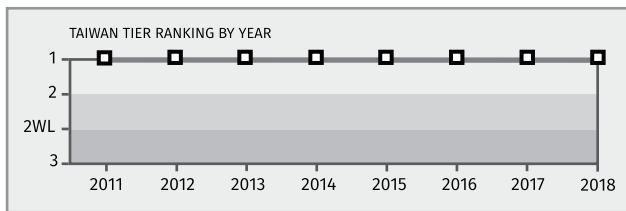


## TAIWAN: TIER 1

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



### RECOMMENDATIONS FOR TAIWAN

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

### PROSECUTION

Authorities increased anti-trafficking law enforcement efforts. The Human Trafficking Prevention and Control Act (HTPCA) criminalized all forms of trafficking and prescribed penalties of up to seven years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Observers noted ambiguities in HTPCA provisions could have complicated implementation in cases where victims received some financial compensation. Other HTPCA provisions protected laborers from

having to remit "unreasonable payments of debt" to brokers or supervisors, but did not clarify what would constitute an unreasonable payment of debt; observers expressed concern that these provisions were too vague to prevent debt bondage effectively. Authorities continued to prosecute the majority of trafficking cases under other laws in the criminal code and the Children and Youth Sexual Exploitation Prevention Act (CYSEPA), which prescribed penalties for child sex trafficking that were not sufficiently stringent or commensurate with other grave crimes, such as rape.

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

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

### PROTECTION

Authorities increased protection efforts. They identified 328 trafficking victims (209 exploited in sex trafficking and 119 in forced labor), of which 298 were referred to shelters for assistance, compared to 263 victims identified in 2016 (278 in 2015) and 240 referred to shelters. Law enforcement officials used standardized questions and evaluation forms when interviewing and referring potential trafficking victims, including among foreigners accused of having committed immigration violations. By law, only police and prosecutors could make official victim identifications; believing some

victims went undetected under this arrangement, NGOs and prosecutors continued to advocate for authorities to allow social workers and labor inspectors to identify victims as well. NGOs also continued to report cases in which judges disagreed with law enforcement officers' or prosecutors' prior identification of victims and therefore overturned relevant trafficking charges. Observers were concerned that the MOL's labor broker evaluation system was not sufficiently effective in identifying abuses, including forced labor, due to the fact that inspections were announced in advance. NGOs continued to stress the need for authorities to pass a long-stalled domestic worker protection bill that would mandate hours of rest, days off, and annual leave. The authorities did not take legislative steps to ensure these benefits in 2017, but the MOL convened a task force to begin formulating basic guidelines on domestic worker protections in the interim.

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. Victims from the People's Republic of China were only eligible for assistance in the NIA shelters, while other nationals could access a wider array of NGO shelter services. Citing lower personnel costs, the NIA slightly decreased its budget for victim protection during the reporting period. The MOL subsidized an additional 20 shelters and operated a 24-hour hotline that trafficking victims could access; however, some NGOs expressed concern that some of its personnel were under-responsive to callers, and as such recommended that MOL enhance victim identification and operational training for hotline staff. These groups also noted that migrant crewmembers aboard vessels in the DWF were often unaware of the hotline. In addition, the NIA ran a 24-hour Chinese-English hotline, but did not receive any phone calls during the reporting period, possibly due to similar lack of awareness among target beneficiaries. Shelters provided both male and female trafficking victims with medical and psychological services, legal counseling, vocational training, small stipends, language interpretation, and repatriation assistance.

Authorities encouraged victims to participate in their traffickers' criminal investigations by allowing them to testify outside of the courtroom or through video equipment. Authorities offered foreign victims temporary residence and work permits, and significantly increased the number of such conferrals (126 and 159, respectively, compared to 92 and 98 in 2016). During the reporting period, authorities provided repatriation assistance to 39 trafficking victims. Victims were able to obtain restitution through out-of-court settlement or file civil suits against traffickers; however, they were required to provide all relevant evidence themselves. Authorities and the Legal Aid Foundation funded by the Judicial Yuan were seeking restitution for hundreds of Indonesian caregivers subjected to wage withholding by an unscrupulous broker prior to the enactment of the HTPCA in 2008. The Miaoli District Prosecutors' Office seized the broker's assets—valued at \$180 million New Taiwan Dollars (\$6.1 million)—to be remitted to the victims of the original offense. Although victims could receive immunity for unlawful acts committed as a direct result of being subjected to trafficking, NGOs and media reported authorities continued to detain, fine, and jail potential trafficking victims during the reporting period due in part to disparities between some judges' prosecutorial metrics and international standards. These individuals included potential trafficking victims who, according to some reports, were coerced into participating in telecom scams and other criminal activities.

Fishing workers hired overseas were not protected by Taiwan's Labor Standards Act and instead fell under the jurisdiction of the FA, rather than that of the MOL. In 2017, the FA promulgated new legislation that standardized fishing workers' employment contracts, set a minimum wage with direct payment options, provided medical and life insurance, unified working hours and rest time, and established access to new complaint mechanisms. However, NGOs remained concerned that the minimum compensation established in these regulations remained below Taiwan's broader minimum wage, leaving some foreign fishing workers vulnerable to exploitation. Although the new legislation also outlined the FA's plans to hire more staff and increase interagency cooperation, observers reported that the separation of responsibilities between the FA and the MOL continued to impede authorities' efforts to combat trafficking in the fishing industry writ large, and that a lack of FA oversight mechanisms in the DWF was likely permissive of forced labor and other abuses. The FA also launched a pilot program in 2018 to more effectively evaluate brokers who deal with foreign fishermen hired overseas, but it was unclear to what extent this program was implemented. Some NGOs doubted the capacity and political will of the FA, pointing to its purview over Taiwan fishermen's associations—which typically engaged in labor recruitment—as a possible conflict of interest.

## PREVENTION

Authorities maintained efforts to prevent 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, including 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, a direct hiring service center allowed employers to hire foreign workers directly, instead of utilizing brokers who may charge excessive fees; however, regulations promulgated in 2017 ostensibly aimed at better protecting foreign fishermen appeared to contain provisions allowing brokers to charge unlimited recruitment and service fees, which may have been permissive of bonded labor. Most employers continued to deem it easier and more expedient to use brokers, and labor rights groups continued to call on the authorities to eliminate legal loopholes that enable these excessive fees. In 2017, authorities fined six brokers found to have employed debt bondage-permissive fee structures (six in 2016), and suspended five businesses for similar practices (four in 2016). Taiwan's laws criminalized 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

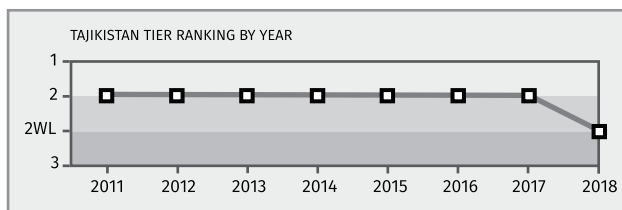
As reported in the last five years, Taiwan is a destination for men and women subjected to forced labor and sex trafficking. To a lesser extent, Taiwan is a source of men and women subjected to forced labor, and of women and children subjected to sex trafficking. Of the 314 victims identified in 2017, 193 were foreign victims and 96 were children. Taiwan women and children are subjected to domestic sex trafficking, including as

advantage of Taiwan and foreign victims' drug addictions. 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. Taiwan traffickers are also increasingly utilizing smartphone apps and the internet to conduct their recruitment activity and to mask their identities from law enforcement. Many trafficking victims are migrant workers from Indonesia, the Philippines, Thailand, Vietnam, and to a lesser extent individuals from China and Cambodia. Taiwan is host to more than 675,000 foreign workers, most of whom are hired in their home countries through recruitment agencies and brokers—including some from Taiwan—to perform low-skilled work as home caregivers and domestic workers, or in farming, manufacturing, construction, and fishing. To pay brokers' often exorbitantly high recruitment fees, some foreign workers incur substantial debts, which the brokers or employers then use 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. Foreign workers who abscond from their contracted positions—over 50,000, by some estimates—are at particularly high risk of trafficking. Domestic workers and home caregivers are also 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 brokers to fill the empty positions with new foreign workers under continued debt bondage. Documented and undocumented Chinese, Indonesian, Filipino, Vietnamese, and to a lesser extent North Korean fishermen working on Taiwan-flagged and -owned fishing vessels experience non- or under-payment of wages, long working hours, physical abuse, lack of food or medical care, and poor living conditions, which are all 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.

## TAJIKISTAN: TIER 2 WATCH LIST

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 significant efforts during the reporting period by establishing the first police unit dedicated to investigating trafficking crimes; increasing investigations of alleged traffickers, including labor recruitment firms that may have been complicit in the exploitation of migrants; providing funding to an NGO for awareness-raising activities; establishing a hotline for potential victims; and continuing to monitor for forced labor of children in the annual cotton harvest. However, the government did not demonstrate increasing efforts compared to the previous reporting period. 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. Although the government continued to publicize the ban on child labor in the cotton harvest, there were reports that citizens were coerced into manual labor, including the cotton harvest. For the third consecutive year, it did not implement its victim

protection law, leaving officials without victim identification and referral procedures, and resulted in inadequate victim protection services. Therefore Tajikistan was downgraded to Tier 2 Watch List.



## RECOMMENDATIONS FOR TAJIKISTAN

Implement standard operating procedures for identifying trafficking victims and referring them to care, including any victims of forced labor in the cotton harvest; 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; while respecting due process, vigorously investigate and prosecute suspected traffickers, including officials complicit in trafficking, and convict and appropriately sentence perpetrators; 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; 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; 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; take substantive action to end the use of forced adult labor in public works projects and in the annual cotton harvest; 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, but did not provide information on prosecutions or convictions of traffickers. The 2003 criminal code, amended in 2004 and 2008, criminalized all forms of labor trafficking and some forms of sex trafficking. Article 130.1 criminalized labor and some forms of sex trafficking and prescribed penalties of five to eight years imprisonment, which are sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with international law, article 130.1 required a demonstration of forced, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. Article 132 criminalized recruitment for sexual or other exploitation through fraud—but not through coercion—and carried a maximum penalty of two years imprisonment; these penalties were not sufficiently stringent nor, with regard to sex trafficking, commensurate with other grave crimes, such as rape. Article 167 prohibited the buying and selling of children, prescribing five to eight 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 42 cases involving 65 suspected traffickers in 2017, compared to 18 cases involving 24 suspected traffickers investigated in 2016. The government did not report initiating any prosecutions or convicting any alleged traffickers in 2017, compared with 13 prosecutions and 10 convictions in 2016. International organizations reported that the government prosecuted 22 cases under article 130.1 during the first 11 months of 2017. The organization reported that 13 additional cases were identified under article 132, and 10 under article 167; it is unclear how many of these cases involved trafficking crimes. Media reports indicate that courts convicted at least three traffickers for their roles in recruiting Tajik women with false promises of overseas employment in the United Arab Emirates and Turkey, where the women subsequently endured forced prostitution. Sentences ranged from eight to ten years imprisonment. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Endemic corruption facilitated transport of victims across borders and through inspection points. In 2017, the Ministry of Internal Affairs (MIA) established the first unit dedicated to investigate only trafficking cases. The unit consisted of 30 officers—18 in the Dushanbe office headquarters, and 12 across four regional offices. The 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 protection services. The government identified and referred 15 victims to international organizations for assistance, an increase from six victims in 2016 and eight in 2015. Four additional victims were referred by NGOs to an international organization. Civil society groups and international organizations provided protective services to 13 trafficking victims in 2017. The government provided repatriation assistance to one citizen, identified as a trafficking victim in Saudi Arabia. The government made no progress in implementing the 2014 victim protection law, which set forth the provision of victim services; formalized the roles of agencies tasked with providing services; established government standards for service delivery among providers, including governmental agencies and NGOs; and mandated a national referral mechanism, which the government finalized in 2016, but did not report implementing in 2017. As a result, authorities remained without a formal system for identifying trafficking victims and referring them to services.

The government did not report providing any services to trafficking victims and did not directly shelter victims; the country's last 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 offered 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.

Law enforcement officials sometimes temporarily detained sex trafficking victims but later released and referred them for assistance. Women in prostitution have reported instances of sexual violence by law enforcement officials. 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. In January 2018, the government announced that police raids had uncovered 280 brothels in Tajikistan, and registered 1,991 women as working in prostitution; the government did not report screening any of these women for indicators of trafficking.

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 or their advocates. The law provided foreign victims with the right to request temporary residency, which could be extended for one year following the completion of a criminal case, based on the victims' cooperation with law enforcement agencies, although no such cases were reported in 2017. The 2014 victim protection law did not link other victim benefits to a victim's participation in a trial and provided victim services regardless of legal status or prior consent to participate in subsequently identified trafficking crimes.

## PREVENTION

The government modestly increased efforts to prevent human trafficking. 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 government did not report any efforts of the commission or any actions related to the implementation of the national action plan in 2017. It also did not report on the efforts of the working group established in 2016 to ensure uniformity in the implementation of the action plan, referral mechanism, and 2014 anti-trafficking law.

The Ministry of Education 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 an unspecified number of inspectors to conduct monitoring of the cotton harvest, continuing a practice begun in 2010 in cooperation with NGOs. International organizations, however, reported that no independent monitoring of the cotton harvest was conducted during the year.

In January 2018, the government launched a hotline service for potential victims that operated 24 hours a day; it did not report the number of calls received relevant to potential trafficking crimes. A foreign-donor-funded and NGO-run hotline focused on aiding migrants, including potential trafficking victims, reported assisting 2,238 individuals; most calls were related to legal rights as migrants. In 2017, the government provided 98,000 Tajikistani somoni (\$11,200) to a local NGO for trafficking awareness-raising. The government continued to conduct anti-trafficking courses for officials, school administrators, and law students. The government did not provide any other anti-trafficking training for its diplomatic personnel. Tajik law required entities engaged in recruitment

of workers for employment abroad to obtain licenses from migration authorities and provided punitive measures for violations; in 2017 the Prosecutor General's Office initiated a criminal investigation against three private firms for fraudulent recruitment; the investigation remained ongoing. 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 acts by investigating and prosecuting purchasers of commercial sex. The government did not report any efforts to reduce the demand for forced labor.

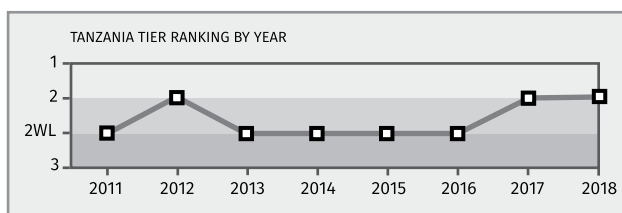
## TRAFFICKING PROFILE

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 the risk of exploitation. Tajik men and women are subjected to forced labor in agriculture and construction in Russia, UAE, Kazakhstan, and, to a lesser extent, in other neighboring Central Asian countries, Turkey, and Afghanistan. There are growing cases of men being subjected in Tajikistan to labor exploitation in agriculture, construction, and at markets, as well as limited reports of sex trafficking. 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. The government required its citizens to participate in manual labor, such as cleaning roads and park maintenance, and threatened that government officials could be penalized if their spouses do not participate.

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. The Russian re-entry ban has changed the nature of labor migration in Tajikistan. As many as 152,000 Tajik migrants remained banned in 2017, and although government data indicates a decline in the departure of prospective male labor migrants, Tajik women are departing in search of work at an increased rate—from 2015 to 2016 there was a 27 percent increase observed among women. Other migrants prefer to stay in irregular status in Russia, and face greater risks of exploitation and deportation, than risk being banned after visiting family in Tajikistan. Many migrants are leaving for Russia with no intent to return to Tajikistan. International organizations estimate that the number of Tajik citizens living and working in Russia is approaching one million. 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—and in dried fruit production. 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 remained on Tier 2. The government demonstrated increasing efforts by identifying more trafficking victims, increasing funding for the Anti-Trafficking Secretariat (ATS), cooperating with foreign law enforcement officials on a trafficking investigation, and launching a central data collection system for trafficking crimes. However, the government did not meet the minimum standards in several key areas. The government prosecuted and convicted fewer traffickers than last reporting period and offered the majority of convicted traffickers the option of a fine. 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 allocate sufficient funding for nationwide public awareness campaigns, and did not fund the victims' assistance fund. The government took no discernable steps to address official complicity in trafficking crimes, which inhibited law enforcement action during the year.



## RECOMMENDATIONS FOR TANZANIA

Fully implement the protection provisions of the 2008 anti-trafficking act, as outlined in the implementing regulations and the updated national action plan, including 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 2008 anti-trafficking act to remove sentencing provisions that allow fines in lieu of imprisonment and align the procedural law pertaining to arrests within the act with the requirements for other serious crimes; increase efforts to enforce the 2008 anti-trafficking act by investigating and prosecuting trafficking offenses, convicting trafficking offenders and imposing adequate penalties; replace the general suspension of recruitment agencies sending migrant workers abroad with strong regulations and oversight of recruitment companies that are consistently enforced; increase migrant worker protections by increasing employer security deposits, minimum salaries, and pre-departure training for migrant workers, as well as establishing a mutually enforceable standard contract, a complaints mechanism for returning workers, a public blacklist of abusive employers, and requiring exit interviews and embassy approval of residency permits of migrant workers; continue to train judges and prosecutors to identify trafficking crimes and delineate the legal differences between trafficking and migrant smuggling; and increase the budget allocation for the anti-trafficking committee and anti-trafficking secretariat to implement the national action plan to combat trafficking.

## PROSECUTION

The government made uneven anti-trafficking law enforcement efforts. The 2008 Anti-Trafficking in Persons Act criminalized labor and sex trafficking and prescribed punishments of two to 10 years imprisonment, a fine between 5 million and 100 million Tanzania Shillings (TZS) (\$2,240 to \$44,740), or both for offenses involving adult victims and 10 to 20 years imprisonment, a fine between 5 million and 150 million TZS (\$2,240 to \$67,110), or both for those involving child victims. These penalties were sufficiently stringent but, with regard to sex trafficking, by allowing for a fine in lieu of imprisonment, the penalties were not commensurate with those for other serious crimes, such as rape. While ATS sent a proposal to eliminate the alternative sentence of fines to the Attorney General's Office during the previous reporting period, the government did not report any progress in reviewing this proposal or amending this provision during the current period. The government also reported that the 2008 anti-trafficking act contains a separate procedural law within it, with different requirements for arrests and warrants than the procedural law for other similarly serious crimes.

The government did not report the number of investigations it initiated during the reporting period, compared with 100 during the previous period. During the reporting period, the government reported prosecutions of at least 24 defendants and convictions of at least four traffickers under the 2008 anti-trafficking act for sex trafficking, compared with 23 prosecutions and 19 convictions in the previous period. The government sentenced all four convicted traffickers to seven years imprisonment; however, three of the four traffickers were given the option of a fine, which they were unable to pay and began to serve their prison sentences. During the reporting period, Tanzanian and South African law enforcement officials cooperated in the investigation of a trafficking crime; the case remained ongoing and further details were not available. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses; however, corruption within the judicial system and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year.

During the reporting period, with support from an international organization, the government launched a national centralized anti-trafficking data collection and reporting tool. The tool allowed the government to upload information on trafficking cases and victim and trafficker profiles; however, government agencies lacked a unified protocol for reporting trafficking statistics from regional and district levels to the new central data system and data input was limited. The government continued to include human trafficking components in standard police academy training, but the government did not report how many new recruits received this training during the reporting period. The government reportedly incorporated information on root causes of trafficking and effective use of victim referral manuals into the standard law enforcement training curriculum. The government also reported providing targeted training on the anti-trafficking law and its implementing regulations to police investigators when assigned trafficking cases. In partnership with an NGO, the government facilitated the training of 250 law enforcement officers and 40 judicial officials on anti-trafficking measures.

## PROTECTION

The government increased efforts to identify victims, while broader efforts to protect victims in line with the provisions

of the 2008 anti-trafficking law remained negligible. The government reported identifying at least 59 (29 domestic child victims and 30 foreign victims), and referred them to NGOs for assistance. Possibly overlapping with the government's reporting, an NGO reported the government identified 80 domestic child trafficking victims (80 child victims in 2016) and referred all identified victims to NGOs for care. An international organization reported identification of 15 Indonesian trafficking victims aboard a fishing vessel in Tanzanian territorial waters, but did not report whether assistance was provided. The government facilitated, but did not fund, the repatriation of 33 foreign victims during the reporting period; of these, the police reported the repatriation of eight women back to Nepal and ATS reported facilitating the repatriation of 25 foreign victims, but did not report further details making it unclear if these reports overlapped. These figures compared to four repatriations in the previous reporting period. An international organization reported identifying and repatriating three victims; two were Tanzanian victims in India and one was a Burundian victim in Tanzania. During the reporting period, ATS screened many prisoners and identified and assisted at least four trafficking victims imprisoned as smuggling offenders; additionally, the government reported there were approximately 1,200 Ethiopians in detention centers, many of whom may be trafficking victims.

The government established and began utilizing a centralized data collection tool during the reporting period, which allowed officials to track and compile information on victims identified and support law enforcement efforts. The implementing regulations of the 2008 anti-trafficking act required police and immigration authorities to follow standardized procedures and use standardized forms for case investigation, and victim identification and referral; however, government funding for dissemination of the forms continued to be an obstacle in 2017, and thus the procedures were not widely used. The 2008 anti-trafficking act mandated the government provide victims with psycho-social counseling, family tracing, family reunification, and temporary shelter, but the government did not provide those services to victims during the reporting period. The government continued to rely on NGOs to provide the vast majority of victim assistance. The government did not operate any domestic trafficking shelters, but it previously published a nationwide guidebook with information on NGOs and had referral agreements for certain NGO shelters to more effectively place victims in NGO-run shelters. NGO-run shelters provided medical care, psycho-social counseling, and family tracing for victims. The government placed children in special shelters, where they were enrolled in government schools or given vocational training, and had separate accommodations for boys and girls. However, NGOs reported that while female adult trafficking victims could seek assistance at the shelter dedicated to young girls, there were no shelters available for adult men; furthermore, it was unclear which ministry was responsible for assisting adult trafficking victims. An international organization reported that the Tanzanian embassy in Oman provided temporary shelter to an unknown number of migrant workers, including potential trafficking victims.

Without national implementation of standard identification procedures or proactive screening of vulnerable populations by immigration officials, it is likely there are many trafficking victims unidentified in the law enforcement system, including those imprisoned under migrant smuggling or illegal immigration charges. The government also reported that frequently children and adults are incarcerated in the same detention centers, a practice the ATS was advocating to change. Despite requirements in the 2008 anti-trafficking law, the government did not fund



the anti-trafficking fund for victims during the reporting period, and has not to date. The 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, during the reporting period, the government did not grant residency to trafficking victims, but did grant temporary stay to an unknown number of victims. Victims typically testify in trafficking cases, but the Whistle Blowers and Witness Protection Act of 2015 and the 2008 anti-trafficking act gave any victim of crime and trafficking victims the option to refuse to participate in prosecution efforts. If it is in the best interest of the victim, trafficking trials may be held in private and by camera to protect victim confidentiality and privacy. The anti-trafficking law entitled victims to compensation from convicted traffickers; however, the government did not report awarding compensation during the reporting period.

