor, involuntary servitude, and slavery. In 2016, the Somali police investigated one potential trafficking case, but it did not progress to the court system for unknown reasons. Authorities in Puntland prosecuted 23 child sex trafficking cases, three of which resulted in convictions; these cases involved seven traffickers and 61 victims. The convicted traffickers received five-year prison sentences plus a fine of 1.6 million Somali shillings (\$3,000)—the maximum under Puntland law, which only punishes drivers who transport trafficking victims. However, no reliable statistics existed at either the federal or regional level on investigations, prosecutions, or convictions of or related to trafficking. While information regarding officials alleged to be complicit in the facilitation of sex and labor trafficking remained largely unknown, the government did not report efforts to investigate claims of federal officials selling falsified travel documents to travel brokers and traffickers or take action against military officials for the recruitment and use of children during the year.

The inter-ministerial Trafficking and Smuggling Taskforce served as the federal government's anti-trafficking coordinating body, which included representation from the Ministry of Internal Security, Ministry of Foreign Affairs, Ministry of Justice, Somali Police Force (SPF), and Ministry of Interior and Federal Affairs, and led by the permanent secretary of the Ministry of Interior and Federal Affairs; members of the taskforce liaised with Puntland state-level authorities during an information sharing workshop sponsored by an international organization. During the reporting year, the taskforce commenced development of a national action plan on trafficking efforts, and in May 2016 the prime minister issued a decree to specify the taskforce's membership and mandate. The criminal investigations division of the SPF has a 40-officer Counter-Trafficking and Organized Crime Unit, but according to an international organization this unit has never received counter-trafficking training. The state-level Counter-Trafficking Board, established in March 2013, was the lead in Puntland state. The Puntland state police, in collaboration with an international organization, conducted two follow-up trainings on trafficking investigations for 42 officers during the reporting period. The Somaliland government in June 2016 established the Counter Human Trafficking Agency of Somaliland, which included representatives from immigration, police, coast guard, the attorney general's office, and the ministries of commerce, finance, and civil aviation. The agency is mandated to coordinate counter-trafficking efforts including developing legislation and collecting data, but its work remained limited in reach.

No governmental entity had systematic procedures to identify or refer trafficking victims. Information on FGS efforts to protect trafficking victims was unavailable. The FGS and Somaliland authorities did not provide protective services to trafficking victims and relied fully on international organizations and NGOs to provide victim assistance, including food, clothing, shelter, legal support, medical aid, counseling, and reintegration services. During the reporting year, Puntland authorities partnered with civil society to provide protective care for 23 trafficking victims; it also helped facilitate the return home of 29 minor victims. However, some of these children and recipients of protective care were likely smuggling victims. The FGS did not provide financial or in-kind support to organizations assisting victims. In Puntland in 2016, state authorities paid the lease and electric and water bills for a house rented by an organization to use as a shelter for trafficking victims; however, the amount of funding spent on this assistance was unavailable. State authorities also provided transportation costs to the victims to enable their return home. The Puntland Ministry of Women Affairs managed a safe house for victims of trafficking and domestic violence in Garowe, Puntland. There were no legal alternatives to the removal of foreign trafficking victims from Somalia to countries where they may face hardship or retribution.

Authorities across Somalia demonstrated minimal efforts to prevent trafficking during the year. In Puntland state, members of the anti-trafficking board participated in a three-month radio, television, and community social mobilization awareness campaign conducted by an international organization to sensitize the public on human trafficking, including how to detect and report actual and suspected cases of trafficking; the Puntland state government did not fund the program. The FGS did not conduct any awareness campaigns during the reporting period. No government entity provided funding to agencies for labor inspections, and no inspectors were employed to enforce labor laws. Authorities across Somalia did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel. Somalia is not a party to the 2000 UN TIP Protocol.

During the year, there were continued reports of the Somali National Army (SNA), Ahlu Sunna Wal Jama'a, clan militia, and al-Shabaab using child soldiers.