## PREVENTION

The government maintained efforts to prevent trafficking. The government allocated a budget of 98 million TZS (\$43,850) to the ATS, the working level anti-trafficking body, a significant increase from last year. The Anti-Trafficking Committee, responsible for the oversight and direction of the ATS, met twice during the reporting period. ATS extended the expired 2015-2017 national action plan through 2018 and began drafting a new one, which was not finalized by the close of the reporting period. Efforts to implement the expired plan or allot funding for its implementation remained minimal throughout the reporting period. Immigration officials on the mainland disseminated informational brochures on trafficking for use at public events; however, the government did not make adequate efforts to raise awareness among its nationals on trafficking issues. While child sex tourism was prevalent in tourist destinations like Zanzibar, government efforts to eliminate sexual and child abuse on the islands have had no discernable impact on the demand for commercial sex acts or child sex tourism during the reporting period. The government did not provide anti-trafficking training to its troops prior to their deployment abroad on international peacekeeping missions, but did provide human rights training, which may have included anti-trafficking training.

Several government agencies, in both Tanzania and Zanzibar, conducted periodic inspections of large employers to detect cases of forced labor. During the reporting period, the Commission of Labor in Tanzania suspended four labor recruitment agencies for violating labor laws or fraud in obtaining licenses in accordance with the Non-Citizens (Employment Regulations) Act of 2015; however, no agencies were delicensed and the government did not report pursuing prosecutions. Throughout most of the reporting period, the government continued to monitor employment abroad by requiring Tanzanians to have valid passports and labor contracts with salary, leave, and health care provisions in order to obtain a letter of permission and an exit permit. The government also required recruitment agencies to provide migrant workers with training on worker rights and destination countries' laws prior to departure and the Companies Act of 2002 required recruitment agencies to be registered and licensed by the government. Tanzanian embassies abroad required employers to submit security deposits to the embassy; the purpose of this was to ensure that the employer would present the migrant worker upon arrival, so the embassy could verify that the worker arrived and that the worker possessed the proper documentation, including contract and passport. However, in January 2018, the government suspended the issuance of travel documents

to migrant workers, due to concerns over migrant worker safety abroad. The government reported that in practice, recruitment agencies were not providing pre-departure training to migrant workers and an NGO argued the deposit amount was too small and an insufficient incentive for employers to present migrant workers upon arrival to the Tanzanian embassy. An NGO also reported that Tanzanian contracts were often different from the destination country contract and usually not enforceable, there was no "blacklist" available for migrant workers to avoid previously abusive employers, and recruitment agencies operating in Tanzania would sometimes use "sub-agents," thereby skirting the registration requirements. An NGO reported that there was no complaint mechanism for returning migrant workers and the staff at foreign embassies were not always trained to identify and assist trafficking victims. Reportedly, Tanzanian embassies abroad did not require employers to seek embassy approval for residence permits, and did not require departing migrant workers to report to the embassy for exit interviews. The government did not report an estimated length of the suspension of travel documents to migrant workers or a plan to strengthen migrant worker protections—leaving migrant workers with no legal means to travel abroad for work, and therefore without access to protection mechanisms available through authorized travel, increasing their vulnerability to trafficking.

## TRAFFICKING PROFILE

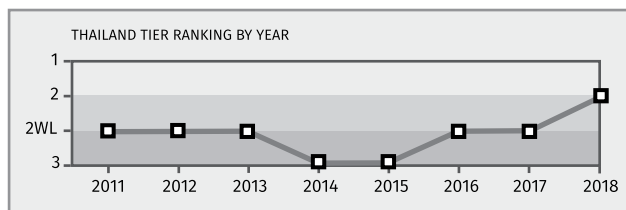
As reported over the past five years, Tanzania is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking and characteristically facilitated by the victims' family members, 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. An NGO stated that traffickers target young girls from rural and impoverished villages, pay their parents a small fee, and then exploit the girls in sex trafficking to businessmen who believe a myth that having intercourse with a "virgin" will allow their business to prosper. 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 parents entrust their children into the care of wealthier relatives or respected community members—to subject children to domestic servitude and other forms of exploitative labor.

Drug traffickers will sometimes hold humans as "bond" for varying amounts of time until payments are fulfilled. In 2017, an NGO reported that Indonesian trafficking victims were identified aboard a fishing vessel in Tanzanian territorial waters. Previous media reports indicate that traffickers transport Tanzanian children with physical disabilities to Kenya for forced begging or for work in massage parlors. Media reports also alleged that traffickers subject girls 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. In 2017, in an attempt to protect its migrant workers from various abuses reported abroad, the government suspended the issuance of travel documents to migrant workers without an estimated end date or plan to increase protections—leaving migrant

workers with no legal means to travel abroad for work, and therefore without access to protection mechanisms available through authorized travel, increasing their vulnerability to trafficking. Trafficking victims from other countries—including children from Burundi and Rwanda, as well as adults from India, Nepal, and Yemen—are subjected to sex trafficking and involuntary servitude, including forced labor in Tanzania’s agricultural, mining, and domestic service sectors. As many as 1,200 Ethiopian citizens, many of whom may be trafficking victims, are being held by the government in detention centers under illegal immigration charges in Tanzania. Citizens of neighboring countries may transit Tanzania before traffickers subject them to domestic servitude or sex trafficking in South Africa, Europe, and the Middle East.

## THAILAND: TIER 2

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 increasing efforts compared to the previous reporting period; therefore Thailand was upgraded to Tier 2. The government demonstrated increasing efforts by prosecuting and convicting more traffickers, and decreasing prosecution time for trafficking cases through the use of specialized anti-trafficking law enforcement divisions. The government also investigated more cases of suspected official complicity in trafficking crimes and convicted 12 complicit officials in 2017, including 11 officials involved in the trafficking of Rohingya migrants. The government issued regulations to increase oversight of NGO-operated shelters and provide access to governmental financial support. It established an anti-trafficking task force composed of law enforcement, social workers, and NGOs to increase coordination of law enforcement and victim protection efforts; created a victim specialist program; and increased training for labor inspectors on forced labor. However, the government did not meet the minimum standards in several key areas. Officials identified fewer victims of forced labor and investigated fewer forced labor cases compared to the previous reporting period. Although the government continued to increase labor inspections in high-risk industries, inspections resulted in disproportionately few identified victims and criminal investigations. Official complicity continued to impede anti-trafficking efforts, and there were anecdotal reports that officials arrested, detained, and deported some potential victims for crimes committed as a direct result of being subjected to human trafficking. Victims and activists may have been deterred from reporting, and some officials may have been hesitant to pursue investigations of exploitation due to risks of facing criminal defamation charges brought by unscrupulous employers.



### RECOMMENDATIONS FOR THAILAND

Improve the capacity of law enforcement, labor inspectors, and first responders to consistently and proactively screen for and identify victims among vulnerable populations, including

migrant workers, stateless persons, children, and refugees, and to ensure victims are not subjected to arrest, detainment, or deportations for crimes committed as a direct result of being subjected to trafficking; proactively investigate and prosecute officials allegedly complicit in trafficking, and convict and punish those found guilty with dissuasive sentences; improve the capacity of law enforcement to proactively prosecute and convict sex and labor traffickers; improve law enforcement and first responders’ ability to identify and prosecute cases of forced labor, especially in cases lacking physical coercion or confinement; continue to train multidisciplinary teams and labor inspectors to improve the quality of fishing vessel inspections that could result in the identification of victims and criminal investigations; ensure government and NGO-run shelters provide victims with adequate trauma-informed care, including legal assistance, and increase the provision of financial compensation and restitution to victims, including to those who are unable to work outside shelters; foster an environment conducive to reporting human trafficking crimes without fear of criminal prosecution and provide protections for multidisciplinary teams against interference or retaliation; regulate migrant worker labor recruiters, including by enforcing bans on worker-paid recruitment fees and by prosecuting cases with indicators of trafficking; improve migrant workers’ rights, legal status, and labor migration policies to minimize the risk of trafficking; enforce regular payment of wages and the rights of employees to retain possession of their own identity and financial documents; and proactively inform migrant workers and other vulnerable populations of their rights, including under new migrant worker regulations, and legal protections from human trafficking.

### PROSECUTION

The government increased law enforcement efforts. The 2008 anti-trafficking law, as amended, criminalized sex and labor trafficking and prescribed penalties of up to 12 years imprisonment and a maximum fine of 1.2 million baht (\$36,810) for offenses involving an adult victim, and up to 20 years imprisonment and 2 million baht (\$61,350) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The Ministry of Labor (MOL) drafted legislation to more clearly define forced labor in Thai law and create additional protections for victims; in 2018 the government sought input from the public on this draft law. The government reported investigating 302 trafficking cases (333 in 2016), initiating prosecutions against 638 suspected traffickers (493 in 2016), and convicting 466 traffickers (366 in 2016) in 2017. Despite reports of continued forced labor in Thailand, the government reported investigating fewer cases; authorities investigated 47 forced labor cases in 2017 (83 in 2016) and 16 in January through March 2018. The government reported investigating significantly fewer cases of labor trafficking in the fishing industry in 2017; it investigated seven cases in 2017 (43 in 2016). In one case, the government sentenced a boat captain to four years imprisonment and ordered him to pay 450,000 baht (\$13,800) in restitution to the victims. The government investigated and detained several vessels operating in international waters, leading to the identification of 50 exploited workers, including 35 trafficking victims and, in one case, the arrest of a broker and crew supervisor. To increase efficiency in prosecuting trafficking and illegal, unreported, and unregulated (IUU) fishing cases, in March 2018 the attorney general issued guidelines to prosecutors with descriptions of relevant charges and sentencing recommendations.



Corruption and official complicity in trafficking crimes continued to impede anti-trafficking efforts, and the government sometimes utilized administrative punishments against suspected complicit officials, such as suspensions or transfers to new positions, rather than subjecting them to criminal prosecutions. However, the government increased efforts to address official complicity. In 2017, the government initiated investigations of 26 officials (10 in 2016), initiated prosecution of seven, and convicted 12 officials complicit in trafficking crimes (three convictions in 2016). In addition, from January through March 2018, it initiated criminal investigations of 20 officials, prosecuted eight, and convicted five. Of the 10 officials initially investigated in 2016, four remained under investigation, the office of the public sector anti-corruption commission referred three for prosecution, and the government chose not to pursue charges against three. In one prosecution completed in 2017, the government convicted 62 offenders, including 11 government officials, involved in the trafficking of Rohingya migrants; it sentenced convicted officials to prison terms ranging from 14 to 79 years. In addition, in March 2018, the government convicted four police officers who solicited bribes in exchange for not pressing charges against those involved in the exploitation of the Rohingya migrants; they were each sentenced to five years imprisonment.

Following the adoption of the Beggar Control Act in 2016, the government increased efforts to investigate forced and child begging; it initiated 26 forced begging investigations in 2017, compared to eight in 2016. Police utilized DNA testing to determine the relationship between child victims of forced begging and the adults accompanying them, and the government prosecuted parents from neighboring countries who brought their children to Thailand more than once to engage in begging. Law enforcement officials cooperated with foreign counterparts to investigate Thai traffickers and victims abroad, and foreign nationals involved in trafficking in Thailand. The anti-money laundering office seized assets worth more than 31 million baht (\$950,920) from suspected traffickers in 2017, including in cases involving forced labor on fishing vessels, compared to 784 million baht (\$24 million) seized in 2016. The government amended the Human Trafficking Criminal Procedures Act to allow judges to award compensation or restitution to victims, including in the absence of a victim request for these funds.

In early 2018, the Royal Thai Police (RTP) established the Thailand Anti-Trafficking in Persons Task Force (TATIP), composed of law enforcement, social workers, and NGOs, to increase coordination of sex and labor trafficking law enforcement efforts. TATIP included teams of first responders dedicated to screening potential victims, gathering evidence, conducting operations, interrogating subjects, and analyzing digital evidence. The RTP increased the number of personnel assigned to the Thai Internet Crimes Against Children Task Force (TICAC), which investigated internet-facilitated child sex trafficking. In 2017, TICAC investigated 41 allegations of online child exploitation (24 in 2016), including 18 trafficking cases (four in 2016) which resulted in eight trafficking prosecutions. The government operated specialized anti-trafficking divisions within the Bangkok Criminal Court, office of the attorney general (OAG), and the RTP. The government made efforts to encourage victim and witness participation in trafficking investigations and prosecutions. Some victims continued to report reluctance to participate in prosecutions due to fear of detention, an inadequate understanding of the Thai legal process, language barriers, and preferring repatriation over lengthy shelter stays and judicial processes. The specialized anti-trafficking law enforcement divisions continued to complete

trafficking investigations and prosecutions more quickly than in previous reporting periods; courts completed the majority of cases heard in 2017 within six months. Thai courts increasingly admitted advance and video testimony by victims as evidence in trials, increasing the willingness of victims to act as witnesses. Prosecutors also worked with NGOs to prepare victims to provide testimony. The government provided 4.3 million baht (\$130,670) for witness protection services for 52 witnesses in trafficking cases in 2017, compared to 2.9 million baht (\$88,960) for 254 witnesses in 2016.

The government-funded trainings focused on anti-trafficking laws for more than 2,600 police, prosecutors, and other law enforcement officials. The government completed a manual outlining standard operating procedures (SOPs) for trafficking investigations and initiated a pilot in one region in early 2018 to test the procedures; the pilot was ongoing at the end of the reporting period. In addition, the government held training sessions with judges and prosecutors in two local regions to increase their coordination in trafficking cases. In an effort to improve the quality of trafficking prosecutions across the country, the government operated a sub-unit within the OAG trafficking division to provide guidance and mentoring for provincial law enforcement, prosecutors, and other court officials. Coordination between local law enforcement and prosecutors improved, but in some cases weak coordination impeded the success of trafficking prosecutions during the reporting period. The government required all judicial branch officials to report all trafficking-related cases into an integrated case database. The Department of Labor Protection and Welfare (DLPW) organized training for 335 law enforcement officers on forced labor, emphasizing non-physical indicators of trafficking. However, in some cases, first responders, prosecutors, and judges did not sufficiently examine evidence or properly interpret trafficking laws, especially for labor trafficking.

## PROTECTION

The government increased efforts to protect victims but identified significantly fewer trafficking victims, particularly of labor trafficking, than in the previous reporting period. The government identified 455 victims in 2017 (824 in 2016), including 336 sex trafficking victims (335 in 2016) and 119 labor trafficking victims (489 in 2016). NGOs and trafficking experts expressed concern that the government inconsistently identified trafficking victims, leaving them vulnerable to penalization and re-trafficking. The Ministry of Social Development and Human Security (MSDHS) reported assisting 450 victims in government shelters (561 in 2016), including 360 identified in 2017 and 90 identified in 2016, of which 132 were Thai and 228 were foreign victims. Authorities assisted in repatriating 147 foreign victims exploited in Thailand, including 36 Rohingya, and facilitated the return of 45 Thais exploited abroad by providing funding for travel expenses, legal assistance, job placement, and other reintegration services.

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 multidisciplinary teams improved capacity to identify victims using a victim-centered approach and were effective in some regions during the reporting period; however, effective implementation of identification procedures was less consistent outside urban areas. Some officials failed to recognize non-physical indicators of trafficking, such as non-payment of wages and document confiscation. In addition to trainings

for law enforcement, the government trained more than 1,400 multidisciplinary team members, labor inspectors, social workers, and interpreters on victim identification and referral systems. The government held a series of workshops in early 2018 to review and update screening questions, procedures, and investigative techniques to improve the success of prosecutions. In addition, the RTP established a working group with the MOL to review and evaluate labor violations such as wage disputes and child labor to identify potential victims of trafficking. The government also created a victim specialist training program in early 2018 with 50 social workers, NGO personnel, TATIP members, and other officials to improve identification and investigative techniques. Participants were appointed to mobile response teams that will advise multidisciplinary teams in complex cases. MSDHS trained and registered 67 additional interpreters in 2017, bringing the total number of available interpreters to 251. In addition, the government employed 60 Burmese and Cambodian language coordinators for port-in-port-out (PIPO) inspection centers, an increase from 30 in 2016, and MOL employed 74 interpreters. MOL held trainings for language coordinators onboard vessels and MSDHS held five training sessions on victim assistance for interpreters to support the Command Center for Combatting Illegal Fishing (CCCIF) and the anti-trafficking units of the OAG, police, and criminal courts.

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. The government offered Thai victims who did not request assistance in shelters with legal assistance and compensation from the anti-trafficking fund. Gaps in access to suitable services and treatment during investigations, such as subjecting victims to multiple interviews, threat of detention or deportations, lengthy trials, and a lack of shelters in parts of the country, deterred victims from approaching authorities. NGOs reported concerns over the lack of appropriate options for foreign children whose families were complicit in their trafficking or whose identities could not be established. Authorities were more likely to send boy victims to juvenile detention facilities than to centers offering victim services. In October 2017, the government issued regulations to provide for government oversight of NGO shelters while making available the technical support of MSDHS and the opportunity for NGOs to apply for funds from the MSDHS anti-trafficking fund. Previously, NGOs could operate shelters for trafficking victims without government financial support or oversight. The government continued to operate three child advocacy centers in Chiang Mai, Pattaya, and Phuket which served as child-friendly spaces in which law enforcement, NGOs, and social workers could conduct forensic interviews of child trafficking victims.

The government continued to allow more adult trafficking victims the ability to travel, work, and reside outside shelters as provided by Thailand's anti-trafficking law. Of the 450 victims in government shelters, 287 were employed either inside or outside shelters during the course of legal proceedings. Others were in the recovery period, chose not to work, were too young to work, or were receiving educational training in shelters. MSDHS approved a daily allowance of 300 baht (\$9.20)—which was the minimum wage in most parts of Thailand—to victims residing in MSDHS shelters who wished to work but were unable to do so due to security concerns or were awaiting an employment opportunity, as well as to some victims not residing in MSDHS shelters who intend to work;

however, at the end of 2017, only 24 victims were receiving this financial support. Government efforts to more quickly complete trafficking prosecutions may have resulted in victims spending less time in shelters. NGOs reported a decline in the prevalence of child begging following the passage of the Beggar Control Act during the previous reporting period, which provided for health and social services to beggars, including trafficking victims. The government identified 35 victims of forced begging in 2017, an increase from 20 identified in 2016. However, government agencies inconsistently enforced laws related to forced begging, which may have resulted in authorities sending some potential child victims to homeless shelters rather than MSDHS trafficking shelters.

In 2017, the government provided more than 10.2 million baht (\$314,110) to victims and witnesses through various government funds, compared to 9.2 million baht (\$280,980) in 2016. This included 5.6 million baht (\$171,780) provided to 760 victims from its anti-trafficking fund (5.8 million baht (\$177,910) to 648 victims in 2016). In addition, courts ordered more than 18.4 million baht (\$565,640) in restitution from traffickers to 151 victims in 2017, an increase from 1.7 million baht (\$50,610) to 15 victims in 2016. Nonetheless, legal advocates and NGOs reported compensation and restitution for victims were inconsistently paid and remained too low to incentivize victims to cooperate in prosecutions and funds seized from traffickers' assets were not awarded to victims. MSDHS established a sub-unit under its anti-trafficking division to provide victims legal assistance and file compensation claims. The government provided legal alternatives to deportation to victims who faced retribution or hardship upon return to their home countries. It permitted foreign trafficking victims and witnesses to stay and work in Thailand for up to two years; however, since the government approved extending the duration of stay from one year to two in early 2017, it granted only one victim this status.

The law protected victims from prosecution for acts committed as a result of being subjected to trafficking; however, flaws in the government's implementation of victim identification procedures and its efforts to arrest and deport immigration violators increased victims' risk of being re-victimized and treated as criminals. Victims were prosecuted for crimes committed as a direct result of being subjected to trafficking, including prostitution and immigration violations. The government's criminal defamation laws allowed companies to pursue criminal charges against potential victims during the reporting period; additionally, labor inspectors could be held personally liable for claims of abuse of power, which could be misused and limit their ability or willingness to perform their work. Such policies may have prevented victims, advocates, and labor inspectors from feeling empowered to report abuse. The government amended the anti-trafficking law in 2015 to provide protection to whistleblowers but did not report whether this new provision had been applied.

## PREVENTION

The government increased efforts to prevent trafficking. It increased funding for migrant labor management and anti-trafficking efforts to 3.6 billion baht (\$110.4 million) in fiscal year 2018 from 3.2 billion baht (\$98.2 million) in fiscal year 2017. In September 2017, the cabinet approved the Second National Policy Strategies and Measures to Prevent and Suppress Trafficking in Persons, 2017-2021. It conducted campaigns through newspapers, television, radio, social media, billboards, and handouts to raise public awareness throughout the country.

Given the low literacy rate and diversity of languages among at-risk persons, however, this information remained inaccessible to many vulnerable non-Thai speakers. The government and civil society groups operated a service center for fishermen to provide information on their rights, skills training, health screenings, and other resources.

The government continued efforts to reduce costs for Thais in overseas guest worker programs, but excessive fees incurred by some Thai workers to obtain employment abroad made them vulnerable to debt bondage or exploitative conditions. Through government-to-government formal migration channels, the government facilitated 20,068 Thais to obtain employment abroad in 2017. Provincial employment offices provided training to more than 3,500 of these workers prior to their departure and MOL screened travel documents for departing workers at 25 checkpoints throughout the country; of 64,602 workers departing Thailand in 2017, 729 were prevented from traveling. In 2017, the government inspected 302 labor recruitment agencies that facilitated overseas and domestic employment of Thai workers and found unlawful practices in nine, resulting in license suspensions of eight agencies and the revocation of one agency's license. It initiated prosecutions against 287 illegal brokers (108 in 2016) under the Employment and Job-Seeker Protection Act. The government continued to grant citizenship to stateless persons in 2017 and issued a new regulation to provide legal residency to orphaned and non-Thai children born in Thailand. In an effort to prevent trafficking of children, child advocacy centers provided social service interventions, including acute care needs, to children vulnerable to exploitation, and childcare was offered at a service center for fishermen. MSDHS and MOL operated hotlines with operators fluent in 20 foreign languages; the MSDHS hotline received 172 calls related to possible trafficking cases in 2017 (269 in 2016), leading to the identification of 109 child and 63 adult victims and prosecution of 73 cases. MSDHS increased the number of available hotline interpreters to 68 in 2017.

Critical gaps in Thailand's labor laws preventing migrant workers from forming labor unions may have contributed to exploitation. In addition, NGOs and international organizations widely reported the government did not adequately enforce the application of minimum wages in sectors with a minimum wage and lacked legislation to require minimum wages in other sectors, especially in those sectors with high employment of migrant workers. Some also reported gaps in Thai policies related to migrant workers that exacerbated exploitation, such as no requirement that employment contracts be written in both Thai and workers' languages, lack of clear guidance to measure work and rest hours for workers aboard fishing vessels, and difficulty for workers to change employers. In June 2017, the government issued a royal ordinance concerning management of foreign worker employment, which required additional registration requirements for migrant workers and their employers, and strengthened penalties for employers of undocumented workers. However, the sudden announcement of the ordinance resulted in mass departures of thousands of undocumented workers who subsequently may have become vulnerable to exploitation. Following criticisms from stakeholders, the government delayed implementation of the decree until June 2018 to seek stakeholder input on amendments of the decree, as well as to allow migrant workers more time to obtain the necessary documents for legal employment under the decree. The government facilitated the establishment of 14 service centers in Thailand, in coordination with the governments of Burma, Cambodia, and Laos, to conduct nationality verification for undocumented migrant workers. The cabinet subsequently

approved an amended decree in March 2018, adding protections for workers such as prohibiting the confiscation of identity documents, banning sub-contracted employees, and easing the ability for workers to change employers, which remained widespread concerns during the reporting period. In October 2017, DLPW required employers in the fishing sector to pay workers monthly through bank transfers.

A government decree required migrant worker recruitment agencies to apply for a license and pay a deposit fee applied toward a foreign worker employment fund; unregistered agencies were liable to three years imprisonment and fines up to 60,000 baht (\$1,840). Employers were also mandated to cover costs (excluding personal expenses such as passports, medical checks, and work permits) associated with bringing migrant workers to Thailand and back to their home countries when employment ends, such as recruitment fees and transportation costs. In 2017, 101 migrant worker recruitment agencies were licensed and the government inspected 97 agencies; the government prosecuted one agency in violation of the decree and imposed a fine of 20,000 baht (\$610). While the number of migrant workers entering Thailand through formal government-to-government migration systems increased, greater usage of this mechanism continued to be impeded by lack of information, lengthy processing times, difficulties in changing employers, and high costs tied to corruption on both sides of the border. The government operated three post-arrival centers to assist migrant workers entering Thailand through these formal channels, as well as 10 migrant workers assistance centers; these centers assisted 345,204 workers in 2017 (105,647 in 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 Ministry of the Interior and Ministry of Justice inspected 11,268 "high-risk" adult entertainment venues and ordered 268 to cease business activities for five years; these inspections led to the prosecution of eight trafficking cases. DPLW conducted 1,693 labor inspections at high-risk workplaces, including sugarcane farms, garment factories, shrimp and fish processing facilities, pig farms, and poultry farms in 2017, finding 191 violations resulting in 12 prosecutions. In February 2017 the government called all Thai fishing vessels operating outside Thai waters back to port where they were put under close monitoring; the government had not authorized these vessels to continue fishing by the end of the reporting period. CCCIF, the Department of Fisheries, DLPW, and other relevant agencies developed a manual on SOPs for labor inspections to be conducted after the government reauthorizes Thai vessels to operate outside Thai waters. In addition, the government required fishing vessels operating within Thai waters to return to ports every 30 days for inspections.

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. The CCCIF operated 32 PIPO centers plus 19 additional forward inspection points, which performed inspections at port, at sea, and on land to verify whether fishing vessels were operating legally and workers had contracts, work permits, and identity documents. The government increased the number of PIPO inspection teams from 64 to 85. MOL conducted inspections onboard 644 vessels in 2017 and found 34 violations of the law (15 in 2016); three cases were prosecuted as a result. In addition, the Royal Thai Navy conducted 3,927 on board inspections of fishing vessels in 2017 and suspended 110 vessels from operating for legal violations. However, the



government did not report whether any of these inspections resulted in the identification of trafficking victims, and NGO observers asserted both at-port and at-sea inspections conducted by multidisciplinary teams of the CCCIF were conducted too quickly, in front of ship captains or in open settings, with inconsistent methods in different ports, or by interpreters without the presence of labor inspectors; and in some cases, inspections consisted only of a review of documents or inspectors did not board vessels or speak to crewmembers. Civil society and government officials expressed concerns that due to varying levels of enforcement at PIPO centers, some boat captains chose ports where inspections and enforcement were weaker. Some NGOs reported workers faced retaliation if they reported abuse to inspection teams, and asserted potential victims did not report abuses to avoid long shelter stays which could result in financial or personal hardships. In 2017 the multidisciplinary teams of the CCCIF inspected 358 on-land seafood processing workplaces and found 142 cases of law and labor violations. The government issued administrative orders to suspend business operations for nine workplaces for 10 to 30 days. The government did not report how many of these violations had direct ties to trafficking.

The government took steps to decrease the demand for commercial sex acts, including by investigating and prosecuting offenders who purchased children for commercial sex acts. To discourage child sex tourism, the government reported it denied entry to 74 known foreign sex offenders. The government developed and launched a video shown on flights entering Thailand discouraging sex tourism. The Ministry of Tourism distributed more than 315,000 brochures discouraging sex tourism to businesses and tourism professionals and organized trainings for 800 local government officials, tourism sector workers, students, youth, and civil society organizations on prevention of child sexual exploitation in the tourism industry.

### 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. Labor trafficking victims are exploited in commercial fishing and related industries, the poultry industry, manufacturing, 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, other Southeast Asian countries, Sri Lanka, Russia, Uzbekistan, and some African countries are subjected to labor and sex trafficking in Thailand. Thailand is also a transit country for victims from China, North Korea, Vietnam, Bangladesh, India, and Burma subjected to sex trafficking and forced labor in countries such as Malaysia, Indonesia, Singapore, Russia, South Korea, the United States, and countries in Western Europe.

Thai nationals are 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. Children in orphanages are vulnerable to exploitation, including trafficking. Some parents or brokers force children from Thailand, Cambodia and Burma to sell flowers, beg, or work in domestic service in urban areas. As recently as 2015, there were reports of separatist groups in southern Thailand recruiting and using children to commit

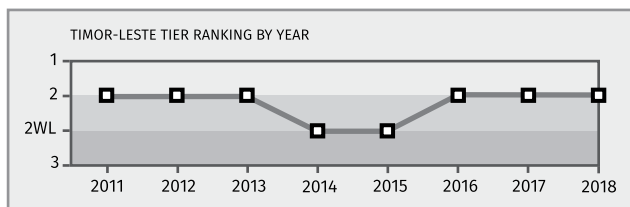
acts of arson or serve as scouts. Instances of trafficking, migrant smuggling, abduction, and extortion of migrants occur as migrants move between Thailand and neighboring countries. Traffickers, including some registered and unregistered labor brokers of Thai and foreign nationalities, bring foreign 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, and 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. Some government officials are directly complicit in trafficking crimes, including through accepting bribes or loans from business owners and brothels where victims are exploited. Credible reports indicate some corrupt officials protect brothels and other commercial sex venues from raids and inspections and collude with traffickers. 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 profit from bribes and direct involvement in the extortion and exploitation of migrants. Some of these migrants are kidnapped and held for ransom, which increases their vulnerability to sexual servitude, forced labor, or debt bondage.

## 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 investigating and prosecuting more trafficking cases, identifying significantly more victims, and pursuing criminal charges against a complicit official. However, the government did not meet the minimum standards in several key areas. The government did not obtain any convictions for trafficking offenses for the fifth consecutive year. 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.

Authorities also 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.



## 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 measures to reduce demand for commercial sex acts; 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 increased law enforcement efforts. Articles 163 and 164 of the criminal code criminalized sex and labor trafficking and prescribed penalties of eight to 25 years imprisonment, penalties which were sufficiently stringent and, with respect to sex trafficking, 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 law prescribes fines, judicial dissolution, and asset forfeiture as penalties, and authorizes compensation of victims.

The government reported it investigated 267 unconfirmed victims of trafficking—a significant increase from 176 in 2016. It confirmed nine of these as genuine trafficking cases, a significant decrease from 79 in 2016. Authorities initiated two prosecutions, a decrease from 16 in 2016. For the fifth consecutive year, the government did not obtain any convictions. The government reported initiating an investigation of an immigration official, allegedly complicit in facilitating labor trafficking of Bangladeshi workers. Authorities put the official on administrative leave and referred the case to the prosecutor’s office.

The government reported it did not have the capacity, expertise,

or financial resources to train law enforcement or local leaders on trafficking and victim identification. In the past, police officers reported using their personal funds to pursue trafficking investigations due to inadequate resource allocation from the government. Foreign government funding provided training for 21 Timorese judges on the new human trafficking law in August 2017. The Ministry of Justice conducted efforts to socialize the new trafficking law among judges in four districts.

## PROTECTION

The government maintained efforts to protect victims. Among the 267 unconfirmed trafficking victims identified, the national police confirmed and referred nine—all sex trafficking victims—to short-term shelter and protective services run by a local NGO. This was a decrease from 21 in 2016. The government did not report providing any protective services directly to victims. The Ministry of Social Solidarity (MSS) had technical officers in the field in each of the 13 districts and the national police had 97 investigators in local communities as part of its victim protection unit to help identify victims. The standard operating procedure for victim identification used by police consisted of 25 questions that determine whether a case was human trafficking. Through foreign government funding, a local NGO provided victim identification training to local leaders in two target districts (Oecusse and Dili).

The government allocated an unknown amount of funds to three NGOs to provide psycho-social and shelter services to trafficking victims. However, an international organization assessed access and quality to victim care as poor. The MSS stated it provided services to both men and women; however, a local NGO noted the logistical challenges of effectively serving male victims since the government was using the existing domestic violence infrastructure to assist victims, which tends to provide more services to women. Adult victims may leave shelters unattended.

The government’s referral system employed MSS 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 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. Law enforcement 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 the government did not report assisting in the voluntary repatriation of any victims.

The February 2017 Law on Preventing and Combating Human Trafficking provided extensive protections for victims, including those specific to victims testifying in criminal cases. The new law

also authorized a period of reflection and potential residence permits to foreign victims as well as voluntary repatriation of Timorese victims from abroad. However, the government did not complete implementing regulations for the new law. Foreign workers in forced labor or sex trafficking were not necessarily identified as being victims since workers were often charged with visa violations based on immigration investigations. In 2017, immigration authorities deported without screening for trafficking indicators 735 irregular migrants for violation of the migration and asylum law.

### PREVENTION

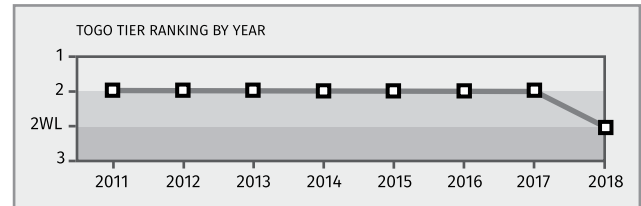
The government maintained efforts to prevent trafficking. The government did not conduct research to assess the trafficking problem in the country, nor did it systematically monitor its anti-trafficking efforts, but it established a sub-working group tasked with data collection. While the interagency trafficking working group met several times throughout the year, the government had not yet approved the proposed \$4 million, three-year budget to effectively implement the national action plan. According to the government, Timor-Leste entered into bilateral government-to-government labor migration agreements to protect Timorese laborers from exploitation abroad. There was only one recognized recruiting agency in Timor-Leste. The government did not conduct awareness-raising campaigns and did not maintain an anti-trafficking hotline. 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 four 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 were 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 Southeast Asia, 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. 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. In 2017, there was an increase of potential trafficking cases involving foreign fishing vessels. During raids on vessels in September, the crews reported they were not paid or fed. In December, Indonesia captured a fishing vessel that was previously in Timor-Leste waters, and the crew made similar complaints about the labor conditions onboard. The government reported there is likely forced labor on construction sites.

## TOGO: TIER 2 WATCH LIST

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 significant efforts during the reporting period by identifying more trafficking victims—which for the first time in at least five years included adults. The government decreased its number of trafficking convictions from the previous reporting period, and suspended public awareness raising activities due to a lack of funding. The government did not report efforts to refer or directly assist trafficking victims. Therefore Togo was downgraded to Tier 2 Watch List.



### RECOMMENDATIONS FOR TOGO

Increase efforts to prosecute, convict, and punish traffickers, especially those involved in the trafficking of adults and forced labor of children using the amended penal code; develop and implement standard operating procedures (SOPs) for law enforcement officers, immigration officials, social welfare personnel, as well as labor inspectors to identify and refer trafficking victims, including both adults and children and those victimized within Togo; develop a system among law enforcement and judicial officials to track and report on human trafficking investigations and prosecutions, as well as victim assistance; enact anti-trafficking legislation that includes provisions for victim protection; develop and implement a national action plan that incorporates adult victims, and increases coordination with NGOs and regional organizations; and increase efforts to raise public awareness about the dangers of human trafficking, including the trafficking of adults.

### PROSECUTION

The government decreased law enforcement efforts. Articles 317 through 320 of the penal code, revised in 2015, criminalized sex and labor trafficking and prescribed penalties of 10 to 20 years imprisonment and fines between 10 million and 50 million West African CFA franc (FCFA) (\$17,780 and \$88,920); these penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The government reported investigating and prosecuting eight cases involving eight alleged traffickers. Authorities convicted seven of the eight suspects under articles 317 through 320 in the revised penal code in 2017, compared with 101 investigations and 60 convictions of traffickers in 2016. 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. NGOs reported that the 2015 revised penal code's more stringent penalties aggravated these concerns amongst law enforcement officials and judges, and may have



led to decreased arrests and prosecutions for trafficking crimes. The government provided written instruction materials on victim identification to its law enforcement and immigration officials through the course of their basic training.

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. These partnerships resulted in increased regional anti-trafficking coordination and planning efforts.

## PROTECTION

The government marginally increased protection efforts. In 2017, authorities identified 126 victims of trafficking, compared to 99 child victims identified during the previous reporting period. For the first time in over five years, law enforcement officials identified four adult victims. The government did not compile comprehensive victim identification and protection statistics, and did not report the number of victims referred to care facilities or provided assistance. The government remained without SOPs for use by officials in the identification and referral of trafficking victims, including both adults and children, and those victimized within Togo. For the first time, the government provided victim identification training to law enforcement and immigration officials.

In Lome, the Ministry of Social Affairs (MSA) continued to run a toll-free 24-hour helpline, Allo 10-11, which received more than 50,000 calls in 2017 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.

The government reported limited direct provision of services to victims during the reporting period. The government assisted in the repatriation of, and provided services for, transnational child trafficking victims. The government provided these victims with health services, food, and lodging during their reintegration and reunited them with their families. 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 whether these shelters assisted child trafficking victims during the reporting period or provide details on 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 countries 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 maintained efforts to prevent trafficking

in persons. The government coordinated its counter-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. The Anti-Trafficking in Persons Cell convened frequently during the year, and 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 and the government had not updated its anti-trafficking national action plan since 2008. 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 did not report efforts to raise public awareness of trafficking.

During the reporting period, the Ministry of Grassroots Development partnered with an international organization to launch a microfinance enterprise that provided 5,000 FCFA (\$8.89) per month to families with children via a mobile phone payment. Togo is a low-income country, and the government designed this program to alleviate the economic conditions that motivate many internal cases of child trafficking, and reached nearly 30,000 families in 2017. The government plans to increase the reach of the program to 120,000 over the next three years.

The government employed 191 labor inspectors across all five regions during the reporting period, an increase from 167 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, according to Togo's law. An NGO reported inspectors often did not address obvious cases of child labor in large, open-air markets in urban centers. During the reporting period, the government identified 66 children in child labor, including potential trafficking victims, compared with 246 in 2016. The government did not regulate foreign labor recruiters. The government worked to reduce 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. The government distributed birth certificates with the assistance of NGOs; the lack of identification documents increased vulnerability to trafficking in persons.

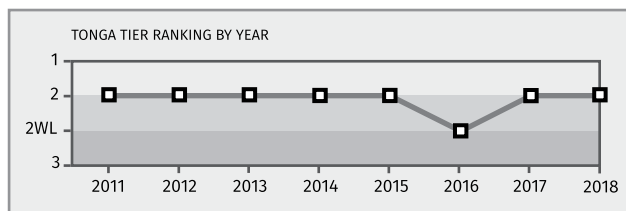
During the reporting period, the government coordinated with the Economic Community of West African States and an international organization to synchronize regional and country-level anti-trafficking national action plans through the Free Movement of Persons & Migration program, which included a component focused on populations vulnerable to human trafficking. Officials continued to cooperate in regional anti-trafficking coordination and planning efforts with Benin, Ghana, and Nigeria on border control efforts and with the West African Multilateral Accord and the Multilateral Cooperation Agreement to Combat Trafficking in Persons in West and Central Africa. 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 due to high levels of poverty. Forced child labor occurs in the agricultural sector—particularly on coffee, cocoa, and cotton farms—as well as in stone and sand quarries, where children and adults break rocks by hand. Traffickers bring children from rural areas in the north and central regions 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 and 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 remained on Tier 2. The government demonstrated increasing efforts by providing increased funding for an NGO available to assist trafficking victims and training new police recruits on victim identification and trafficking investigations. However, the government did not meet the minimum standards in several key areas. Authorities did not conduct any new trafficking investigations, develop procedures to proactively identify victims, or effectively coordinate governmental anti-trafficking efforts.



## 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; amend trafficking laws to criminalize the full scope of trafficking crimes, including offenses lacking cross-border movement; utilize the Asian liaison position to facilitate proactive

identification of foreign victims and their referral to care; develop a national action plan; provide explicit protections and benefits for trafficking victims, such as restitution, legal and medical benefits, and immigration relief; develop and conduct anti-trafficking information and education campaigns; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government maintained law enforcement efforts. Tongan law did not criminalize all forms of trafficking because it required transnationality to constitute a trafficking offense. Additionally, inconsistent with the definition of trafficking under international law, the law did not include force, fraud, or coercion as an essential element of the crime. The law prescribed penalties of up to 15 years imprisonment for trafficking offenses involving adult victims and 20 years imprisonment for offenses involving children; these penalties were sufficiently stringent and, with respect to sex trafficking, 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. The government continued investigating a case involving Bangladeshi men smuggled to Tonga under fraudulent promises of work as a trafficking case, however, evidence indicated the men were victims of fraud but were not subjected to forced labor. Similar to the previous year, the government did not initiate any other trafficking investigations during the reporting periods. The Tongan police force provided human trafficking training to new police recruits. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

## PROTECTION

The government maintained efforts to protect trafficking victims. The government identified 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. The government continued providing victim identification trainings for law enforcement. Tongan police utilized an Asian liaison officer trained to speak Mandarin Chinese to engage with Chinese citizens living in Tonga who may be vulnerable to trafficking. The government provided 60,000 pa'anga (\$28,380) to an NGO for operations to assist women and children victims of crime, including shelter, counseling, and legal services, an increase from 50,000 pa'anga (\$23,650) in 2016. Although none were identified, adult female and child victims of trafficking would be eligible for these services. The government had procedures to refer victims of crime, including potential trafficking victims, to the NGO. There were no shelter facilities available to male victims older than 15 years old. Under the immigration act, the principal immigration officer had 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 could file civil cases against their traffickers. There were no reports officials penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking.

## PREVENTION

The government maintained efforts to prevent human trafficking. The government's human trafficking task force led anti-trafficking efforts alongside the transnational crime unit of the police force. The government did not develop a national action plan to

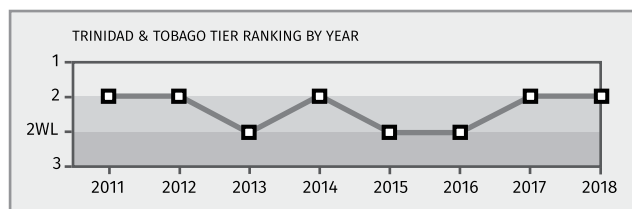
combat trafficking or conduct awareness campaigns. The lack of a national action plan or formal interagency policies reportedly hindered governmental anti-trafficking coordination. Authorities provided briefings to Tongans participating in seasonal worker programs overseas, which included information on workers' rights. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Tonga is not a party to the 2000 UN TIP Protocol.

### TRAFFICKING PROFILE

As reported over the past five years, Tonga is a source and destination country for men, women, and children subjected to sex and labor trafficking. 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.

## 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 remained on Tier 2. The government demonstrated increasing efforts by expanding authorities to collect intelligence on trafficking crimes and creating new task forces on intelligence gathering and prosecution to increase law enforcement's ability to investigate and prosecute trafficking cases. It also doubled the budget for its anti-trafficking unit, increased anti-trafficking training for its officials, and initiated prosecution of a complicit official. However, the government did not meet the minimum standards in several key areas. The government experienced continued delays in prosecutions and had yet to secure a conviction under its anti-trafficking law. The government decreased the amount of funding for victim services. The government did not have policies or laws regulating foreign labor recruiters.



### RECOMMENDATIONS FOR TRINIDAD AND TOBAGO

Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials and staff; increase proactive victim identification and screen among migrant populations;

provide adequate funding for robust victim services, including accommodation; improve regulation of private labor recruitment agencies; increase training on trafficking for shelter staff; increase funding and services for language interpreters available to law enforcement and victim care; increase the ability to accept victim video testimony in court proceedings; increase the use of intelligence in trafficking investigations; and consider adding NGO representation to the anti-trafficking task force.

### PROSECUTION

The government increased law enforcement efforts. The Trafficking in Persons Act of 2011 criminalized sex and labor trafficking and prescribed penalties of 15 years to life imprisonment and no less than 500,000 Trinidad and Tobago dollars (TTD) (\$75,410), which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government's anti-trafficking unit investigated 38 possible cases of trafficking, compared with 46 cases in 2016 and 53 in 2015. Additionally, organizations such as the police, the Counter-Trafficking Unit (CTU), and the health, immigration, and labor ministries coordinated and executed 20 joint anti-trafficking operations on suspected brothels. The government initiated the prosecution of two suspects under the anti-trafficking law (five in 2016, 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. A total of 14 persons were before the magistrate's court at the close of the reporting period; these cases were awaiting completion of preliminary inquiries. The government had not yet convicted an individual under its 2011 anti-trafficking law. The government created a new task force led by the Attorney General's Office focused on advancing prosecutions to trial.

To further combat human trafficking, the government is in the planning stages for the creation of a new intelligence-led task force, coordinated by the Attorney General's Office, comprising officials from the police, Defense Force, Strategic Services Agency, and the CTU. During the reporting period, the government amended its Strategic Services Agency Act to include trafficking under the category of "serious crimes," for which intelligence is collected, which expanded the government's capacity to identify possible cases. The government provided 7 million TTD (\$1.1 million) to the CTU for fiscal year 2017-2018, compared to 3 million TTD (\$452,490) for 2016-2017 and 8 million TTD (\$1.2 million) for 2015-2016. During the reporting period, the CTU experienced a large personnel rotation, ultimately involving more than 60 percent of its personnel. This resulted in a delay in investigations due to officer training and awareness with the cases on file. During the reporting period, the CTU charged one person, a CTU employee, with trafficking. The government collaborated with Interpol on investigations of four potential trafficking cases. The CTU provided a sensitization training to 16 judges on preventing re-traumatization of trafficking victims. The government collaborated with and provided in-kind support for an international organization to deliver anti-trafficking training to 26 prosecutors and 25 immigration officers.