The efforts of the FGS to end the recruitment and use of child soldiers were focused solely on the SNA. The government's implementation of the 2012 action plan to end the recruitment and use of children by the SNA remained incomplete. The work of the six military officer focal points named in 2015 was limited during the current reporting year. Nevertheless, in 2016, the SNA's Child Protection Unit reported that it conducted awareness campaigns in Mogadishu, Guul Wadaysha, and at the Siyad Army Base on the importance of preventing child recruitment into the security forces. Authorities handed over children separated from armed groups to an international organization for care. The UN continued to report concerns about the arrest and detention of some children allegedly associated with al-Shabaab by Puntland forces. Most Somalis lacked birth certificates, and without an established birth registration system or standardized method for recruitment, verifying claims of child soldiering remained difficult.

Throughout areas beyond state control, al-Shabaab frequently recruited children for use by its militias, typically through abduction, deception, or compelling elders to hand over

minors, and increasingly through fear from public executions of children alleged to be deserters or spies. The terrorist group forced recruitment at mosques, Quranic schools, and facilities for neglected children. Al-Shabaab used children for combat and other support functions in southern and central Somalia, including for planting roadside bombs and other explosive devices, serving as human shields during incursions, carrying out assassinations and suicide attacks, providing intelligence, serving as guards, and working in domestic service. Al-Shabaab also forcibly recruited young girls and exploited them in sexual servitude.

TRAFFICKING PROFILE

Somalia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Information regarding trafficking in Somalia remains extremely difficult to obtain or verify. Victims are primarily from Somalia's southern and central regions and subjected to trafficking within the country, especially in Puntland and Somaliland in the north. In Somaliland, women act as recruiters and intermediaries who transport victims to Puntland, Djibouti, and Ethiopia for the purposes of domestic servitude or sex trafficking. Due to poverty and an inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share familial ties and clan linkages; some of these children may become victims of forced labor or sex trafficking. While many children work within their own households or family businesses, some children may be forced into labor in agriculture, domestic work, herding livestock, selling or portering *khat*, crushing stones, or in the construction industry. In 2014, an international NGO released a report documenting cases of sexual abuse and exploitation, including trafficking, of Somali women and girls by Ugandan and Burundian African Union Mission in Somalia (AMISOM) personnel. An African Union investigation into the allegations concluded there was evidence of sexual exploitation, abuse, and trafficking by AMISOM personnel.

Notwithstanding the lack of reliable statistics, Somaliland and Puntland received an influx of economic migrants and refugees from war-torn Yemen and the Oromia region of Ethiopia. Regional governments from Somaliland and Puntland reported smuggling and trafficking continued through Somalia as a transit point on routes to Libya, Sudan, and Europe. Women and girl migrants working in the informal economy were particularly vulnerable to trafficking. Reports document an uptick in middle-class Somali citizens attempting to migrate to Europe, which increased their vulnerability to trafficking. An international organization reported that youth aged 18 to 35 from south-central Somalia, driven by pressure to seek employment opportunities abroad, are the most vulnerable to trafficking. As in prior reporting periods, certain marginalized ethnic minorities—Somali Bantus and Midgaan—continue to face greater risk of sex and labor trafficking, as do IDPs and people living in areas under al-Shabaab control. Self-identified administrators of some IDP camps reportedly force girls and women to provide sex acts in exchange for food and services; some Somali officials are alleged to be complicit in such exploitation. These camp administrators continue to charge rent or fees for otherwise-free basic services and sell the area they control within a camp to other administrators, establishing a cycle of debt for IDPs that makes them vulnerable to trafficking, including inherited bondage.