### PROTECTION

The government increased protection efforts. The government identified and referred 14 trafficking victims to care (13 in 2016, five in 2015, and eight in 2014). The 14 victims included one male minor and two adult males exploited for labor trafficking and one female minor and nine adult females exploited for sex trafficking. The victims originated from Venezuela, Bolivia,



and Trinidad and Tobago. All victims identified were referred to care facilities for assistance; six victims were repatriated. All victims assisted with criminal investigations and received permits that allowed them to legally stay and work in the country; two victims were employed legally. The CTU spent approximately 198,900 TTD (\$30,000) on victim care and protection, compared to 700,000 TTD (\$105,580) in 2016 and 1 million TTD (\$150,830) in 2015 and 2014. The government provided additional funding to NGO care providers through the Ministry of Social Development and Family Services.

The government, working primarily through the CTU, the children's protective services agency, and the Office of the Prime Minister's Gender and Child Affairs Office provided victim care services, sometimes in conjunction with local NGOs. The services provided by the government included free short- and long-term accommodation and food, counseling, medical services, provisions for overseas phone calls, language interpretation, and local transportation, as well as clothing, toiletries, and a travel bag. Other assistance available included pre-natal and post-natal care, psychological evaluations, testing for sexually transmitted diseases, access to library facilities, some job skills training, and overseas travel expenses related to repatriation. The government was also prepared to offer sign language and other disability services to victims. Adult female victims of trafficking were housed at domestic violence shelters run by vetted NGOs who worked with the CTU; registered shelters received government funding to house these victims. Adult male victims were placed at safe houses run by the security services. Child victims were housed in homes run by the child protective services agency. In 2016, the CTU acquired a property to establish a dedicated shelter for male and female victims; the government did not report progress in establishing this shelter. Experts noted working-level staff at NGOs and shelters would benefit from training on trafficking. The government finalized an agreement and standard operating procedures with the child protection services agency and with the shelters on trafficking victim care.

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. However, some experts reported some trafficking victims left the shelters voluntarily. Language interpretation 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 certain interpreters available to assist with foreign national victim care and testimony. During the reporting period, court proceedings were being upgraded to accept video testimony; however, only written testimony could be used with the consent of the defense. Prosecutors noted defense attorneys rarely waived their right to cross-examination. The CTU provided 24/7 security for victims who participated in court proceedings.

## PREVENTION

The government increased efforts to prevent trafficking. The CTU, under the Ministry of National Security, was the lead entity for anti-trafficking efforts. The National Task Force Against Trafficking in Persons was the national coordinating body. Some experts recommended the government add NGO representation to the ministerial task force to strengthen government-NGO partnerships and receive more NGO input into government decision-making. The government continued implementation of the 2016-2020 national plan of action. The plan had a

monitoring and evaluation component involving quarterly and annual reports that were presented to parliament and available via open hearings. The labor ministry (MOLSED) and the CTU developed procedures for joint investigations and for the referral of suspected cases of trafficking. The government conducted a series of awareness campaigns in public education and information fairs, targeting police recruits, teachers, youth and young adults, and indigenous peoples. The government launched bilingual awareness campaigns, aimed at Spanish-speaking migrants, at the international airport. MOLSED also conducted radio and television announcements on child labor and the rights of domestic workers. The government made modest efforts to reduce the demand for commercial sex acts by developing public service announcements targeting the buyers of commercial sex. The government operated two hotlines, a national trafficking hotline and a national domestic violence hotline, that could receive human trafficking reports. The Ministry of National Security also funded anti-trafficking training for 20 defense officers, 30 air guard officers, 20 labor inspectors, and 77 airport authority and law enforcement staff. The CTU worked with an international organization to conduct training and sensitization to law enforcement, immigration, and social workers, to assist in the identification of potential trafficking victims.

There were no specific laws regulating private labor recruitment agencies; however, the government's National Employment Service (NES) provided free assistance and information to job seekers and worked with the labor inspections unit to monitor contracts for work permits and recruitment practices to ensure consistently with labor laws. The MOLSED oversaw the recruitment process for the Caribbean Seasonal Agriculture Program, which facilitated employment on Canadian farms. Workers were provided with information about the program and officers monitored workers on the farms to prevent labor exploitation. The government provided training for diplomats.

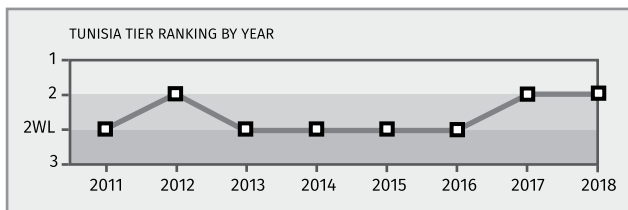
## TRAFFICKING PROFILE

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, Venezuela, and Colombia are subjected to sex trafficking in brothels and clubs, often lured by offers of legitimate employment. Because of deteriorating economic conditions in their home country, Venezuelans are particularly vulnerable. LGBTI persons are vulnerable to sex trafficking. Many trafficking victims enter the country legally via Trinidad's international airport, while others appear to enter illegally via small boats from Venezuela, which is only seven miles offshore. The government reports seeing more labor traffickers from the same country of origin as their victims. Migrants from the Caribbean region and from Asia, in particular those lacking legal status, are vulnerable to forced labor in domestic service and the retail sector. Corruption in police and immigration 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 increasing efforts compared to the previous reporting period;

therefore Tunisia remained on Tier 2. The government demonstrated increasing efforts by prosecuting traffickers under the anti-trafficking law and training judicial and law enforcement officials on application of the law. It also designated deputy prosecutors and investigative judges responsible for overseeing human trafficking cases in 27 tribunals across the country and for leading anti-trafficking training programs for judicial officials. The government improved its efforts to proactively identify trafficking victims and refer them to government-run centers for vulnerable populations and to civil society organizations, including through the establishment of an anti-trafficking hotline. However, the government did not meet the minimum standards in some key areas. The government did not finalize or institute standard operating procedures for victim identification across all relevant government agencies, nor did it formally adopt and utilize a national victim referral mechanism. Due to the lack of these procedures, 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—particularly among vulnerable groups such as domestic workers, persons in prostitution, undocumented migrants, and street children—and train officials on their use; adopt and 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; 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; use the anti-trafficking law to investigate, prosecute, and convict traffickers with stringent sentences and train judicial and law enforcement officials on the law; provide adequate protection services to all trafficking victims, including appropriate shelter and rehabilitative services tailored to trafficking victims; provide funding or in-kind support to NGOs that provide care to trafficking victims; and train staff at government-operated centers for vulnerable populations to provide trafficking victims with specialized care.

## PROSECUTION

The government increased its law enforcement efforts to combat trafficking during the reporting period. Tunisia's anti-trafficking law, Organic Law 2016-61, enacted in July 2016, criminalized sex and labor trafficking and prescribed penalties of 10 years imprisonment and a fine of 50,000 Tunisian dinar (TND) (\$20,340) for offenses involving adult victims and 15 years imprisonment and a fine of 50,000-100,000 TND (\$20,340-\$40,680) for those involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as kidnapping. From April 2017 to January 2018, the Ministry of Interior (MOI) conducted 28 initial

investigations of potential forced labor crimes and 57 potential crimes of sexual exploitation. Of these investigations, police arrested four individuals for allegedly forcing three women aged 18 to 19 into prostitution. Additionally, the Ministry of Women, Family, and Childhood (MWFC) identified 373 potential cases of child trafficking after receiving reported cases of child endangerment. As of March 2018, the MOI reported the opening of judicial investigations into 195 traffickers for forced prostitution, forced labor, and forced begging under the anti-trafficking law. The Ministry of Justice (MOJ) reported it brought 21 perpetrators to trial under the anti-trafficking law. The government convicted one female perpetrator for forced begging under the anti-trafficking law and sentenced her to one month imprisonment; however, the case remained pending at the end of the reporting period, as she absconded from authorities before serving her sentence and remained at-large. In 2017, the government reported only data that it prosecuted and convicted under the anti-trafficking law, due to the government's efforts to fully implement the law and train judicial and law enforcement officers. In comparison, in 2016, the government had not implemented the anti-trafficking law and reported prosecutions and convictions of crimes under other articles of the penal code, some of which were not trafficking crimes. Nevertheless, during the reporting period, officials reported difficulty prosecuting and convicting trafficking offenders due to lack of victim or witness testimony. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

During the reporting period, the MOJ designated a deputy prosecutor and investigative judge for each tribunal throughout the country, who were responsible for overseeing human trafficking cases and leading anti-trafficking training programs for judicial officials. In February 2018, the government, in partnership with an international organization, provided training for 24 judges who were chosen to be the trafficking experts and primary points of contact within these tribunals. In October 2017, the MOJ also created an office to monitor and maintain statistics on human trafficking cases brought before the judiciary; this office also had the authority to conduct research on the application of the anti-trafficking law and advise the minister of justice on policies related to the implementation of the law. Throughout the reporting period, the government conducted multiple training programs for security personnel and other government officials on the anti-trafficking law, victim identification techniques, and protection services. The government also continued international cooperation with INTERPOL offices in the region to improve informational exchanges about potential trafficking cases.

## PROTECTION

The government increased efforts to identify and refer trafficking victims to care. The government lacked formal victim identification procedures, but it continued to work in cooperation with civil society groups to train key law enforcement, judicial, immigration, and social services personnel to identify victims among high-risk populations. In 2017, the Ministry of Social Affairs (MSA) continued to cooperate with two NGOs through signed agreements to assist those at risk of abuse and exploitation, including trafficking victims. Between April 2017 and January 2018, the MOI reported it identified 285 trafficking victims, including victims of sex trafficking, domestic servitude, and forced begging, as well as child victims of sexual exploitation, forced labor, and exploitation in organized crime. This demonstrated an increase in identified victims compared to the previous reporting period when the MOI identified

134 victims. Additionally, child protection specialists from MWFC identified 373 potential trafficking victims among the more than 12,000 child welfare cases they received in 2017; these cases included potential child victims of sexual exploitation, exploitation in organized crimes, and forced labor. The Ministry of Health (MOH) also identified 29 potential trafficking victims of sexual and economic exploitation and forced begging, including three foreign nationals and nine children, among patients that received services from the MOH. According to an international organization in early 2018, since the implementation of the anti-trafficking law, victims and witnesses of trafficking crimes were reportedly more willing to come forward to the authorities and seek assistance.

The government referred all 285 identified victims to protection services provided by both government entities and civil society organizations. Specifically, the MSA provided assistance and accommodation, including lodging and medical and psychological assistance, to 52 foreign and Tunisian victims of forced labor and sexual exploitation. The MOI facilitated the provision of medical services for 10 of the victims it identified, while it also provided social assistance and accommodation to seven foreign victims and 25 Tunisian child victims. The MSA continued to operate centers for vulnerable populations, including victims of trafficking, domestic violence and sexual assault, asylum-seekers, unaccompanied minors, and the homeless. Through these shelters, the government provided vulnerable groups, including trafficking victims, with lodging, food, clothing, full and free medical care, psychological services, and legal aid through a network of pro bono lawyers. Three of these centers in Tunis, Sousse, and Sfax had designated areas available for victims of all forms of trafficking. 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. In October and November 2017, the MSA—in collaboration with an international organization—provided training for shelter staff on rehabilitation and care for trafficking victims. The MSA also organized a workshop for 40 participants, including the staff from both the Sousse and Sfax shelters and civil society representatives, to build partnerships for victim assistance. An MOH-operated hospital in Tunis had a unit dedicated to caring for victims of violence and sexual violence, including victims of sexual exploitation, which offered psycho-social support, medical documentation, and legal expertise. Since 2015, personnel in this unit continued to receive trafficking victim identification training and the unit assisted some trafficking victims in 2017. Despite the government's efforts to identify, refer, and provide protection services to victims, during the reporting period, the government did not formally adopt a mechanism for the referral of trafficking victims to government-operated social centers or NGO-run shelters; however, in early 2017 the MOI adopted its own internal procedures to identify and refer victims by cooperating with civil society organizations and other government ministries. Due to a lack of systematic victim identification and referral procedures and policies, some unidentified victims may have been punished for unlawful acts committed as a direct result of being subjected to human trafficking, such as women in prostitution or illegal immigrants.

The government offered foreign trafficking victims legal alternatives to their removal to countries where they might face hardship or retribution; in 2017, the government granted one victim a temporary residency permit as an alternative to returning home. Trafficking victims could seek legal employment

while under temporary residency status. During the reporting period, the government assisted 10 foreign trafficking victims (who were referred by an international organization) to obtain an exemption from paying overstay fees in order to leave the country. During the reporting period, the government reportedly offered all foreign trafficking victims relief from deportation and, for those who chose to return home, repatriation services. Under the anti-trafficking law, victims had the right to free legal aid to assist them in engaging in civil and criminal proceedings against their traffickers, and the government provided psychological and physical protection services to victims and witnesses of trafficking crimes.

## PREVENTION

The government maintained robust efforts to prevent trafficking and launched several new initiatives. The MOJ-led and -funded national anti-trafficking commission, which included representatives from 12 ministries and experts from civil society, met several times during the reporting period. In January 2018, the minister of justice inaugurated the permanent headquarters of the national commission and announced his strong support for its work. During the reporting period, the government implemented its 2015-2017 national anti-trafficking action plan by developing several manuals and training guides for judges and security personnel, and it also continued to develop its 2018-2023 national strategy to combat trafficking. In January 2018, the government began operating a hotline to report potential trafficking cases, which was operational five days a week during regular business hours and operators spoke Arabic, French, and English. During its first week of operation, the hotline received 34 calls reporting potential cases of trafficking. Throughout the reporting period, the government conducted numerous anti-trafficking public awareness and information campaigns, at times in partnership with civil society organizations, and it also conducted awareness raising trainings for child welfare workers, social workers, psychologists, and civil society representatives. 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. The labor inspectorate at the MSA designated 25 labor inspectors and 24 social workers trained as specialized points of contact for child trafficking victims. To address fraudulent labor recruitment practices, the Agency for Placement Abroad in Private Establishments (EPPA), a governmental agency, filed complaints with the MOI against 17 private employers for cases of fraud, extortion, or unauthorized abuses of Tunisians employed abroad; it also took action against 30 private employers who recruited workers without proper registration with the EPPA. This demonstrated a slight increase from actions the government took against fraudulent recruitment practices in the previous reporting period. In July 2017, the government signed a memorandum of understanding with the ILO and the largest Tunisian labor and employers' unions to promote decent work in Tunisia for 2017-2022. In September 2017, the MSA collaborated with the National Institute of Statistics, a governmental agency, to conduct a national study on child labor in Tunisia. The government maintained bilateral labor migration agreements with France and Switzerland, which contained provisions to prevent unfair labor recruitment practices and labor trafficking. During the reporting period, the government finalized a national strategy for migration, which addresses the rights of foreign migrants and Tunisian migrants abroad, and includes provisions to prevent forced labor. The government



took some efforts to reduce the demand for commercial sex acts; it continued efforts over the last few years to cooperate with civil society organizations to reintegrate into the formal economy women who were formerly in prostitution in brothels.

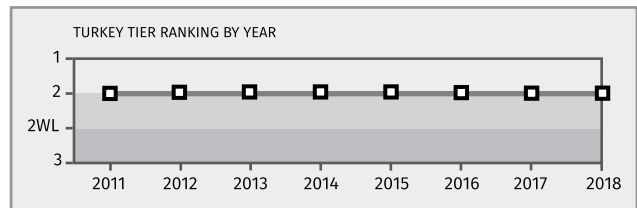
### TRAFFICKING PROFILE

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. In 2017, the government observed an increase in child victims of sexual violence and exploitation, some of whom are victims of trafficking. According to a baseline study published in 2013, conducted by the Tunisian government and an international organization, Tunisian youth are subjected to various forms of trafficking. According to the study and as reported by other experts since 2016, some Tunisian girls work as domestic servants for wealthy families in Tunis and major coastal cities; they are highly vulnerable to trafficking, experiencing restrictions on movement, physical and psychological violence, and sexual abuse. International organizations report a continued presence of street children selling goods on street corners and rural children working in agriculture to support their families in Tunisia; these children are vulnerable to forced labor or sex trafficking. Tunisian security officials report that organized gangs force street children to serve as thieves and beggars and transport drugs. According to experts, in 2017 Tunisian children—many of whom have dropped out of school and are between the ages of 11 and 12 years old—are observed working in small workshops, auto mechanic garages, and domestic work; some of these children may be vulnerable to 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.

Foreign migrants are particularly vulnerable to sexual exploitation, domestic servitude, and other forms of forced labor in Tunisia. According to an NGO in 2017, foreign trafficking victims typically arrive in Tunisia on a valid tourist or student visa and remain in an exploitative situation for an average of five to 13 months, surpassing the validity of their visa. Civil society and international organizations continue to report an increase in women, primarily from West Africa and increasingly from Cote d'Ivoire, who are exploited in domestic servitude in private homes in Tunis, Sfax, Sousse, and Gabes. An NGO reported in 2017 that recruiters in Cote d'Ivoire target both well-educated and non-skilled individuals in the country with false and fraudulent promises of work in Tunisia. Well-educated Ivoirians, who pay a recruiter to assist them to find work in Tunisia, are promised jobs that do not exist upon arrival in Tunisia, held in debt bondage, and forced into domestic servitude in Tunisian households. Recruiters also target unskilled and uneducated individuals primarily from San Pedro, Cote d'Ivoire, to work in domestic work or agriculture in Tunisia; these individuals are then required to repay the transportation costs and recruitment fees upon arrival and thereby held in debt bondage by their employers. NGOs and international organizations observed in 2017 a slight increase in boys from Sub-Saharan and West Africa, including boys from Cote d'Ivoire, who are vulnerable to trafficking after accepting fraudulent offers of soccer careers in Tunisia. Migrants fleeing unrest in neighboring countries continue to be vulnerable to trafficking in Tunisia.

## 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 identifying more victims and referring them to assistance. The government adopted multiple regulations that improved victim-centered prosecutions, and increased the staff of the Directorate General of Migration Management, the lead agency on combating trafficking. The government also continued cooperation with international organizations to train first responders, judges, and prosecutors. However, the government did not meet the minimum standards in several key areas. Some first responders lacked an understanding of trafficking, and there were reports of inconsistent victim identification which may have resulted in the detention and deportation of victims. Interagency coordination remained problematic, and law enforcement and judicial resources were strained as a result of dismissals of personnel under the state of emergency following the July 2016 coup attempt. Civil society remained largely excluded from anti-trafficking efforts, and specialized support services for victims were limited to a government-run shelter after several NGO-run shelters closed in 2016; critics asserted civil society's diminishing role hindered the identification and specialized care of victims.



### RECOMMENDATIONS FOR TURKEY

Vigorously investigate, prosecute, and convict traffickers, including those complicit in forced labor; establish a multi-disciplinary framework for victim identification and provide specialized care for all victims, including Turkish citizens, children, and male victims; provide stable funding for shelters and expand partnerships with NGOs, and civil society representatives to better identify victims and provide specialized victim services; increase training to first responders and staff at provincial offices of the Directorate General of Migration Management on victim identification, including recognizing the signs of non-physical methods of control used by traffickers; increase proactive victim identification efforts among vulnerable populations, such as refugees and asylum-seekers, migrants awaiting deportation, Turkish and foreign women and girls in prostitution, and children begging in the streets and working in the agriculture and industrial sectors; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including advanced training on trafficking investigations and prosecutions; allocate adequate staff and resources for law enforcement to effectively combat trafficking; improve interagency cooperation and adopt a national action plan; and make trafficking-related data, especially disaggregated statistics on victims and prosecution 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 criminalized sex and labor trafficking and prescribed penalties of up to eight to 12 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Ministry of Justice (MOJ) prosecuted 41 new trafficking-related cases with 291 defendants in the first three quarters of 2017 (53 new cases with 257 defendants in the first three quarters of 2016). MOJ continued to prosecute 174 cases with 1,624 defendants from the previous year (187 cases with 1,594 defendants in 2016). Courts convicted 44 traffickers (40 in 2016); all convicted traffickers received prison sentences and 42 traffickers also received a fine. Courts acquitted 93 suspected traffickers in the first three quarters of 2017 (272 in 2016).

The Department of Combatting Migrant Smuggling and Human Trafficking (DCMH) within the Turkish National Police (TNP) conducted specialized investigations. DCMH consisted of 28 officers (50 in 2016) at headquarters and operated branches in 22 provinces. Observers reported law enforcement in some cases lacked sufficient resources to fully investigate trafficking cases involving refugees, and the OSCE reported misperceptions about trafficking among law enforcement authorities, including confusion about the distinction between trafficking and the aggravated form of encouragement of prostitution (Article 227). A lack of experience and specialization within the judiciary regarding trafficking also limited the ability and willingness to prosecute complex crimes like trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. Some civil society groups remained concerned about corruption and official complicity in trafficking crimes, though authoritative evidence to corroborate or dispute these concerns remained elusive. The government, independently and in cooperation with international organizations, provided anti-trafficking training for law enforcement, coast guard, labor inspectors, social workers, and immigration officials. The government did not conduct international investigations or extradite traffickers in 2017.

## PROTECTION

The government increased victim protection efforts. The government identified 303 victims (181 in 2016); 186 were victims of sex trafficking, 52 of forced labor, and 65 of forced begging (143 were victims of sex trafficking, 30 of forced labor, and eight of forced begging in 2016); 212 were female and 91 were male (163 females and 18 males); 98 were children (29 in 2016). All were foreign victims in 2016 and 2017. Law enforcement conducted preliminary interviews and referred potential victims to the Directorate General for Migration Management (DGMM), which officially recognized victims; DGMM interviewed approximately 5,000 potential victims (1,930 in 2016) and increased staff at headquarters from nine to 15. However, DGMM staff's ability to accurately identify victims varied among provinces and, in some cases, staff were reportedly reluctant to act on cases referred by civil society groups. Some observers reported a general lack of understanding and awareness of trafficking among some first responders and a lack of attention towards internal trafficking. Experts reported problems with authorities recognizing non-physical methods of control by traffickers. In some cases, weak interagency coordination on referral procedures 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) continued to deploy 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 outside of camps, or provide sufficient protection resources to address trafficking in these communities.

The law entitled equal services to all trafficking victims, including shelter, medical and psycho-social services, work options, education, translation services, temporary residency, repatriation assistance, and legal counseling. The government provided support to 151 victims (approximately 100 in 2016). The government covered funding for victims' services through various funding streams and did not make available the total amount of funding specifically allocated for anti-trafficking efforts. The government allocated 3.5 million Lira (\$923,970) to international organizations for anti-trafficking and migration-related efforts; it did not provide funding to domestic NGOs. A DGMM-run shelter had the capacity to and did accommodate 20 female sex trafficking victims and provided psychological support, health care, access to legal aid, and vocational training. One hundred and two MOFSP-run shelters also provided accommodation for victims of violence, including men and children, and 32 locally-administered shelters offered general support services to trafficking victims. The DGMM-run shelter and MOFSP-run shelters required victims to have an escort to leave the shelter during their initial stay but allowed victims to leave the shelter voluntarily once security officials completed an assessment and deemed conditions safe, which generally took a few days. Government-operated Monitoring Centers for Children provided support to child victims of violence, including trafficking. DGMM reported negotiating agreements with four municipality-run shelters to provide specialized services to trafficking victims. Observers expressed significant concern about the general lack of inclusion of civil society groups in the government's victim protection efforts and the government's increasing removal of them from identifying and providing services to victims. Three NGO-run shelters that provided the majority of specialized support services to trafficking victims since 2004 closed operations in 2016 for various reasons. One NGO-run shelter chose to close due to security concerns, the second chose to close in response to funding shortfalls, and the third was closed by DGMM.

The government likely deported and detained some trafficking victims due to inadequate identification efforts. Law entitled victims to a temporary residence permit for 30 days, which could be extended up to three years with the option to apply for a work permit; the government issued 145 residence permits (141 in 2016). NGOs reported significant hurdles for victims in acquiring work permission, including a requirement that victims move out of trafficking shelters to be eligible to work. DGMM reported assisting 193 victims' repatriation. The government granted DGMM the right to participate in court proceedings as a formal party to provide victim support efforts. Additionally, the government adopted a new regulation on "legal interview rooms," which allowed victims to testify in private rooms in order to reduce re-traumatization. The government did not report how many victims participated in criminal investigations or legal procedures. The law entitled victims to pursue restitution from their trafficker through civil suits and regulation entitled victims to one-time compensation but it did not define the amount or procedures to access it.

## PREVENTION

The government maintained prevention efforts. The government drafted a national action plan but had not adopted it at the end of the reporting period. A senior-level national committee to coordinate interagency anti-trafficking efforts convened in March 2017 and February 2018. DGMM assumed the management of a national hotline that also handled trafficking calls from an international organization and trained new employees on trafficking issues, although 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 issued its first annual report on trafficking and continued to publish annual data reports on its website for 2013-2017; however, observers reported the government did not share detailed statistics on a regular basis and OSCE reported discrepancies in the statistics of the different databases managed by various state institutions, such as the Ministry of Interior, MOJ, and courts. DGMM organized a workshop on anti-trafficking and hosted a meeting with national journalists to explain Turkey's efforts to combat trafficking. The government continued to implement comprehensive migrant registration protocols by registering more than three million Syrians and providing birth registrations for newly-born refugee children and reported efforts to naturalize approximately 50,000 Syrian refugees under temporary protection. Many observers reported the country's approximately 1,000 labor inspectors remained insufficient to monitor and inspect for child labor. Government efforts to reduce the demand for commercial sex acts or forced labor remained uneven. The government did not provide anti-trafficking training to diplomatic personnel.

## TRAFFICKING PROFILE

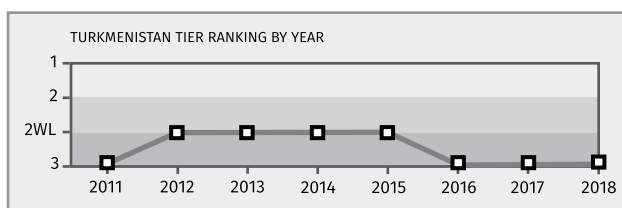
As reported over the past five years, Turkey is a destination and transit country and, to a lesser extent, a source country for women, men, and children subjected to sex trafficking and forced labor. Trafficking victims in Turkey are primarily from Central and South Asia, Eastern Europe, Syria, Indonesia, and Morocco. Of the 303 victims identified in 2017, Syrians continued to make up the largest number of victims (86 in 2017 and 36 in 2016) from a single country, followed by Kyrgyz (31), Moroccans (25), Afghans (21), Moldovans (20), and Uzbeks (19). 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 are forced by traffickers into labor or prostitution in hotels, discos, and homes. Some Turkish men are subjected to trafficking in Azerbaijan and Israel. Roma and refugee children are vulnerable to trafficking while working on the street collecting garbage, selling flowers and other items, or begging. Reports indicate some youth in Turkey joined the Kurdistan Workers' Party (PKK), a U.S.-designated terrorist organization under circumstances that remain unclear.

Turkey continues to host a large refugee population that is increasingly vulnerable to trafficking: approximately three and a half million displaced Syrians, 145,000 Afghans, and 140,000 Iraqis resided in Turkey during the reporting period. Syrian refugee and other children engaged in street begging and also reportedly worked in agriculture, restaurants, textile factories, markets, shops, and other workplaces, 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. Some reports claimed some Syrian and other girls were sold

into marriages in which they were vulnerable to domestic servitude and sex trafficking.

## 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 drafting standard operating procedures (SOPs) for victim identification and referral in partnership with an international organization, and implementing a legal amendment that provided free legal assistance to individuals who apply for official status as trafficking victims. However, the government continued to use the forced labor of reportedly tens of thousands of its adult citizens in the annual cotton harvest and in preparation for the Asian Indoor and Martial Arts Games (AIMAG). No officials were held accountable for their role or direct complicity in trafficking crimes, and the continued imprisonment and abuse of an independent observer of the cotton harvest dissuaded monitoring of the harvest during the reporting period. The legal provisions on victim protection were not implemented, and the government did not fund any victim assistance programs.



## RECOMMENDATIONS FOR TURKMENISTAN

Take action to end the use of forced adult labor, especially during the annual cotton harvest, particularly by modifying government policies that create pressure for mobilization of labor; hold complicit officials criminally accountable for their involvement in trafficking crimes; provide victim care services directly or by otherwise funding organizations to do so, as required under the 2016 anti-trafficking law; grant independent observers full access to monitor cotton cultivation and fully cease harassment, detention, and abuse of individuals for documenting labor conditions; 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 under article 129/1 of the criminal code and convict and punish traffickers; 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 negligible anti-trafficking law enforcement efforts. Article 129/1 of the criminal code prohibited all forms of trafficking in persons and prescribed



penalties of four to 10 years imprisonment, which could be increased to 25 years imprisonment under aggravated circumstances; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Turkmenistan's Administrative Offense Code prescribed 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 ranged 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 initiated prosecution of three cases in 2017, the same number as in 2016 and 2015, and compared to six cases in 2014. The government reported the conviction of one trafficker in 2017, compared with three traffickers in 2016, nine in 2015, and nine in 2014. In partnership with an international organization, the government provided training for 160 officials on trafficking-related issues. Despite continued reports of widespread corruption, the government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses, nor did it report any efforts to end officials' mobilization of persons for forced labor. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. In October 2016, the government arrested and charged Gaspar Matalaev, a reporter who contributed to an article documenting the use of forced labor in the annual cotton harvest, with fraud. 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. He remained in prison at the end of the reporting period.

## PROTECTION

The government decreased protection efforts. The government identified one victim in 2017, compared to 11 victims in 2016, 12 in 2015, and 19 in 2014. An international organization reported assisting 20 victims, but estimated the total number of victims was significantly higher, as evidenced by the 3,041 calls to the foreign-funded Ashgabat trafficking hotline. A second trafficking hotline, based in Turkmenabad, suspended operations in 2017 due to lack of funding. Despite the anti-trafficking law requiring the provision of a wide range of services from the government to trafficking victims, the government did not provide comprehensive services to all trafficking victims, 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 five female victims in 2017, including local reintegration and job placement. In accordance with the national action plan, the government continued to partner with an international organization to draft SOPs for victim identification and referral, but did not finalize or adopt them. 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 reported individuals as identified trafficking victims if their cases led 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 medical treatment.

The anti-trafficking law provided that victims, including those who participate in criminal proceedings, were exempt from administrative or criminal liability for unlawful acts committed as a direct result of being subjected to trafficking, and were guaranteed employment. It also required law enforcement agencies to respect the confidentiality of victims. An additional amendment to the legal code, effective February 2017, provided for free legal assistance to trafficking victims who apply for official status as such. 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 from other countries, the migration service reportedly blocked them from exiting Turkmenistan for a period of up to five years.

## PREVENTION

The government made negligible efforts to prevent human trafficking. While the government reportedly collaborated with an international organization on the implementation of its national action plan, it did not take steps to end the use of forced labor during the cotton harvest and in preparation for the AIMAG. The 2016 anti-trafficking law called for the creation of an interagency anti-trafficking committee, comprised of 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 interagency anti-trafficking committee was not established in 2017, but an interagency working group was established. The 2016 law also assigned responsibilities for anti-trafficking efforts among government agencies and charges the cabinet of ministers with planning, funding, and implementing anti-trafficking policy.

The law required 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 trainings, information sessions, workshops, round tables, movie demonstrations, and school discussions. 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 2017 the government granted citizenship to 1,690 stateless persons permanently living in Turkmenistan. 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.

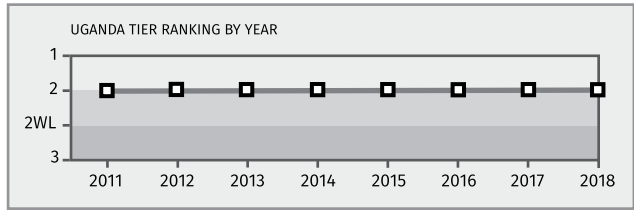
## TRAFFICKING PROFILE

As reported over the past five years, 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 required 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. In 2017, there were uncorroborated media reports that the government mobilized children for the first time in several years. Government officials threatened public sector workers with dismissal, reduced work hours, or salary deductions if they did not participate in the cotton harvest. 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. Students and teachers and other public sector employees were forced to fill support roles, such as entertainment in the AIMAG without receiving compensation. 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 and Russia 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 year, identifying and repatriating more trafficking victims, and increasing law enforcement training. The government also lifted the travel ban on domestic workers abroad for two countries and launched an online External Employment Management System where citizens could apply for pre-vetted overseas employment opportunities through licensed companies. The government strengthened migrant worker protections abroad by negotiating with a foreign government to provide cellular phones, which include a recently launched application for the tracking and monitoring of workers. The government also increased law enforcement training. However, the government did not meet the minimum standards in several key areas. Insufficient funding for victim protection hindered government efforts. The government did not employ systematic procedures to refer or assist victims, and availability of victim services was inconsistent. The government has not institutionalized anti-trafficking training among law enforcement and front-line officials and there are still reports of misclassification of cases and poor investigations. The government did not report investigating allegations of corruption impeding government oversight of labor recruitment agencies.



## RECOMMENDATIONS FOR UGANDA

Develop a formal mechanism to systematically refer trafficking victims to appropriate care and expand protective services for victims through partnerships with NGOs, including by allocating resources; increase efforts to investigate allegations of official complicity in trafficking crimes and prosecute and convict complicit officials; increase training for Ugandan embassies' staff on assisting trafficking victims abroad, including victim identification, providing temporary shelter, and facilitating the repatriation of victims; fully implement the protection and prevention provisions of the 2009 anti-trafficking act; replace the partial suspension of recruitment agencies sending migrant workers abroad for domestic work with consistently enforced regulations and oversight of recruitment companies, including by adopting proposed amendments to the anti-trafficking act that would increase oversight of employment contracts and extend criminal liability for trafficking offenses to labor recruiters; increase bilateral negotiations with destination country governments on migrant worker rights, including the release and repatriation of Ugandan migrant workers exploited by employers abroad; use existing laws to proactively investigate and punish labor recruiters who fraudulently recruit Ugandans; 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; institutionalize anti-trafficking training, including victim identification techniques, for all front-line officials, including police, immigration officers, prosecutors, and judges; establish a unified system of documenting and collecting data on human trafficking cases; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2009 anti-trafficking act criminalized sex and labor trafficking, and prescribed punishments of up to 15 years imprisonment for offenses involving adult victims and up to life imprisonment for those involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The law also criminalized the use of a child in any armed conflict and prescribed penalties of up to the death penalty. The Children Amendment Act of 2016 conflicted with the 2009 anti-trafficking act in some respects—for example, it defined child sex trafficking to require force, fraud, or coercion, which was inconsistent with the definition of trafficking under international law, and it prescribed substantially lower penalties for the crime.

The government reported 145 trafficking investigations, prosecutions of 52 defendants in 50 cases, and convictions of 24 traffickers in 2017 under the 2009 anti-trafficking act, compared to 114 investigations, 32 prosecutions, and 16 convictions in 2016. However, as additional details were unavailable, the number of prosecutions and convictions may have included cases of child sacrifice and illegal adoption. The government did not report the penalties assigned to convicted

traffickers. The government did not report any prosecutions, or convictions of government employees complicit in human trafficking; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. 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 since departed the United States. The government did not report taking any action during the reporting period to hold the diplomat and his spouse accountable. There were allegations that officials from the office of the prime minister were complicit in several illegal activities related to the refugee settlements, including corruption, sexual exploitation and abuse, and facilitating the movement of vulnerable populations from settlements in Uganda to South Sudan. The government suspended four high-level officials in the office of the prime minister based on allegations of their involvement in illegal activities in the refugee settlements. The government is investigating the allegations. There were also several media reports of alleged complicity of police officers in child sex trafficking of refugees and coercion of refugee women to perform sexual acts in exchange for various forms of migration documentation. The media also reported that the Police Professional Standards Unit investigated several regional and district police commanders in Busia and Tororo for alleged involvement in human trafficking. Additionally, the media continued to report that some of the labor recruitment companies suspected of involvement in trafficking were associated with, or partially owned by, high-level officials, which impeded law enforcement agencies' ability to investigate their operations. An NGO continued to report that some complicit immigration officers at border crossings facilitated passage of trafficking victims. The government did not report progress on or efforts to complete the prosecution of a case from 2014 involving the Commissioner from the Ministry of Finance, charged with child trafficking.

In partnership with NGOs, the government facilitated a training for 150 participants on the anti-trafficking law and case management; judges, magistrates, prosecutors, law enforcement officials, and civil society attended the training. The Ministry of Internal Affairs (MIA) conducted two training sessions for 63 police officers, three prosecutors, and four probation and social welfare officers in both the Katonga and Wamala regions on trafficking and the anti-trafficking law. The Immigration Department continued to conduct monthly sessions to train its officers on anti-trafficking issues. Despite these training efforts, some police and immigration officers continued to lack 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. Reportedly, many police had not received adequate anti-trafficking training, yet used their discretion to only send cases they deemed to be prosecutable to the Directorate of Public Prosecutions (DPP). Even cases that the police sent to the DPP frequently had incomplete investigations and did not comply with protocols for admissible evidence. Transnational cases remained difficult for law enforcement to properly investigate, often leading to poor investigations and limiting prosecutions; the DPP reportedly relied on INTERPOL to investigate transnational trafficking cases, but due to delayed responses and competing priorities, DPP dismissed several cases. Law enforcement officials also cooperated with foreign law enforcement on the cross-border "Operation Usalama," during which two transnational victims were rescued; additional details were not available.

## PROTECTION

The government increased protection efforts; however, insufficient funding and training for victim assistance continued to limit effectiveness during the reporting period. The government reported identifying at least 276 victims in 2017, as compared with 270 in 2016. Of the 276 trafficking victims, 82 children and 134 adults were victims of forced labor, and two children and 38 adults were victims of sex trafficking. The government also identified four adults who were victims of both sex trafficking and forced labor and 16 children who were transnational victims of forced armed conflict. Of the identified victims, 197 were transnational, the majority of all victims were women, and all of the internal victims were children, the majority of which were Karamojong. The government reported removing nearly all internal child trafficking victims from situations of exploitation, but did not report providing the children with assistance afterward. The government reported repatriating 148 victims; while approximately 100 Ugandan victims remained in trafficking situations abroad; however, these numbers included 52 victims that may not have been trafficking victims. In comparison, in 2016, the government reported repatriating 129 trafficking victims. According to the government, authorities intercepted a total of 353 Ugandan travelers, the vast majority of them female, attempting to depart to countries which officials assessed as high risk for them to become a victim of trafficking, or being unable adequately explain the purpose for their travel; this represented a significant increase from the 250 potential victims intercepted in 2016. Oman, Kenya, or Thailand were the major destination countries for both victims and intercepted potential victims of trafficking.

The government did not enact the implementing regulations for the 2009 anti-trafficking act or allocate funding for the implementation of its victim protection provisions; however, the MIA completed the first draft of the implementing regulations and submitted them to the Ministry of Justice and Constitutional Affairs for legal review. The government continued to employ victim identification and assistance guidelines for adult and child trafficking victims, and the Immigration Department distributed these guidelines to immigration officers and provided training on their implementation. However, the government remained without a formal mechanism to systematically refer trafficking victims to appropriate care. The government did not track or report how many victims it referred to care or directly assisted. 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. Several NGOs reported assisting 132 trafficking victims during the reporting period, 45 of those victims were children; at least 88 were victims of sex trafficking, at least three were victims of forced labor, and information was not available for 43 victims. NGOs reported that the government referred at least 13 trafficking victims to care at NGOs. Victim care remained inadequate and available services were primarily for children and women, with few NGOs offering shelter for adult males. In previous years, 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.

The government did not adequately assist Ugandan citizen victims identified abroad. It generally provided replacement travel documents to facilitate the repatriation of its citizens, while NGOs provided funding for return travel. However, where embassies existed, the government did not provide shelter



for Ugandan nationals abroad or upon their repatriation. In response to the continued abuse of migrant worker's rights abroad, the Uganda Association of External Recruitment Agencies, a private sector entity, established a Labor Liaison Office (LLO) in Saudi Arabia during the reporting period. The LLO reported assisting more than 200 potential trafficking victims in Saudi Arabia by working with immigration officials to obtain permission for their departure, funding return travel, and resolving disputes over unpaid wages. An NGO reported repatriating 15 Ugandan trafficking victims, the majority for sex trafficking, from Turkey, Malaysia, Thailand and Egypt, and providing them with medical assistance and referral to a local NGO upon their return. In the previous reporting period, the government reported that eight Ugandan children were separated from the Allied Democratic Front armed group in the Democratic Republic of the Congo (DRC); six of the children were repatriated by an international organization during this reporting period and two remain with host families in DRC.

While the 2009 anti-trafficking act prohibits the penalization of trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, reports indicated that the government detained and placed on bond some trafficking victims, including children, in an attempt to compel them to cooperate with and periodically report to law enforcement in support of criminal investigations. In addition, police in Kampala 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 returned to the Karamoja region to a youth training center that provided food, counseling, and three months of vocational training, before returning them to their families. Previous reports claimed that police sometimes treated street children as criminals and arbitrarily arrested and detained them in detention facilities; however, the government reported that practice officially ended and officials now took the children to NGO-run shelters, but because these shelters were frequently full, this may still have occurred. Judicial officers often encouraged trafficking victims to participate in the investigation and prosecution of their traffickers to prevent the victimization of others, but some reports indicated that law enforcement's limited capacity and inadequate sensitivity in engaging trafficking victims discouraged many from cooperating in investigations. Ugandan law permitted foreign trafficking victims to remain in Uganda during the investigation of their cases and to apply for residence and work permits, but the government did not record any victims applying for such benefits during the reporting period. The law permitted victims to keep their identities anonymous by using voice distortion and video link facilities. The law allowed victims to file civil suits against the government or their alleged traffickers for restitution; however, there were no such cases during the reporting period. There was no formal policy to provide cooperating victims and witnesses with assistance, support, or safety; the government sometimes provided food, transportation, physical protection, or in-kind support, but it was ad hoc and inconsistent, and some reports indicated that police temporarily sheltered cooperating victims in their homes. The government reported cooperating with foreign countries from the East African Community to develop a regional anti-trafficking initiative that focused on victim identification, to ensure that trafficking victims were not arrested or prosecuted for crimes they committed as a result of being subjected to trafficking; the initiative was ongoing.

## PREVENTION

The government increased prevention efforts. The National Task Force, led by the MIA Permanent Secretary, with the Coordination Office to Combat Trafficking in Persons (COCTIP) serving as its secretariat, continued to implement the national action plan and coordinate all anti-trafficking efforts. The National Task Force remained without a strategic mandate to drive national anti-trafficking efforts or the authority to fund and propose improvements and activities for participating agencies—which limited its effectiveness. While the National Task force did not receive funding, COCTIP reported receiving a small budget allocation from the government. In 2017, the government continued its national awareness campaigns—composed of talks, media outreach, and distribution of written materials. The National Task Force and COCTIP, with funding from MIA, continued to coordinate 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 continued to produce trafficking brochures and hung posters at locations where Ugandan job seekers frequented, and passport and immigration officers often counseled potentially at-risk Ugandans seeking passports about the dangers of trafficking. The MIA, in partnership with NGOs, also conducted awareness meetings for civil society, local leaders, police, immigration, labor inspectors, taxi, bus and “*boda boda*” drivers, hotel operators, and security and probation officers on identification and referral of trafficking victims and focused on known recruitment areas along the border and at the international airport. The government did not operate an anti-trafficking hotline during the reporting period.

During the reporting period, the government partially lifted the 2016 ban on Ugandans traveling abroad for domestic work, which was implemented due to reports of abuse and trafficking. With this change, workers could seek out employment in domestic work and travel to countries that had bilateral labor agreements with the government, which included only Saudi Arabia and Jordan, who had signed such agreements in 2015 and 2016, respectively. In 2018, the government launched the External Employment Management System, which functioned as a “one stop” internet portal where Ugandans could search and apply for all pre-vetted overseas employment opportunities through licensed recruitment companies. The government reported that the objective was to decrease illegal labor migration through unlicensed recruiters, which left migrants vulnerable to trafficking. Despite the new online employment system and bilateral labor agreements, destination country governments, like that of Jordan, issued visas to Ugandan migrant workers that used unlicensed companies in the country, making the protection of Ugandan citizens and pre-departure regulation efforts by the Ugandan government difficult. Additionally, Ugandan officials, in partnership with the Government of Saudi Arabia, recently launched an online labor monitoring system, which was developed to track migrant workers and receive reports of mistreatment or abuse. Immigration officials continued to scrutinize travel documents, passports, and reasons for travel before clearing travelers to depart Uganda for work in foreign countries. The government continued its oversight of labor recruitment agencies during the reporting period and reported that over 80 illegal recruitment individuals and companies were investigated and closed, and some of the staff were prosecuted for illegal recruitment for the purpose of trafficking, but did not report further information. This was particularly relevant as the government reported that over 90 percent of the registered victims had been subjected

to trafficking as a result of recruitment by unlicensed labor recruitment companies. The 2005 Employment Regulations, 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 government 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 66 licensed labor recruitment companies on several Ministry webpages, compared to 63 registered agencies in 2016, 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. However, corruption reportedly inhibited oversight of labor recruitment firms, as did insufficient staffing, and loopholes in the law. For example, the media reported that foreign, usually Middle East-based, recruitment agencies would operate in Uganda by taking advantage of loopholes in the licensing of recruitment agencies; the Middle East-based agencies would acquire an internal license, vice an external license, then recruit workers directly from Uganda and illegally send them abroad by collaborating with criminals. As mandated by the 2015 Registration of Persons Act, the government continued to register its citizens and provide them with national identification numbers. The government did not provide anti-trafficking training to Uganda's troops prior to their deployment abroad as part of international peacekeeping missions, but through a foreign donor, the troops received human rights training. 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. Traffickers exploit girls and boys 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 estimates there are between 7,000 to 12,000 children involved in prostitution in Uganda. 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.