According to an international organization, traffickers employed deception as the predominant recruitment method over threat

or force, as utilized in years past. Traffickers and smugglers reportedly take advantage of the vulnerability of IDP women and children, mostly from southern and central Somalia, at times using false promises of lucrative jobs in Europe and North America. Traffickers transport Somali women, sometimes via Djibouti, to the Middle East, where they frequently endure domestic servitude or forced prostitution. Somali men experience conditions of forced labor as herdsmen and workers in the Gulf States. Traffickers transport children to Saudi Arabia and force them to beg on the streets. Dubious employment agencies facilitate human trafficking by targeting individuals desiring to migrate to the Gulf states or Europe for employment. Federal government officials allegedly sell falsified travel documents to travel brokers and traffickers. NGOs and international organizations report Somalis increasingly seek to move to other African destinations, including Kenya and South Africa. Authorities in Somaliland report an increase in the transporting or kidnapping of children and unemployed university graduates, who later transit Ethiopia and Sudan and are sometimes held hostage by networks in Libya en route to Europe and the Middle East. Some members of the Somali diaspora use false offers of marriage to lure unsuspecting victims, many of whom include relatives, to Europe or the United States, where they force them into prostitution or domestic servitude. Traffickers reportedly subject Somali children fleeing al-Shabaab and seeking refuge in Kenya to forced labor or sexual exploitation. Trucks transporting goods from Kenya to Somalia sometimes return to Kenya with young girls and women; traffickers procure these young girls and women and exploit them in brothels in Nairobi or Mombasa or send them to destinations outside Kenya. Undocumented Ethiopians in northern Somalia also remain vulnerable to trafficking as they seek employment in Puntland and Somaliland to fund subsequent travel to the Middle East. Ethiopian children travel to Somaliland seeking employment but may instead be forced to beg on the streets. Some traffickers reportedly compel community elders, particularly in coastal regions, to convince community members to travel to Europe for employment opportunities; some individuals are subjected to forced labor in Europe.

SPECIAL CASE: YEMEN

Yemen remains a Special Case for the second consecutive year. The civil conflict and humanitarian crisis in Yemen deepened during the reporting period, and information on human trafficking in the country has become increasingly difficult to obtain since March 2015 when the Republic of Yemen Government (ROYG) had to leave and relinquished control of substantial portions of territory. NGOs reported vulnerable populations in Yemen are at an increased risk of being subjected to trafficking due to large-scale violence driven by protracted armed conflict, civil unrest, and lawlessness. Migrant workers from the Horn of Africa who remained in Yemen may have endured intensified violence, and women and children may have become more susceptible to trafficking. The few international organizations and NGOs remaining in Yemen focused primarily on providing emergency assistance to the local population and lacked adequate resources to collect reliable data on trafficking. A local NGO estimated more than 80 percent of Yemenis need broad assistance and basic social services have collapsed. For the purposes of this report, Yemen retained special case status since the government continues to lack control over a significant portion of its territory while it remains outside the capital,

Sana'a, in Aden, and Saudi Arabia.

GOVERNMENT EFFORTS

Due to the tenuous political situation, the government faced serious challenges to combat trafficking, including substantial internal security threats, weak institutions, systemic corruption, a shrinking economy, limited territorial control, and poor law enforcement capabilities. The government made no discernible anti-trafficking law enforcement efforts. Government efforts to investigate and prosecute trafficking offenders were hampered by the absence of a law criminalizing all forms of trafficking and the government's conflation of trafficking and smuggling. Article 248 of the penal code prescribes up to 10 years imprisonment for any person who "buys, sells, or gives [a human being] as a present, or deals in human beings; and anyone who brings into the country or exports from it a human being with the intent of taking advantage of him." This statute's prescribed penalty is commensurate with those prescribed for other serious crimes, such as rape; however, its narrow focus on transactions and movement does not prohibit many forms of sex trafficking and forced labor as defined under international law. Article 161 of the Child Rights Law criminalizes the "prostitution of children." While the government's inter-ministerial National Technical Committee to Combat Human Trafficking drafted anti-trafficking legislation, with assistance from an international organization, prior to its departure, Houthi rebels illegally disbanded parliament in February 2015, and the legislation has not been enacted.

The government did not have access to or oversight of the courts and therefore did not report efforts to prosecute, convict, or punish trafficking offenses during the year. It made no known efforts to investigate or punish the practice of chattel slavery. In addition, the government was unable to pursue any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses, despite previous reports of officials engaged in trafficking in both urban and rural areas, including the domestic servitude of children and women, forced prostitution of women, recruitment and use of child soldiers, and forced labor of migrant workers. Allegedly, local government and security officials willfully ignored trafficking crimes in their respective areas of responsibility. Prior to the conflict, the government did not effectively enforce anti-trafficking provisions due to a lack of resources and the financial interests of the elite, many of whom allegedly benefited from forced labor.

The government did not have the access to identify and provide adequate protection services to trafficking victims among vulnerable groups, such as women in prostitution and foreign migrants. As a result, the government could not ensure trafficking victims were not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to trafficking, such as prostitution or immigration violations. An international organization identified 25 victims of trafficking, most of whom were adults. Although the Ministry of Interior (MOI) Women and Children Unit had formal standard operating procedures for proactive identification of trafficking victims, efforts to implement or train law enforcement on these procedures were suspended due to the prolonged unrest. Furthermore, the government did not encourage victims to assist in investigations or prosecutions of their traffickers or to provide assistance to its nationals repatriated after enduring trafficking abroad. In May 2014, the government acknowledged the use of child soldiers and signed a UN action plan to end the practice; however, it did not make efforts to release child soldiers from the military or provide

them with protective or rehabilitation services. Furthermore, an international organization continued to express concerns about the detention by the Yemeni Armed Forces (YAF) of children for alleged association with Houthi rebel forces. The government took some action in criticizing or condemning the rebel recruitment of child soldiers, including public press statements, and expressed its commitment to properly address this crime.

Due to its broad lack of access and governance capacity issues, the government was unable to make efforts to prevent trafficking during the reporting period. A draft national strategy to combat trafficking initiated by the Ministry of Human Rights, in coordination with an international organization, remains pending. The draft includes plans for raising awareness, increasing cooperation between Yemen and neighboring countries, training officials in victim identification, and instituting procedures to protect victims. During a previous reporting period, the government enacted a regulation requiring MOI approval for Yemenis to marry foreigners, in an effort to reduce sex tourism among foreigners, particularly Saudis and Emiratis who “temporarily” married young Yemeni women; however, officials continued to provide such approval in exchange for bribes. Further, the government did not provide anti-trafficking training to its diplomatic personnel and could not make efforts to reduce the demand for commercial sex acts, forced labor, or address the problem of sex tourism more broadly. Yemen is not a party to the 2000 UN TIP Protocol.

Since the escalation of armed conflict in March 2015, human rights organizations reported all parties to the conflict have increased their recruitment and use of child soldiers. As a result of its limited capacity and the ongoing conflict, the Yemeni government has not implemented a 2014 UN action plan to end the recruitment and use of child soldiers. Despite a 1991 law requiring members of the armed forces to be at least 18 years of age and a May 2014 UN action plan to prevent recruitment of children into its armed forces, credible reports indicated the acceleration of recruitment of children throughout the country, due to expansion of military activity by government forces as well as by Houthi-Saleh rebel forces, tribal and other militias, and al-Qa’ida in the Arabian Peninsula (AQAP). During the year, these armed groups increased their recruitment, training, and deployment of children as participants in the conflict. An international organization observed Houthis using children as uniformed soldiers and at checkpoints during the reporting period. AQAP recruited boys for combat operations against military and security forces. Armed boys, reportedly as young as 10 years old, are believed to have worked for Houthi militias and government forces. Some families supportive of Houthi rebels, including those residing in locations outside Houthi control, sent their children to the Houthi stronghold of Sa’ada in northwestern Yemen for arms training by the Houthis to serve in their militias. According to an international organization, between April and June 2016, armed groups recruited and used at least 168 children, compared to 140 the previous reporting period. The majority of incidents were attributed to the Houthis, followed by the YAF, Popular Committees, and AQAP. In 2016, the Saudi-led coalition handed over to Yemeni officials 52 child soldiers alleged to have been recruited by the Houthis; the children were detained in a camp controlled by the YAF. Yemen’s security, political, and economic crises, cultural acceptance of child soldiering, weak law enforcement mechanisms, and limited political will continued to severely encumber the country’s capacity to end the recruitment and use of child soldiers.