Traffickers subject some children from the DRC, Rwanda, Burundi, Kenya, Tanzania, and South Sudan to forced agricultural labor and exploited in prostitution in Uganda. South Sudanese children in refugee settlements in northern Uganda are vulnerable to trafficking. In 2017, individuals from Rwanda and Somalia, including a Somali refugee from Nakivale Refugee Settlement, were victims of internal trafficking. Some Ugandans abducted by the Lord's Resistance Army (LRA) prior to 2006 remain unaccounted for, and may remain captive with

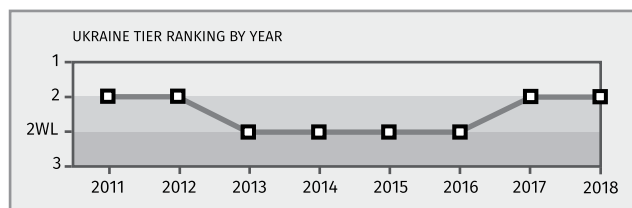
LRA elements in the DRC, the Central African Republic, and the disputed area of Kafia Kingi, which both Sudan and South Sudan claim. Traffickers have exploited trafficking victims from the DRC and Rwanda in sex trafficking in Uganda. In 2017, there were allegations that officials from the office of the prime minister were complicit in several illegal activities related to the refugee settlements, including corruption, sexual exploitation and abuse, and facilitating the movement of vulnerable populations from settlements in Uganda to South Sudan. The government suspended four high-level officials in the office of the prime minister based on allegations of their involvement in illegal activities in the refugee settlements. The government is investigating the allegations. There were also several media reports of alleged complicity of police officers in child sex trafficking of refugees and coercion of refugee women to perform sexual acts in exchange for various forms of migration documentation.

In 2016, Ugandan victims were identified in neighboring countries, including Kenya, South Sudan, and the DRC. 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, Saudi Arabia, Oman, Qatar, Kuwait, Iraq, Iran, Egypt, Turkey, Algeria, and China. Despite the government's partial lifting of the ban on Ugandans' travel abroad for domestic work to Saudi Arabia and Jordan, some licensed and unlicensed agencies circumvented safeguard mechanisms established by the government 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. COCTIP reported that traffickers appear to be increasingly organized and some may have formed regional trafficking networks. NGOs reported that traffickers 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. Reportedly, pastors, imams, and local leaders at churches and mosques have also assisted in the recruitment of domestic workers abroad, mostly for Middle Eastern countries; these leaders encourage female domestic workers to take these jobs and in turn receive a fee per worker from recruiters. 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 remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting a greater number of trafficking cases, increasing coordination among interagency and civil society stakeholders, identifying more victims, providing more financial assistance to victims, opening additional socio-psychological centers to serve victims, and increasing training for government officials. However, the government did not meet the minimum standards in several key areas. Lax sentencing, likely aggravated by corruption, meant

the majority of convicted traffickers avoided imprisonment, which was inadequate to deter trafficking. The moratorium on labor inspections hampered law enforcement investigations on labor trafficking cases. International organizations continued to identify far more 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. 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

Punish convicted traffickers with proportionate and dissuasive sentences; clearly define administrative chains of responsibility and competencies of service providers throughout the decentralization process to minimize disruption in the processes of identification, referral, and assistance to trafficking victims; vigorously investigate and prosecute trafficking offenses, including public officials complicit in trafficking crimes; 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; increase law enforcement monitoring of recruitment firms engaged in fraudulent practices associated with exploitation; continue to 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; enact legislation to strengthen protections for foreign victims; continue to fund services to support trafficking victims, including rehabilitation centers; and increase cooperation with law enforcement officials in countries where Ukrainians are subjected to human trafficking.

## PROSECUTION

The government increased law enforcement efforts. Article 149 of the criminal code criminalized sex and labor trafficking and prescribed penalties of three to eight years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated 346 trafficking offenses in 2017, compared with 112 in 2016. These included 142 instances of sex trafficking, 17 for labor trafficking, 163 for forced involvement in criminal activity, and six for forced begging. Authorities initiated prosecutions of 66 cases in court in 2017, compared to 45 cases in 2016. The government convicted 23 traffickers in 2017 under article 149, a slight decrease from 28 in 2016, and the lowest in six

years. Of the 23 convicted traffickers sentenced in 2017, only seven (30 percent) received prison sentences, which ranged from three to five years, and the government confiscated assets from two defendants; in 2016, only five of 28 (18 percent) convicted traffickers received prison sentences. The national police created a department to address abuses of migrant workers abroad to assist in trafficking investigations. It also established an analytics department to improve the operative analysis of available crime data, to include trafficking. The Border Guard Service reported that due to cooperation with the police, they were able to stop 20 cross-border trafficking channels. Authorities collaborated with foreign governments on transnational investigations and extraditions, including Moldova, Russia, Turkey, Poland, Netherlands, Belarus, France, Greece, and Lithuania.

Official complicity and willful negligence resulted in the abuse of children in state-run institutions and orphanages, who were especially vulnerable to trafficking. Institutional reforms in Ukraine over the past three years 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 continued during the reporting period and included mandatory training and testing on 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, increased training for judges, prosecutors, law enforcement, and other government officials. The government reported investigating and arresting several officials allegedly complicit in trafficking; however, there were no new prosecutions or convictions. Several high-profile cases remained pending with the court, including the former commander of the Kyiv City police counter-trafficking unit, three police officers, and 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. The Cabinet of Ministers introduced draft legislation intended to increase 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 legislation remained pending in Parliament at the close of the reporting period. The government significantly increased identification through the national referral mechanism. The police identified 349 victims in 2017 (103 in 2016). 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. In 2017, an international organization in Ukraine assisted 1,256 victims, compared with 1,105 in 2016. International organizations and the government reported the majority of identified victims were subjected to labor exploitation. Authorities approved 195 of 273 applications requesting official victim status in 2017, compared to 110 of 124 in 2016 and 83 of 91 in 2015. Of the 78 cases not approved in 2017, 34 were refused and 41 applications were incomplete—the other cases remained pending. The government increased cooperation with NGOs and waived in-person interview requirements to grant official victim status to four Ukrainians incarcerated abroad for actions committed as a result of being trafficked, which resulted in their release and repatriation. Victims not requiring specialized services may have chosen to not pursue official victim status. The government increased efforts on proactive victim identification



and held national workshops with stakeholders to improve cooperation on victim identification within the context of the national referral mechanism. Ongoing decentralization reforms obscured local communities' chains of responsibility for decisions regarding provision of key social services, including identifying, referring, and assisting trafficking victims. The law directed law enforcement officials to proactively identify trafficking victims; however, individuals in prostitution were not always screened for signs of trafficking. Some victims trafficked for prostitution may have been subjected to administrative charges.

The government disbursed 98,800 hryvnia (\$3,510) to the national budget and 219,220 hryvnia (\$7,790) to local budgets for anti-trafficking measures in 2017, maintaining allocations from the previous year. State authorities allocated 1.7 million hryvnia (\$61,330) for the implementation of the national action plan over the next four years—47 percent above what is called for in the plan. The government increased the amount of financial assistance provided to each officially recognized victim, and the amounts provided were greater than the official subsistence level. Ukraine's trafficking law entitled victims to housing at a government shelter, psychological assistance, medical services, employment counseling, and vocational training, regardless of whether a criminal case proceeded or the victim cooperated with law enforcement. Authorities assigned victims with official status a case management team, which provided referrals to care facilities, NGOs, or other services according to an individualized 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. 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 20 to 21 and maintained 692 additional social services centers. Observers reported the provision of assistance was problematic due to funding shortfalls and high turnover of trained staff. Authorities could accommodate child victims in centers for socio-psychological rehabilitation of children for up to 12 months and administer 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 than last year. The Ministry for Social Policy (MSP), in cooperation with an international organization, implemented an interactive e-learning module on the identification and referral of trafficking victims. The government reported it assisted in the repatriation of nine Ukrainian victims from Armenia, Azerbaijan, Cyprus, Georgia, and Turkey.

Victims had the legal right to file civil suits for restitution, and courts ordered restitution payments for 24 trafficking victims in 2017, compared to 79 in 2016. Various protective measures were legally available inside courtrooms for victims who testified at trial, but in practice, it is not clear that authorities consistently applied these measures and treated trafficking victims in a victim-sensitive manner. The government reported changing personal data of victims for security purposes in four cases in 2017, as opposed to two in 2016. NGOs reported the government often did not provide legal assistance or other support to victims during criminal cases.

Officials reported screening illegal migrants for indicators of trafficking. Authorities did not recognize any foreign victims

in 2017, but international organizations reported identifying three victims from Moldova, Russia, and Uzbekistan. Foreign victims were entitled to the same benefits as Ukrainian citizens. Legislation that would allow foreign victims to remain in Ukraine for extended periods and work legally in the country remained pending with the government. There was no legal way for foreign victims to extend their stay, change legal residency, secure employment rights, or seek protection from deportation to countries where they would face hardship or retribution. There were no reports the government penalized victims for crimes committed as a direct result of being subjected to trafficking; however, due to uneven screening, it is possible that authorities may have detained, deported, or punished trafficking victims.

## PREVENTION

The government increased prevention efforts. Authorities, in coordination with NGOs and international organizations, carried out a wide range of awareness campaigns, including television programs, street advertising, public events, and community policing. The Ministry of Education and Science endorsed two mandatory extracurricular courses for teachers. In summer 2017, authorities, with the support of an international organization, expanded a 2016 informational campaign on child begging to cover two additional cities, which also established a cooperation mechanism between law enforcement and child services. In July 2017, the government adopted a Strategy of State Migration Policy with the goal of raising awareness on knowledge of rights while working abroad. A Counter Trafficking and Migrant Advice Hotline was operated by a local NGO and funded by international donors. In 2017, the hotline received 19,444 calls; 80 potential victims were identified and referred to responsible local agencies and NGOs for assistance.

Police conducted investigations of formal and informal recruitment networks, including companies advertising jobs abroad, and participated with other stakeholders to raise awareness about known recruitment schemes. The MSP continued to maintain a list of licensed recruitment companies. The government extended a moratorium on labor inspections through December 2018 but allowed inspections when credible information of trafficking existed. 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, Moldova, and other parts of Europe, Kazakhstan, and the Middle East. Some Ukrainian children and vulnerable adults are subjected to forced begging. A small number of foreign nationals, including those from Moldova, Russia, and Uzbekistan are subjected to forced labor in Ukraine. Victims trafficked in Ukraine have been exploited 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. Smuggled migrants transiting Ukraine are vulnerable

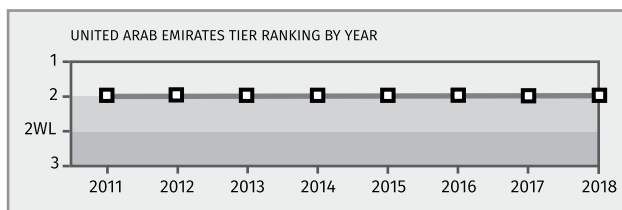
to human trafficking. The approximately 82,000-200,000 children institutionalized in state-run orphanages were especially vulnerable to trafficking. Officials of several state-run institutions and orphanages were allegedly complicit or willfully negligent in the sex and labor trafficking of girls and 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 forces, the situation has become particularly challenging. Employment options are limited and Russia's proxy "authorities" have restricted international humanitarian aid that would help meet civilian needs. Women and girls from conflict-affected areas have reportedly 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. Russia's proxies in eastern Ukraine issued decrees calling for the conscription of minors and Russia-led forces used children as soldiers, informants, and human shields. A civil society organization stated that it recorded 85 cases of involvement of children in illegal armed groups in areas outside of Ukraine's control; it reported it was able to identify names, ages, forms of recruitment, children's duties, and the identities of recruiters. According to the organization, children took direct and indirect part in the armed conflict; they performed armed duty at checkpoints as fighters and served as guards, mailpersons, and secretaries. The OSCE Special Monitoring Mission in Ukraine reported children as young as 15 took part in active combat as part of Russia-led forces. Children ages 15 to 17 were actively recruited to participate in militarized youth groups that taught children to carry and use weapons. A Ukrainian government official reported that one children's battalion associated with this training program, the St. George the Victor Battalion, may have included 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 enacting a new domestic worker law intended to expand legal protections to this vulnerable population and opening specialized centers run by the Ministry of Human Resources and Emiratization (MOHRE) to regulate domestic worker recruitment and safeguard the terms of employment. In addition, it continued to generate anti-trafficking awareness country-wide and funded and implemented its national action

plan to combat trafficking. However, the government did not meet the minimum standards in several key areas. The government did not consistently enforce the legal prohibition on withholding workers' passports despite the practice being widespread. While improved, legal and regulatory protections for domestic and private sector workers under the sponsorship system remained inadequate, and government law enforcement and victim protection efforts for labor trafficking remained weak.



### RECOMMENDATIONS FOR UNITED ARAB EMIRATES

Increase efforts to investigate, prosecute, and punish trafficking offenses, especially labor trafficking involving domestic workers, and labor-related crimes; convict and punish labor traffickers, including exploitative recruitment agents and employers; fully implement the new domestic worker law and ministerial law decrees that expand protections for domestic and private sector workers; reform the sponsorship-based employment system; 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; and, increase published data and access to information pertaining to labor practices, trafficking crimes, and anti-trafficking efforts.

### PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Federal Law 51 of 2006 and its amendments in Federal Law No.1 of 2015 criminalized trafficking and prescribed penalties ranging from one year to life in prison, as well as fines ranging from 100,000 to 1 million United Arab Emirates dirham (AED) (\$27,230 to \$272,260) and deportation for non-citizens. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government enacted Federal Law No.10 of 2017, which provided additional protections for domestic workers, as well as specified new regulations for recruitment agencies and employers of such workers, including those pertaining to hiring practices, working conditions, and employment contracts.

As in years past, the government did not report detailed statistics on trafficking-related investigations. According to data provided by the National Committee to Combat Human Trafficking (NCCHT), in 2017 the government prosecuted 48 alleged traffickers in 16 new trafficking cases all of which involved sexual exploitation, compared to 106 alleged traffickers in 25 cases during the previous reporting period. It convicted seven traffickers during 2017, on par with nine it convicted in 2016, and sentences ranged from three years plus a fine to life in prison. Nine cases remained pending in the court system at the close of 2017. In addition, according to the NCCHT, all of the 17 cases that were unresolved as of the end of 2016 also resulted in guilty verdicts in 2017. In one case that began in 2016 and reached a verdict in 2017, the government administered life sentences to two traffickers.

Contraventions of Emirati labor laws containing indicators of trafficking, such as delayed wage payments, unpaid overtime, or passport confiscation, were rarely criminally prosecuted as cases of forced labor, despite widespread reports of the crime in the country; instead, these crimes were treated as regulatory violations, typically resulting in fines or the cancellation of business licenses. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking crimes. However, in June 2017, a Brussels criminal court convicted in absentia eight members of a ruling Emirati family of human trafficking and degrading treatment of their domestic workers; the perpetrators reportedly confiscated their employees' passports, restricted their movements, and withheld their salaries, among other acts indicative of forced labor. The Belgian court officials handed down 15-month suspended jail terms and ordered each defendant to pay \$185,000, with half of the fine also suspended.

In 2017, the Ministry of Interior and Dubai police jointly developed 62 training courses, lectures, and workshops, which were attended by 4,258 participants, including law enforcement officials, diplomats, civil society members, and laborers. Relevant ministry and law enforcement officials held a series of lectures and training programs in workers' residences and recruitment offices to raise awareness about types of trafficking crimes and best practices for coordinating with law enforcement personnel and shelter staff, at times coordinating with relevant labor-sending embassies. Dubai police also provided trafficking-related training to 19 recruiting companies in 2017. For the fourth year, Dubai Police partnered with Dubai's Judicial Institute and the NCCHT to host a four-month diploma course on anti-trafficking measures attended by UAE law enforcement professionals and social workers. In addition, Dubai Police also hosted a workshop for diplomatic mission personnel regarding human trafficking investigations. Government authorities continued to train police, judges, prison officials, and immigration authorities on identifying trafficking victims. The law enforcement and judicial sectors dedicated official training sections for how to maneuver human trafficking cases. Emirates Airlines, which is owned by the Dubai government, trained its cabin crewmembers and other airport ground staff on detecting instances of human trafficking at check-in and on flights.

## PROTECTION

The government maintained modest protection efforts. Provision of protective services continued to center almost entirely on victims of sex trafficking, and such services were rarely provided to labor trafficking victims. During 2017, the government identified 28 victims and referred to protective services 25 sex trafficking victims, compared with 34 in the previous year. For the first time in three years, a shelter solely for male victims, located in Abu Dhabi, housed 15 men who had been forced to beg during the reporting period. To identify victims of forced labor, the government irregularly used standard procedures for victim identification among foreign workers and continued to rely predominantly on third-party referrals from foreign embassies, religious institutions, reactive police investigations, or tips received through government hotlines, smartphone applications, and the internet. To a significantly lesser degree, the government also received tips from retina scans and fraudulent document detectors at points of entry, as well as proactive screening mechanisms employed by officials, often law enforcement personnel. Authorities continued to implement a formal system to move suspected trafficking victims from detention centers, hospitals, houses of worship, or facilities run by source country embassies or consulates, to government

shelters, upon the completion of victim identification. At times, female or male police officers in plain clothes—intended to reduce victims' anxieties—escorted victims, identified by law enforcement, from a government-run transitional center to a shelter; however, some victims continued to express fear of being sent to prison for immigration or other violations rather than being accepted into a shelter. In 2017, the government paid via its victims support fund 99,000 AED (\$26,950) for protective services for trafficking victims. The government also maintained oversight and funding for shelters in three of the seven emirates, offering housing and assistance for all female and child sex trafficking and abuse victims across the country; protective services included medical, psychological, legal, educational, rehabilitation and reintegration, and vocational assistance. In 2017, The Aman (Safe) Center for Women and Children was established in Ras al-Khaimah. Some foreign workers, including potential trafficking victims, sought shelter assistance at their respective embassies and consulates in part due to fears of arrest and a lack of specified government services for forced labor victims.

While government-identified trafficking victims were not jailed or prosecuted for violations committed as a direct result of their being subjected to trafficking, other potential victims were reportedly jailed for absconding from their employers or for prostitution. However, the government reported it exempted from fines trafficking victims who had overstayed their visas or who were forced into prostitution. The government did not provide permanent or formal temporary residency status to victims; however, it permitted victims to 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. Officials resettled an unknown number of child trafficking victims in Europe and Australia during the reporting year. The government encouraged victims to assist in the investigation and prosecution of traffickers and provided victim-witness protective services, including private interview rooms, free legal counseling, and safe transportation to court hearings. Both police and shelter representatives reported victims often chose immediate repatriation—strictly at the UAE's expense—rather than remaining in country to testify against the traffickers. Laborers were entitled to seek new employment in the country after 60 days of wage non-payment by their existing employer, but in 2017 all government-identified victims chose repatriation.

## PREVENTION

The government increased its prevention efforts. During the reporting year, the government signed Federal Law No. 10 of 2017 on domestic workers, which included the right for employees to retain personal documents, sign standardized contracts with unequivocally designated working conditions, access specialized tribunals for settling workplace grievances, and observe mandatory time off. It also stipulated in-home inspections on the basis of complaints or reasonable evidence of law violations. Under the law's provisions, a recruitment agency or person who hindered law enforcement, anyone who disclosed information unveiled in an investigation, or anyone who facilitated the abandonment of a domestic worker may be jailed for a minimum of six months and ordered to pay a 10,000 to 100,000 AED (\$2,720 to \$27,230) fine. However, many of the law's articles were not fully enacted, and implementing regulations remained under development at the close of the reporting period. Furthermore, the existing government-mandated standardized contract for domestic workers did not conform to the new labor law. As domestic



workers continued to transition from falling under the Ministry of the Interior's authority to that of MOHRE, new public-private partnerships, known as "Tadbeer Centers," began operation in the reporting year with the mandate to regulate the recruitment and training of domestic workers, educate them on their legal rights, resolve employer-employee disputes, and verify worker accommodations for compliance with domestic worker law minimum standards.

During the year, the government continued implementation of three ministerial labor decrees passed in 2016 and intended to reduce forced labor practices among private sector workers. The government continued its 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 an unknown number of workers, and carrying out tens of thousands of labor-related inspections. Within the private sector, the government continued to investigate workers' complaints of unpaid wages through a dispute resolution process and the WPS, which were intended to ensure workers were paid according to their contracts, and employers were punished with administrative and financial penalties for failing to comply. Workers filed thousands of labor complaints through government-operated smartphone applications, telephone hotlines, websites, email, and formally with MOHRE offices and mobile units; violations routinely resulted in fines and suspended permits to hire new workers. However, domestic worker salaries were not required to be paid via the WPS and, coupled with cultural norms and the lack of legal provisions requiring inspections of domestic worker accommodations, wage payment and work hour abuses, among other acts indicative of forced labor, continued and left domestic workers at risk of exploitation. The government did not enforce a prohibition on employers withholding workers' passports, which remained a pervasive problem, especially for domestic workers.

The government continued to carry out its national action plan to address human trafficking, driven by the NCCHT. The plan focused on prevention, protection, prosecution, punishment, promotion of international cooperation, redress, rehabilitation, reintegration, and capacity building. Government shelter staff partnered with art galleries for visual art exhibits that showcased art made by trafficking victims, to both increase awareness and raise funds for other victims. The government also disseminated anti-trafficking awareness publications in 14 languages, which targeted at-risk communities and reached an unknown number of vulnerable people. It installed informational noticeboards at airports across the UAE targeting specific terminals based upon nationalities, and utilized radio broadcasting to increase general awareness on trafficking risks. Dubai Police and representatives from the Dubai Foundation for Women and Children (DFWAC) commenced the second year of a five-year anti-trafficking awareness plan during the reporting period targeting victims, witnesses, staff, and government authorities. Shelters engaged in a program for trafficking survivors that trained them to educate vulnerable groups on the risks of trafficking when they return to their respective home countries and communities. DFWAC partnered with companies such as L'Oreal and Benefit Cosmetics to implement employment training programs for the shelter's clients. In 2018, Dubai authorities developed a labor guideline handbook, available in Arabic, Urdu, and English.

During the reporting year, the government and an independent public opinion survey center also released the findings of a

public opinion survey on awareness of human trafficking, ability to identify victims, and knowledge about official procedures to generate awareness and spark community debate. Interior ministry officials targeted labor camps for strategic outreach and distributed more than one million brochures on trafficking during 2017. In January 2018, the government signed an MOU with Thailand to combat trafficking crimes stemming from the labor-sending country and in September 2017, it signed an MOU with the Philippines that included steps to enhance labor cooperation and recruitment transparency between the two countries. It also had in place preventative MOUs with Armenia, Australia, Azerbaijan, Indonesia, and India. The MOHRE continued an extensive labor inspection program, conducting tens of thousands of housing and work site inspections using a team of full-time labor inspectors, in addition to seven dedicated anti-trafficking inspectors. Dubai Police also continued the Suitable Accommodation Program, conducting unannounced labor camp inspections to enforce compliance with the 12-person per room maximum occupancy rule. In 2017, the MOHRE trained 190 inspectors on trafficking and launched mobile outreach units that reached approximately 1,100 workers. 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

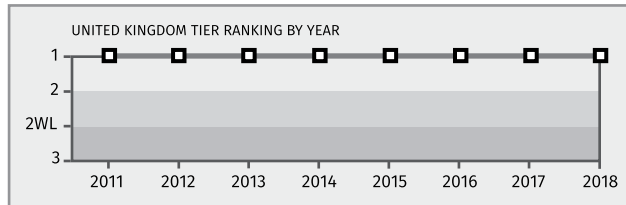
As reported over the past five years, the UAE is a destination and transit country for men and women subjected to forced labor and sex trafficking. Foreign workers, recruited globally, comprise nearly 90 percent of the UAE's private sector workforce. Low wage positions, including most manual labor and 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 growing percentage from East and West Africa; some of these workers are subjected to practices indicative of forced labor, such as passport retention, non-payment of wages, contract switching, fraudulent employment promises, and substandard food and housing provisions. 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. 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.

Although under UAE law 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. The NCCHT reported that over the reporting period there was a trend of trafficking perpetrators from Asia.

## 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 identifying significantly more potential victims, increasing the period of protection available for most victims, and greatly increasing funding for global and domestic anti-trafficking efforts. Although the government meets the minimum standards, the safeguarding of child victims needed increased attention and resources. Some victims remained cautious about entering the national referral system due to uncertainties in the system of the availability of extended care and fear of eventual deportation. Resources available for law enforcement efforts and victim support lagged compared to the increased number of victims identified by authorities.



### RECOMMENDATIONS FOR THE UNITED KINGDOM

Expand nationwide the independent child trafficking advocate program and training for social workers and care providers to better safeguard child victims working with children; reform the national referral mechanism (NRM) to encourage victim participation, providing specialized services for all types of trafficking victims across UK jurisdictions regardless of immigration status; provide sufficient resources for expeditious processing of trafficking investigations and prosecutions, and increase restitution awards to victims; provide a trafficking-specific long-term alternative to deportation for foreign victims; extend the period of victim support from 45 to 90 days in Northern Ireland, consistent with other UK jurisdictions; establish a database on investigations, prosecutions, convictions, and sentences of convicted traffickers across the UK, categorized by type of trafficking; intensify training for law enforcement personnel, public defenders, prosecutors, judges, and front-line responders, including in UK overseas territories; ensure that the statutory definition of trafficking under the Modern Slavery Act and similar provisions in Northern Ireland do not require movement of the victim as an element of the crime.

### PROSECUTION

The government maintained prosecution efforts. The Modern Slavery Act of 2015, applicable to England and Wales, and similar statutes in Scotland and Northern Ireland, criminalized sex and labor trafficking and prescribed penalties of up to life imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Laws across the UK allow for the seizure of convicted traffickers' assets for payment to

victims. There is an inconsistency in the definition of 'trafficking' between jurisdictions within the UK. Law in England/Wales and in Northern Ireland requires the element of movement of a victim in the definition of 'trafficking', which is not required in the definition of 'trafficking' under the 2000 UN TIP Protocol. Scotland, by contrast, does not require victim movement in the definition of trafficking. However, all UK jurisdictions criminalize 'slavery and servitude' in other provisions wherein victim movement is not an element of the crime.

The government did not report the number of trafficking investigations initiated in 2016 or 2017. The Crown Prosecution Service, which handled cases in England and Wales, prosecuted 265 defendants on trafficking charges with 80 convictions in 2017, a decrease from 343 prosecutions and 216 convictions in 2016. Authorities in Northern Ireland reported prosecuting three trafficking cases with one conviction during the reporting period, compared to five prosecutions and two convictions in 2016. In Scotland, there were two convictions in 2017 compared to three convictions in 2016. The UK government did not report disaggregated data that differentiated between sex and labor trafficking. The government reported several cases in which convicted traffickers received significant penalties. In February, three Romanian residents of a women's refuge in Westminster provided evidence that led to the successful prosecution and conviction of their captors for sex trafficking, with two men receiving sentences of 14 years each. In the same month, two men were sentenced in another case to 12 years and four years respectively for sex trafficking. NGOs expressed concern that prosecutions lag and court-imposed sentences and fines were insufficient to deter potential perpetrators, and this contributed to victims' reluctance to provide testimony.

The government provided a wide variety and multiple levels of anti-trafficking training to law enforcement officers, prosecutors, and justice officials, and required new police recruits and detectives to complete training modules on trafficking. The national-level College of Policing launched a course for all front-line officers, as well as a four-day course for investigators requiring specialist skills, including training on the 2015 guidelines for improving victim identification. The anti-slavery commissioner implemented guidelines for training for all 43 police forces in England and Wales, including a manual for use by each unit in conducting their own trainings. The government trained 1,500 members of the judiciary in England and Wales. In Northern Ireland, police trained front-line officers and other agencies through a dedicated anti-human trafficking unit and created a position in the Department of Justice to improve data collection and create training modules. The Local Government Association, to strengthen anti-trafficking efforts outside of large cities, produced a guide for local police officers on trafficking indicators. The Home Office and UK law enforcement officials participated in 44 anti-trafficking operations across the EU. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

### PROTECTION

The government increased protection efforts. Through the NRM, authorities referred 5,146 potential trafficking victims for care nationwide in 2017, compared with 3,805 in 2016 and 3,266 in 2015. The largest source countries were Albania, Vietnam, and the UK, and a majority were victims of labor trafficking. Among adults, authorities referred 325 victims for domestic servitude, 1,132 for other forms of labor trafficking, 945 for sex trafficking, and 123 for unknown exploitation. The

percentage of these victims who were minors increased by 66 percent in 2017, following a 30 percent increase in 2016. The Home Office attributed the increase to greater awareness of the NRM and training among professionals and first responders, greater awareness of child trafficking in general, and the frequent link to child sexual exploitation. Increased awareness by the public and authorities of gang recruitment of children as couriers of drugs was also a factor. Authorities referred 104 of the minors for domestic servitude, 473 for other forms of labor trafficking, 359 for sex trafficking, and 342 reported as unknown. The Modern Slavery Act includes a “duty to notify” requiring government agencies to report potential adult victims encountered to authorities via the NRM, and police who refer a potential victim must record a potential crime.

The NRM guides the process for identifying and providing care and support for victims. A first responder, such as police, border patrol, or local authorities, typically generated a referral. The Visas and Immigration section in the Home Office and the UK Human Trafficking Centre received referrals of potential victim; these officials conducted a preliminary review for “reasonable grounds” of trafficking. If found, there was a final determination of “conclusive grounds” that triggered an extension of victim protection measures. Upon a “reasonable grounds” decision, the victim started a 45-day reflection period with access to services such as accommodation, health care, and counseling, and then decided whether to assist in the investigation and prosecution of the perpetrator. The Modern Slavery Act required a final determination within 45 days, although in many cases the government did not meet this deadline. On recommendation from the anti-slavery commissioner, the government granted an additional 45 transitional days of victim support (for a total of 90 days), an increase from the previous allowance of 14 days of transitional support. Scotland followed a similar timeframe, although Northern Ireland remained at a single 45-day period. In addition, first responders must now assist potential victims in reaching a “place of safety,” provided through an on-call NGO. North Wales used a multi-faceted victim reception model to provide support within two hours after identification of a potential victim. Authorities also granted victims access to drop-in services from a designated NGO for an additional six months after transition out of the NRM.

The UK government-funded a £9 million (\$12.2 million) NGO contract to coordinate the provision of care for adult victims in England and Wales under the NRM. In Northern Ireland, NGOs worked in tandem with government agencies to provide care for victims; however, NGOs cited insufficient funding for victims who did not enter the NRM or who required support following completion of their trafficking cases and remained in Northern Ireland. The Scottish government provided £800,000 (\$1.1 million) toward victim support, an increase from £700,000 (\$945,950) in 2016, distributed through two NGOs. Victims who returned voluntarily to their country of origin were eligible for up to £2,000 (\$2,700) support toward reintegration. Foreign victims who assisted with investigations were eligible for residency up to one year, although authorities otherwise typically deported foreign victims after leaving the period of support under the NRM. As a result, some foreign victims preferred petitioning for asylum to entry into the NRM, given the potential for longer residency in the UK.

While government funding of NGOs tripled over the past four years to £9 million (\$12.2 million), adequate funding remained a challenge in the face of rapidly growing numbers of identified victims. The National Crime Agency launched the “Vulnerable Persons Team,” which granted assistance to

avoid re-victimization once an investigation was completed. Similarly, the Wales Anti-Slavery Leadership Group’s “Survivor Care Pathway” provided a long-term post-NRM individualized plan for survivors.

Children received care through local children’s services offices. NGOs continued to raise concern over the need for mandatory training for social workers. The Modern Slavery Act provided for the appointment of Independent Child Trafficking Advocates (ICTA) to represent and support children victims throughout the legal process. The government released a plan to expand the number of ICTAs, already available in Wales, Hampshire, and Manchester, although NGOs asserted implementation had been slow. The government trained all ICTAs and provided £3 million (\$4.1 million) over three years to address the issue of missing children at risk of re-victimization. Local authorities highlighted the issue particularly among Vietnamese youth, with 150 having gone missing from care or foster homes since 2015, and being especially vulnerable to trafficking by gangs in the illegal cultivation of cannabis. Scotland and Northern Ireland also required appointment of independent legal guardians for child victims of trafficking.

Victims had a statutory defense for crimes committed as a consequence of their trafficking, and courts allowed victims during hearings to testify by video, behind a screen, or with the public removed from the court. Courts could confiscate assets of convicted traffickers and compensate victims through reparation orders; however, progress was slow in providing this compensation to victims.

Foreign domestic workers who were trafficking victims could change employers during the six-month period following their admission, and any domestic worker who was a victim could remain in the UK for an additional two years. Domestic workers on an employment visa for more than 42 days were required to attend a session to inform them of their rights and protections. NGOs still argued this policy of tying visa status to actual employment as a domestic worker continued to leave workers vulnerable and discouraged victims from reporting abuses. The government encouraged efforts of private companies to assist in reintegration, particularly through employment of survivors. Under the “Bright Future” campaign, a national retail cooperative hired and trained 30 survivors in partnership with an NGO, a model the government continued to promote for expansion.

## PREVENTION

The government increased prevention efforts. The Prime Minister continued to chair a national coordinating task force set up in 2016. In September, the anti-slavery commissioner and the Evening Standard newspaper published results of their joint research on the effectiveness of anti-trafficking efforts in the UK, including the need for increased victim support, and stronger efforts against trafficking in the supply chain of consumer products. In October, the anti-slavery commissioner’s annual report highlighted achievements and outlined remaining challenges under the 2016-2017 strategic plan.

Police worked closely with the Home Office to provide information on anti-trafficking operations, reflected in the increased and wide-ranging UK media coverage on trafficking investigations. In partnership with police and an NGO, a major British bank trained staff at multiple branches on spotting signs of trafficking when serving customers, reporting suspicious activity for investigation, and following steps for freezing



trafficking-related bank accounts. In September the Gangmasters Licensing Authority and Crimestoppers co-sponsored a highly publicized television campaign encouraging viewers to “spot the signs” of trafficking and report suspicious activity to authorities. In another campaign, members of parliament as well as police officers, male and female, painted and photographed their fingernails in a widely promoted social media effort to end trafficking in nail bars, using the hashtag #LetsNailit. The Clewer Foundation under the Church of England mobilized congregants nationwide to be alert to trafficking indicators, initially focusing on car wash services. A national helpline received 3,710 calls and 710 internet contacts in 2017, collectively indicating 4,886 potential victims, with 54 percent of calls considered possible trafficking cases.

Under the Immigration Act of 2016, the Gangmasters Licensing Authority continued to enforce labor standards in high-risk sectors, using their widened authority to investigate regulatory and criminal offenses in employment. The Joint Slavery and Trafficking Analysis Centre within the National Crime Agency focused on research and developing best practices in cybercrime, child protection, immigration crime, financial crime, effective training, and awareness building. The Modern Slavery Act required businesses with annual revenue exceeding £36 million (\$48.6 million) to publish an annual statement detailing efforts to ensure its operations and supply chains are free of human trafficking. Many companies had developed toolkits, run training programs, and signed agreements with suppliers toward maximizing supply chain transparency. Some critics noted the lack of a penalty for non-compliance. The Home Office produced an evidence-based “Typology of Modern Slavery” to improve understanding of the complexities and multi-faceted dimensions of the crime. The typology contains operational guidance, recommendations on provision of services to victims and survivors, and ways the public can better spot the signs of a trafficking.

The government led efforts in both bilateral and multi-lateral contexts. In September the prime minister hosted a “Call to Action” event during the UN General Assembly securing endorsements for increased anti-trafficking efforts from 44 countries. The government committed £170 million (\$229.7 million) to fund anti-trafficking foreign assistance efforts, double the current commitment, with strong focus on source and transit countries of victims entering the UK. The government did not report whether it provided anti-trafficking training to troops prior to their deployment abroad as part of international peacekeeping missions.

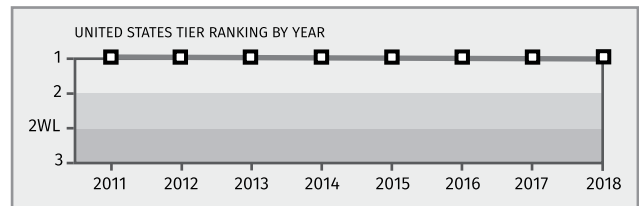
### TRAFFICKING PROFILE

As reported over the past five years, the United Kingdom is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. The government estimates there are up to 13,000 trafficking victims in the UK, with one-fourth to one-third being children. Children in the care system and unaccompanied migrant children are particularly vulnerable to trafficking, although victims also include UK children. Victims in 2017 came from 116 countries, the top three being Albania, the UK, and Vietnam. Most identified victims are subjected to labor trafficking, forced to work in agriculture, cannabis cultivation, construction, food processing, factories, domestic service, nail salons, food services, the hospitality industry, car washes, and on fishing boats. In Scotland, the largest numbers of victims are from Vietnam, many forced to work in nail bars. In Northern Ireland, there

are cases of perpetrators forcing victims into begging, and the cultivation and distribution of illicit drugs.

## 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 increasing the number of prosecutions and convictions; providing services to a greater number of trafficking victims; providing various types of immigration relief for foreign national victims; continuing engagement with survivors to improve programs and policies on human trafficking; enhancing outreach initiatives through the development of materials for states and territories; and continuing funding for an NGO-operated national hotline and referral service that added text and online chat capabilities to improve accessibility. Although the government meets the minimum standards, anti-trafficking advocates continued to report that victim services were not always provided equitably, urging an increase in resources for, and equitable access to, comprehensive services across the country. Advocates reported a lack of sustained effort to address labor trafficking compared to sex trafficking, and also reported continued instances of state and local officials detaining or prosecuting trafficking victims for criminal activity related to their trafficking victimization.



### RECOMMENDATIONS FOR THE UNITED STATES

Increase investigation and prosecution of labor trafficking cases; increase resources for, and equitable access to, comprehensive victim services across the country; ensure services include access to substance use disorder services, economic and educational opportunities, and short-term and/or transitional housing for all victims, including male and LGBTI victims; better integrate screening protocols in the context of immigration enforcement to enhance victim identification and protection efforts; encourage state, local, and tribal authorities to adopt policies not to prosecute victims for crimes they were forced to commit in the course of their trafficking situation; increase survivor engagement, including by more systematically incorporating survivor input when forming policies, programs, and trainings; improve training for adjudicators of trafficking-related immigration benefits to reduce obstacles to processing; increase screening procedures to improve identification of trafficking victims particularly among populations vulnerable to human trafficking, including at-risk youth, LGBTI individuals, and American Indians and Alaska Natives; enhance trafficking-related prevention efforts in temporary worker programs in the United States; ensure federal law enforcement officials are trained regarding requests for Continued Presence for eligible

victims and are applying in a timely manner and in appropriate circumstances; increase the availability of trauma-informed and survivor-informed services for victims; improve the collection and reporting of data on law enforcement efforts and on victims identified and assisted; finalize federal acquisition regulations aimed at preventing trafficking in federal contracts; enhance prevention efforts to address all forms of human trafficking and the demand for commercial sex and labor trafficking; and improve the response to the increased use of technology to recruit and advertise human trafficking victims. As described in the Methodology section of this report, these recommendations were drawn from input from NGOs and advocates on the degree to which the United States meets the minimum standards set forth in the Trafficking Victims Protection Act of 2000 (TVPA).

## PROSECUTION

The U.S. government increased the number of prosecutions and convictions, but demonstrated a decrease in investigations. The TVPA, as amended and codified in sections 1589, 1590, and 1591 of the federal criminal code, criminalizes sex and labor trafficking. The penalties prescribed under these provisions, which can include up to life imprisonment, are sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as rape. U.S. law also prohibits conspiracy and attempts to violate these provisions, as well as obstructing their enforcement and benefiting 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. The U.S. Congress passed several laws that address human trafficking during the reporting period.

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. These agencies also support victims by using victim assistance specialists during trafficking investigations and prosecutions. DOJ, in coordination with DHS and the Department of Labor (DOL), continued to develop complex human trafficking investigations and prosecutions, deliver advanced training, and streamline coordination protocols through the Anti-Trafficking Coordination Team (ACTeam) Initiative. DOJ provided \$2.8 million in FY 2017 to two law enforcement agencies and two victim service providers that make up two 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 significant decrease from \$15.8 million for 11 ECM task forces funded in FY 2016. Several federal agencies participated in human trafficking task forces nationwide consisting of federal, state, and local law enforcement, as well as victim service providers.

NGOs and survivor advocates called for increased collaboration between law enforcement, service providers, and survivors, including in preparation for enforcement actions. They also called for the development of best practices to identify and respond to the increased use of technology, including social media, to recruit and advertise victims of human trafficking, including victims of child sex trafficking. NGOs praised DOJ's clarification to law enforcement officials in ECM task forces on the proper use of funds intended for victim identification and protections.

DOJ, as part of its labor trafficking initiative, conducted strategic public outreach to improve efforts to identify labor trafficking cases, including through the development and dissemination of indicator cards.

The federal government reports its law enforcement data by fiscal year. In FY 2017, DHS reported opening 833 investigations possibly involving human trafficking, a decrease from 1,029 in FY 2016. DOJ formally opened 782 human trafficking investigations, a decrease from 843 in FY 2016. (The FY 2016 number (843) represents a correction to the number cited last year (1,800), which in fact represented the number of pending cases rather than formally opened investigations.) DOS reported opening 169 human trafficking-related cases worldwide during FY 2017, a decrease from 288 in FY 2016. The Department of Defense (DoD) reported investigating 11 human trafficking-related cases involving U.S. military personnel compared to 13 in FY 2016.

DOJ initiated a total of 282 federal human trafficking prosecutions in FY 2017, an increase from 241 in FY 2016, and charged 553 defendants compared to 531 in FY 2016. Of these prosecutions, 266 involved predominantly sex trafficking and 16 involved predominantly labor trafficking, although some involved both. DOJ and DHS continued to partner with Mexican law enforcement counterparts to dismantle human trafficking networks operating across the U.S.-Mexico border. Through this collaboration, DOJ secured convictions against eight members of a transnational organized criminal sex trafficking enterprise. DHS scaled up border security and immigration enforcement activities consistent with Executive Order 13773 on enforcing federal law with respect to transnational criminal organizations and preventing international trafficking. The Department of the Treasury continued to analyze and disseminate information received from financial institutions related to human trafficking, and partnered with domestic and foreign government stakeholders to support human trafficking investigations, including through an international working group to enhance bilateral information-sharing and produce actionable information to disrupt financial flows connected to human trafficking.

During FY 2017, DOJ secured convictions against 499 traffickers, an increase from 439 convictions in FY 2016. Of these, 471 involved predominantly sex trafficking and 28 involved predominantly labor trafficking, although several involved both.

These prosecutions and convictions include cases brought under trafficking-specific criminal statutes and non-trafficking criminal statutes, but they do not include child sex trafficking cases brought under non-trafficking statutes. Sentences ranged from one month to life imprisonment. DOJ developed training materials for U.S. Attorneys that included information about mandatory restitution, and provided training to federal, state, local, and tribal prosecutors, law enforcement officials, and NGOs.

Anti-trafficking advocates reported concerns about efforts to identify, investigate, and prosecute labor trafficking cases compared to sex trafficking, and continued to urge for more vigorous efforts, including additional training and resources for law enforcement, prosecutors, and judges. NGOs also continued to call for greater legal authority and funding for DOL and the Equal Employment Opportunity Commission (EEOC) to help address labor trafficking. In 2016, DOL's Office of Inspector General (DOL-OIG) became authorized to investigate labor trafficking offenses related to programs administered by

DOL, pursuant to a Special Deputation Agreement between DOL-OIG and DOJ supplementing DOL-OIG's statutory law enforcement authority. Survivor advocates called for increased oversight of the informal sector, including begging and family businesses, to improve identification of victims. NGOs called for improvements in data collection and reporting related to law enforcement actions to ensure accuracy, including by separating data on human trafficking from other crimes.

State laws form the basis of most criminal actions in the United States. All U.S. states and territories have anti-trafficking criminal statutes. In addition, 39 states had vacatur laws allowing survivors to seek a court order vacating or expunging criminal convictions entered against them that resulted from their trafficking situation, and at least 34 states had "safe harbor" laws.

Advocates continued to report state and local authorities arrested trafficking victims for crimes committed as a direct result of being subjected to trafficking, including in massage parlors and drug trafficking, and in some states with "safe harbor" laws even children were arrested. In one jurisdiction, an NGO reported victims felt pressured to testify against their traffickers so they would not be prosecuted by state and local authorities themselves.

NGOs also noted a lack of sustained state and local government efforts to provide remedies for sex trafficking survivors who had criminal records as a result of their exploitation, and they continued to report that state and local law enforcement demonstrated uncertainty regarding their authority to investigate and prosecute forced labor cases and lacked formal structures to increase the identification of such cases.

The federal government continued to collect state and local data on human trafficking investigations during the reporting period through the Uniform Crime Reporting (UCR) Program. State participation had reached approximately 78 percent of the United States, but not all state and local jurisdictions participated. DOJ is in the process of updating the UCR system to encourage participating jurisdictions that have not been able to establish a viable crime data reporting system to better collect and report human trafficking data. Data from 2016 collected from participating jurisdictions are publicly available. In 2016, participating jurisdictions reported a total of 654 human trafficking offenses resulting in arrest or solved for crime reporting purposes, a significant increase from 387 in 2015. There is no formal mechanism for the federal government to track prosecutions at the state and local levels.

The government took actions to address alleged complicity in human trafficking by government employees. Authorities charged a municipal corrections officer with sex trafficking involving a 16-year-old. A municipal law enforcement officer was charged with sex trafficking, among other crimes. A U.S. Navy Seaman was charged with sex trafficking and an investigation was initiated against a U.S. Navy Petty Officer for conspiring to bring two victims from Thailand to Bahrain to subject them to sex trafficking.