SCOPE AND MAGNITUDE

Yemen is a country of origin and, to a lesser extent, transit and destination, for men, women, and children subjected to forced labor, and women and children subjected to sex trafficking. The ongoing conflict, lack of rule of law, and the deteriorating economy have likely disrupted some trafficking patterns and exacerbated others. Past reports suggested some Yemeni children—mostly boys—were subjected to forced labor in domestic service, begging, or in small shops after migrating to Aden or Sana’a or to Saudi Arabia and, to a lesser extent, Oman. Traffickers, security officials, and employers also forced some of these children into sex trafficking in Saudi Arabia, while others were forced to smuggle drugs into Saudi Arabia. Prior to the conflict, Yemen was a transit point and destination for women and children, primarily from the Horn of Africa, who were subjected to sex trafficking and forced labor. Ethiopians and Somalis traveled voluntarily to Yemen with the hope of employment in Gulf countries, but some women and children among this population may have been exploited in sex trafficking or domestic servitude in Yemen. Others migrated based on fraudulent offers of employment as domestic workers in Yemen, where they were subsequently subjected to sex trafficking or forced labor. Some female refugees were previously forced into prostitution in Aden and Lahj governorates. Prior to the conflict’s escalation and the government’s departure in March 2015, Yemeni migrant workers were allegedly deported from Saudi Arabia and returned to Yemen through the al-Tuwal and al-Buq border crossings. Most deportees were reportedly returned to the impoverished Tihamah region located on the west coast of Yemen, many of whom remained displaced and highly vulnerable to exploitation, including trafficking. The UN estimated that the protracted Syrian conflict resulted in an influx of as many as 100,000 Syrian refugees to Yemen; Syrian refugee women and children begging in the streets were highly vulnerable to forced labor and sex trafficking in the country.

Prior to the Yemeni government’s departure, it and international NGOs estimated there were approximately 1.7 million child laborers under the age of 14 in Yemen, some of whom were subjected to forced labor. Yemeni and Saudi gangs transported African children to Saudi Arabia for the purpose of exploitation. Traffickers abused and abandoned in Yemen some refugees and migrants from the Horn of Africa who voluntarily transited Yemen en route to Saudi Arabia and other Gulf countries. Reports suggest at least 150 migrants attempt to cross to Yemen via Djibouti daily, and as many as 14,000 Ethiopians may have required assistance in Yemen by the end of 2016, a situation which underscores the need for broad proactive screening of potential victims of trafficking and child soldiering among migrants who have been evacuated from Yemen. In past years, multiple NGOs reported criminal smuggling groups had built a large number of “camps” near the Yemeni-Saudi border city of Haradh, where migrants hoping to reach Saudi Arabia were held for extortion and ransom.

Yemeni children have been subjected to sex trafficking within the country and in Saudi Arabia. Girls as young as 15 years old have reportedly been exploited in commercial sex in hotels and clubs in the Governorates of Sana’a, Aden, and Taiz. Prior to the conflict, most child sex tourists in Yemen were from Saudi Arabia, with a smaller percentage originating from other Gulf nations, including the United Arab Emirates. Some Saudi men used legally contracted “temporary marriages”—authorized by some Islamic authorities as “*misyar*” marriages—for the purpose of sexually exploiting Yemeni girls, some reportedly as young as 10 years old, and some of whom were later abandoned on the streets of Saudi Arabia. Civil society organizations assessed that,

as a result of the dire economic situation in Yemen, particularly in the north, sex trafficking of Yemeni children had increased over the past several years. Additional sources alleged the practice of chattel slavery, in which human beings are traded as property, continued in Yemen in 2016, citing a “prevalence rate” of 1.13 percent. While no official statistics exist detailing this practice, a 2014 study by a human rights organization documented 190 cases of slavery in three directorates of Hajjah governorate. Sources reported there could be several hundred other men, women, and children sold or inherited as slaves in al-Hodeida and al-Mahwit governorates.