The U.S. government continued to expand capacity-building efforts for law enforcement, judges, military personnel, and labor inspectors, among others, to more effectively respond to human trafficking cases. DOJ conducted training on increasing the identification of human trafficking cases, including through proactive labor trafficking investigations; supported training of more than 150 judicial officers on child sex trafficking risk factors, victim identification, and effective intervention strategies; facilitated more than 2,000 regional law enforcement trainings

to help state and local law enforcement agencies develop effective responses to technology-facilitated sexual exploitation and internet crimes against children; and provided technical assistance to states, tribes, and local jurisdictions interested in developing innovative approaches to working with girls in the juvenile justice system, including child sex trafficking victims. In addition, in FY 2017, each U.S. Attorney's Office formulated a district-specific anti-trafficking strategy to enhance victim identification, investigation, prosecution, and collaboration. DHS provided training on detecting and investigating the crime to significantly more federal, state, local, and tribal law enforcement officials and stakeholders than in the previous reporting period. DHS also provided human trafficking training to foreign law enforcement, prosecutors, and victim service providers from 73 countries in collaboration with DHS Attaché offices. DOL completed the delivery of awareness training to all Wage and Hour Division investigators. The Department of the Interior (DOI) provided training to federal, state, local, and tribal law enforcement officers on human trafficking in Indian Country.

Some federal agencies engaged with survivors to incorporate their input in the development of victim-centered training for law enforcement and prosecutors.

Survivor advocates continued to call for greater collaboration, including at the state and local level, in developing training, as well as hiring survivor trainers.

## PROTECTION

The U.S. government maintained protection efforts and continued to fund victim assistance for trafficking victims. The funding level decreased slightly from the previous year, although the number of victims served significantly increased. The government had formal procedures to guide officials in victim identification and referral to service providers; funded several federal tip lines, including an NGO-operated national hotline and referral service; and funded task forces and NGOs that provided trafficking-specific victim services. Comprehensive victim assistance funded by the federal government includes case management and referrals for medical and dental care, mental health and substance use disorder treatment, sustenance and shelter, translation and interpretation services, immigration and legal assistance, employment and training, transportation assistance, and other services.

The Department of Health and Human Services (HHS) issued Certification and Eligibility Letters for foreign victims to be eligible for benefits and services 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 funding for victim-centered 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 to apply 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 446 Certification Letters to foreign adults in FY 2017 compared to 443 in FY 2016, and issued 509 Eligibility Letters to foreign children in FY 2017, a significant increase from 332 in FY 2016. Seventy-five percent of all adult victims certified in FY 2017 were victims of labor trafficking, slightly more than half of whom were female; and more than 72 percent of child trafficking victims who received Eligibility Letters were labor trafficking victims.

HHS awarded \$6.6 million in FY 2017 to three NGOs for the provision of case management services to foreign national victims through a nationwide network of NGO sub-recipients, a slight increase from \$6.4 million in FY 2016. Through these grants, HHS supported 177 NGOs with the capacity to serve individuals in 99 cities across the country that provided assistance to a total of 1,531 individuals and their family members. In FY 2017, HHS provided \$3.4 million, the same amount in FY 2016, for U.S. citizen and lawful permanent resident (LPR) victims of human trafficking to obtain trauma-informed case management and referrals. It provided \$2.3 million to address trafficking within child welfare systems, a slight decrease from \$2.5 million in FY 2016. HHS also piloted a leadership academy composed of survivors and anti-trafficking professionals that developed recommendations to enhance survivor-informed programming.

During FY 2017, DOJ provided \$16.2 million for victim-centered services, which included \$11.2 million for 18 victim service providers offering comprehensive and specialized services across the United States and \$5 million to one organization to increase access to legal services for survivors through funding attorney fellowships across the country. This represents a decrease from 33 providers receiving \$19.7 million in FY 2016. DOJ transferred \$16 million to the Department of Housing and Urban Development to support a new initiative to address the housing needs of survivors. DOJ also provided \$2.7 million in new funding for training and technical assistance to help service providers develop and implement housing and employment practices, and to support law enforcement members of ECM task forces. DOJ provided \$1.9 million to support mentoring and comprehensive victim services for U.S. citizen victims of child sex trafficking and commercial sexual exploitation. From July 1, 2016, to June 30, 2017, DOJ grantees providing victim services reported 8,003 open client cases, including 4,349 new clients, a significant increase from 5,655 open client cases and 3,195 new clients reported the previous year and a respective 3,889 and 2,180 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. Grantees reported that 64 percent of clients served were victims of sex trafficking, 24 percent were victims of labor trafficking, four percent were identified as victims of both sex and labor trafficking, and the form of trafficking for eight percent was unknown.

During the year, HHS child protection specialists continued to provide training and technical assistance to identify child trafficking victims. 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 141 child victims of trafficking through its Unaccompanied Refugee Minors Program in FY 2017, an increase from 122 served in FY 2016. This program requires states to provide such child victims with the same assistance, care, and services available to foster children.

NGOs and survivor advocates continued to express concern that in federally funded programs to provide comprehensive services for all victims of trafficking, comprehensive services were not always provided, and called for increased resources, capacity-building support, and more strategic spending of funds to ensure equitable access to services across the country. NGOs and survivor advocates called for increased availability of victim-centered, trauma-informed, and survivor-informed services for trafficking victims. NGOs called for increased access to mental health and substance use disorder support services for trafficking victims, and also called for access to comprehensive medical care. Survivor advocates and NGOs reported the need for more government oversight of the quality of assistance provided to trafficking victims by federally funded organizations. NGOs and survivor advocates continued to report insufficient access to shelter and long-term transitional housing options for trafficking victims, especially for men, boys, and LGBTI individuals, and called for increased access to long-term services. Advocates noted concern about human trafficking funding opportunities no longer referring to services for LGBTI individuals. Survivor advocates called for improvements to education, job training, and job placement for survivors to create more economic opportunities, including within the anti-trafficking field.

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 have been victims of a severe form of trafficking in persons, be in the United States, American Samoa, or the Commonwealth of the Northern Mariana Islands, 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. T nonimmigrant status lasts for four years and may be extended under certain circumstances. 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 672 victims and 690 eligible family members of victims in FY 2017, a decrease from 750 and 986 in FY 2016.

NGOs reported increased obstacles to obtaining a T visa, noting a rising number of requests for additional evidence by adjudicators, including requests that referred to outdated regulations, and called for improved training for adjudicators.

DHS manages all requests from federal and state law enforcement for Continued Presence, authorizing foreign nationals identified by law enforcement as trafficking victims who may be potential witnesses to remain lawfully and work in the United States during the investigation and prosecution of the crime. In FY 2017, DHS issued Continued Presence to 160 trafficking victims, who were potential witnesses, an increase from 129 in FY 2016. DHS granted 113 extensions of Continued Presence, compared to 179 in FY 2016.

NGOs called for law enforcement to request Continued Presence expeditiously pursuant to DHS policy. Survivor advocates

also called for increased training and collaboration for law enforcement provided by victim assistance specialists embedded in their law enforcement field offices.

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 does not delineate the number of U visas issued based on the specific underlying crimes for which they were issued.

In FY 2017, a DOS program reunified 277 family members with identified victims of trafficking in the United States, compared with 279 in FY 2016. This program assisted one survivor to return home.

The U.S. government continued to provide training to federal, state, local, and tribal officials, 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. Advocates called for specialized training for law enforcement and service providers on the linkage between substance use and human trafficking, including the use of drugs to coerce victims. DOJ included training on the linkage between the manipulation of drug addiction and coercion in its trainings on human trafficking provided to federal, state, and local law enforcement officials.

NGOs called for enhanced screenings within the criminal justice system to identify potential victims, especially minor victims. NGOs continued to report the criminalization of victims creates barriers to accessing public benefits, employment, financial aid for higher education, housing, and other needs essential to avoid re-trafficking and facilitate recovery. NGOs commended government efforts to improve the identification of child sex trafficking victims within the child welfare system and called for expansion of these efforts to include identification of labor trafficking victims.

In addition, advocates urged a victim-centered approach to immigration enforcement that would ensure foreign trafficking victims are not deterred from reporting their trafficking situation to law enforcement or from seeking help from service providers. Advocates called for improved screening protocols to prevent the removal or deportation of trafficking victims, and reported cases where immigration officials allegedly detained or deported individuals displaying key indicators of trafficking, including cases reported where immigrants were taken into custody when seeking protection at specialized human trafficking courts.

## PREVENTION

The U.S. government maintained efforts to prevent trafficking. Federal agencies conducted numerous educational and training activities for their own personnel, including law enforcement and acquisition professionals, and field office staff. The President's Interagency Task Force to Monitor and Combat Trafficking in Persons continued federal anti-trafficking efforts and its work with the presidentially appointed survivor advisory council. The government continued to implement its strategic action plan on victim services in the United States and publicly released the third status report for FY 2016 in August 2017.

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 added text and online chat capabilities to improve accessibility. In FY 2017, the hotline received 62,835 calls from across the United States and U.S. territories, identified 8,759 human trafficking cases, and provided resources and referrals to 10,615 victims. The hotline also received information on 4,863 potential traffickers and 1,698 businesses facilitating human trafficking. More than 2,000 individuals who identified as victims of trafficking directly called the hotline seeking help. U.S. embassies and consulates worldwide continued to provide applicants for temporary work and exchange visitor visas a "Know Your Rights" pamphlet and, in key countries, continued to play a related video in consular waiting rooms. In FY 2017, the pamphlet generated 714 calls to the national hotline compared to 459 calls generated by the pamphlet in FY 2016.

In 2017, DHS continued its nationwide human trafficking awareness Blue Campaign and, with input from trafficking survivors and other partners, developed new products, including a new public service announcement focused on labor trafficking. DHS held more than 1,100 training and engagement events with NGOs and law enforcement. HHS launched new educational materials that incorporated stakeholder and survivor input and created 59 fact sheets that provide an overview of anti-trafficking activities and available resources in states and territories. DOL launched a mandatory new course to educate all DOL employees on recognizing indicators of human trafficking. DOL also trained corresponding state authorities to identify and refer cases of human trafficking, and to respond to sexual harassment and human trafficking issues routinely faced by farmworkers. The Department of Transportation (DOT) and DHS continued to train airline personnel on recognizing and responding to indicators of human trafficking in addition to fostering new partnerships with airlines and aviation industry associations, and DOT continued to grow its group of public and private sector transportation stakeholders to maximize the transportation industry's collective impact on combating human trafficking. In FY 2017, EEOC, in partnership with community-based organizations, conducted 199 trafficking outreach events, reaching more than 10,600 individuals, and conducted nine training sessions for 357 staff and representatives of state and local fair employment practice agencies on identifying and developing trafficking-related charges of discrimination. EEOC also continued its efforts to increase public awareness about human trafficking with its human trafficking resource guide. The Department of Agriculture (USDA) offered several training modules to its personnel and local law enforcement officers on how to identify and combat human trafficking. The Department of Education (ED) partnered with HHS and survivor experts to hold a briefing for school administrators, parents, and the public to promote awareness of child trafficking in schools. DOS continued to provide anti-trafficking training for its diplomatic personnel, and launched a new course on protection from sexual exploitation and abuse that includes information on sex trafficking. The U.S. Agency for International Development (USAID) funded 33 anti-trafficking projects worldwide and continued its mandatory online training for all employees on its code of conduct, which prohibits all employees from engaging in human trafficking or any behaviors that may facilitate trafficking, such as commercial sex.

NGOs continued to call for a more comprehensive approach to address the factors and conditions that increase vulnerabilities to human trafficking, and survivor advocates called for federal

educational materials to include more examples of all forms of human trafficking. Advocates called for efforts to estimate the prevalence of human trafficking in the United States.

NGOs continued to allege human trafficking of workers in the United States on work-based or other nonimmigrant visas. Advocates continued to call for enhanced protections for workers in temporary worker visa programs, including regulatory changes to uncouple work visas from an employer or sponsor. They also called for regulatory changes that would protect individuals in certain temporary worker programs to the same extent as other workers. In addition, NGOs called for the allocation of more resources to protect workers from unscrupulous recruiters, and one NGO called for increased transparency and accountability for temporary worker programs and for agencies to develop a database to share visa and job-related information with workers in real time.

Under the H-2A and H-2B programs, employers are barred from seeking or receiving payments from workers for any activities related to obtaining labor certification or employment, including job placement and recruitment fees, and salary and wage deductions, and both programs require that the terms of employment be disclosed. DOL continued to maintain 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; this list does not certify or indicate recruiters' compliance with the recruitment fee ban. DOJ and DOS approved a formal mechanism to share information on employers that may be abusing employment-based immigrant and nonimmigrant visa programs to enhance oversight and enforcement of these programs.

NGOs continued to report that workers were still being charged prohibited fees and called for increased government enforcement of the recruitment fee ban.

In FY 2017, DOL issued 9,797 H-2A and 6,599 H-2B temporary labor certifications. DOL does not accept temporary labor certification applications for processing if the employer discloses that it charges a prohibited fee to the worker. DHS does not delineate reasons for H-2A and H-2B denials, thus data related to the number of denials based upon prohibited fee practices is unavailable. DOL and DHS continued to share data related to immigrant and nonimmigrant labor certifications and petitions.

DOS continued its oversight of the J-1 Visa Exchange Visitor Program, which includes the Summer Work Travel (SWT), intern, and au pair programs. DOS continued to monitor program participants to help safeguard their health, safety, and welfare and to identify and investigate program fraud and abuse. DOS conducted field monitoring of the SWT program in the 2017 summer and winter seasons, visiting 965 SWT exchange visitor sites in 24 states and the District of Columbia. DOS also continued community outreach efforts in 19 states with significant SWT populations. DOS continued to liaise with law enforcement on criminal investigations relating to the J-1 Visa Exchange Visitor Program. In July 2017, a Nevada man was sentenced to 26 months in prison and three years' supervised release, along with two co-defendants sentenced to five years of probation, for exploiting more than 200 intern and trainee exchange visitors; the three were ordered to pay more than \$1.6 million in restitution. The number of complaints and incidents reported to DOS involving the SWT program declined during the reporting period.

Reports continued to allege abuse under the au pair program

involving au pairs working extra hours without additional pay and not receiving the appropriate wage for their placement jurisdiction.

In February 2018, a federal appeals court in Colorado ruled a certified class of immigration detainees who alleged they were forced to work in violation of the TVPA during their detention in a privately owned and operated prison company contracted by DHS could proceed. DHS is not party to the lawsuit. During the reporting period, similar lawsuits were filed against privately owned and operated prison companies contracted by DHS in California.

In 2017, DOS continued to administer its domestic worker In-Person Registration Program for A-3 and G-5 visa holders employed by foreign mission and international organization personnel, respectively, in the Washington, DC, area.

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 2017, DOL continued enforcement activities in industries including agriculture, landscaping, hotels, seafood, and reforestation.

During the reporting period, EEOC, which enforces federal employment discrimination statutes, continued to pursue cases on behalf of 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 filed a civil cause of action during the reporting period.

In FY 2017, EEOC received 10 new charges of discrimination linked to human trafficking. It also resolved nine similar pending charges and recovered \$272,500 in monetary benefits for charging parties through the administrative process. As of September 30, 2017, EEOC had 27 pending charges linked to human trafficking. During the reporting period, EEOC implemented its new guidance on national origin discrimination that provides EEOC's interpretation of national origin based employment discrimination law, including human trafficking.

The government continued its efforts to reduce the demand for commercial sex and forced labor in the reporting period. DoD investigated 10 cases of service members allegedly violating DoD's prohibition on procuring commercial sex, compared to at least seven investigations the previous year. DOJ continued to prosecute individuals who pay or attempt to pay for commercial sex involving children. For example, in 2017, one such defendant received a sentence of 220 months in prison for child sex trafficking.

NGOs continued to call for 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. Nine defendants were convicted of federal child sex tourism charges in FY 2017 compared to 10 in the previous reporting period. Offenders who abuse children abroad may have been prosecuted under other statutes, and prosecutions based on other statutes are not reflected in this statistic. DOJ, along with DHS, DOS, and DoD, continued to



implement a strategy to track registered sex offenders traveling internationally.

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 2017. DoD took action against noncompliant employers or labor contractors from U.S. programs resulting in 22 suspensions, six debarments, one job termination, and one compliance agreement.

During the reporting period, the government did not finalize a clarification in the form of a definition of “recruitment fees” in the context of the Federal Acquisition Regulation, “Ending Trafficking in Persons,” which strengthens protections against trafficking in federal contracts; or guidance for federal contractors in 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. DHS issued one Withhold Release Order from April 1, 2017, to March 31, 2018, for a shipment of goods on grounds it was produced by forced labor. The government also enacted a new law during the reporting period that extends this prohibition to any goods produced by North Korean workers. DOL released a mobile and web application that provides companies and industry groups practical guidance on how to identify risks of forced labor in their supply chains and mitigate or remediate abuses.

Survivor advocates reported the need for increased data on human trafficking within American Indian and Alaska Native communities and called for increased resources focused on tribal communities.

In September 2017, the government established an ad hoc working group to increase the effectiveness and coordination of its anti-trafficking efforts focused on American Indian and Alaska Native communities. DOI led an interagency working group to develop a set of resource maps that identify federal victim assistance personnel working in Indian Country for distribution to federal law enforcement and victim service personnel. DOI also delivered awareness training to more than 1,300 attendees, including new disciplines and organizations, such as the National Indian Gaming Commission, medical services, and states developing human trafficking task forces. DHS filmed a new trafficking training video for American Indian communities developed with survivor input, and entered into a formal partnership with a new human trafficking working group established by the mayor of Anchorage, Alaska, to collaborate on local efforts and provide training and resources. DOJ grantees organized the first tribal-specific national conference on sex trafficking, which brought together tribes; federal, state, and local agencies; and advocates, including NGOs and survivor advocates. DOJ provided support to improve law enforcement responses to missing, endangered, and abducted children, including cases of child sex trafficking in American Indian and Alaska Native communities. HHS released a toolkit developed with survivor input to educate American Indian youth, and produced webinars specific to American Indian populations to increase public awareness, identify victims, connect victims to services, and prevent human trafficking.

The Government Accountability Office reported that challenges include a criminal justice infrastructure inadequate to meet

the needs of Indian Country, limited victim services, including culturally relevant services, and barriers to proactively identifying victims.

## U.S. INSULAR AREAS

Trafficking in persons is 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 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. 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 addition, DOJ held a human trafficking awareness training that included government officials and NGOs from Guam and CNMI. In Puerto Rico and USVI, 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. As part of the victim assistance funding previously mentioned, DOJ made two awards in FY 2016 to NGOs providing comprehensive and legal services to trafficking victims in CNMI. In FY 2017, the HHS-funded national hotline received 19 calls from U.S. territories, with the majority of those calls coming from Puerto Rico. HHS provided grant-funded training and technical assistance in American Samoa, Guam, CNMI, Puerto Rico, and USVI in FY 2017.

Authorities indicted a man for sex and labor trafficking, involving victims in USVI and Florida, where one of the charges included forcing a woman to clear debris caused by Hurricanes Irma and Maria from his mother’s property.

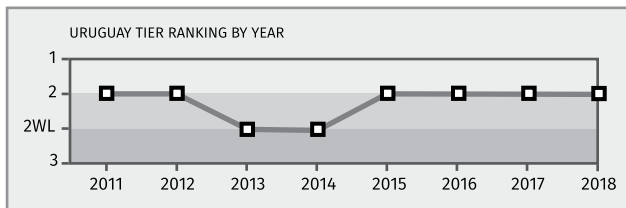
## TRAFFICKING PROFILE

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, janitorial services, construction, restaurants, care for persons with disabilities, salon services, massage parlors, 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 continued to express 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 2017 were the United States, Mexico, and Honduras. Populations in the United States vulnerable to human trafficking 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; LGBTI individuals; and participants in

court-ordered substance use diversion programs. NGOs noted an increase in the use of technology to recruit and advertise victims of 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 increasing both investigations and prosecutions, identifying more trafficking victims, allocating increased funding for the care of female victims, and continuing work on passage of a comprehensive anti-trafficking bill and national action plan. However, the government did not meet the minimum standards in several key areas. The government did not report convicting any traffickers, efforts to provide specialized victim services remained inadequate, and prevention efforts decreased.



### RECOMMENDATIONS FOR URUGUAY

Vigorously investigate and prosecute labor trafficking, forced prostitution, and child trafficking, and hold traffickers accountable with strong sentences; increase availability of specialized services, including shelters, for trafficking victims, especially outside the capital and for male victims, and continue services throughout investigation and prosecution; 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, such as those in prostitution; approve the comprehensive anti-trafficking bill and finalize the national action plan; develop victim identification procedures and increase training for border patrol officials; develop and operationalize a data collection system to maintain official statistics on anti-trafficking law enforcement and victim identification efforts; increase coordination between government agencies and civil society; and increase public awareness campaigns to inform the public about trafficking and about services available to potential victims; and revise the definition of human trafficking under Uruguayan law to more closely align with the definition in the 2000 UN TIP Protocol.

### PROSECUTION

The government maintained prosecution efforts. Article 78 of the 2008 immigration law criminalized sex and labor trafficking, prescribing penalties of four to 16 years imprisonment, which were sufficiently stringent, and with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Article 79 made it a crime punishable by two to eight years imprisonment to facilitate the movement of persons into or out of the country for human trafficking. Article 81 provided enhanced penalties for both articles 78

and 79 when the crime was committed by a habitual offender or by police or other safety officials and when the victim was a child. Inconsistent with the definition of trafficking under international law, article 81 established the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime.

The Uruguayan Senate approved the draft comprehensive anti-trafficking bill developed by the Interagency Committee to Prevent and Combat Trafficking in Persons. The proposed legislation focused on prevention, investigation, support for victims of trafficking, and data collection. It remained pending in the Uruguayan House of Representatives at the end of the reporting period.

The government did not collect comprehensive data on anti-trafficking law enforcement efforts and there was no system for tracking court cases. Individual courts and police departments were the primary repositories for data collection. In 2017, the government initiated 10 trafficking investigations, compared with six investigations in both 2016 and 2015. The government reported 23 sex trafficking prosecutions, compared with four prosecutions in 2016 and 15 in 2015. The government did not report whether it convicted any perpetrators, compared with three convictions in 2016 and zero in both 2015 and 2014. The three convictions reported during the previous reporting period remained under appeal. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

The gender unit in the Attorney General's Office focused on investigating and prosecuting crimes related to trafficking and the exploitation of children. The Ministry of Interior (MOI) and an NGO jointly organized a workshop on victim identification for 38 police officers. The Ministry of Social Development (MIDES) held 16 sessions for 593 government officials on combating sexual exploitation of women. The MOI held a training course for 39 police officers on combating gender-based violence.

### PROTECTION

The government increased protection efforts. The National Institute for Women (Inmujeres), under MIDES, was the principal provider of services for female victims of abuse. Inmujeres reported assisting 172 victims of trafficking (71 new cases, 101 initiated during previous reporting periods), an increase from 131 in 2016. More than half of those assisted were foreign victims; it was not reported how many were victims of commercial sexual exploitation as compared to victims of forced labor. An NGO partially funded by the government separately reported they provided services to more than 200 female trafficking victims, of which approximately 150 were Dominican. The National Institute for Children and Adolescent Affairs reported assisting more than 500 cases of sexual exploitation of minors in 2017, an increase from 333 in 2016; it was unclear how many were victims of trafficking. The Ministry of Labor reported identifying potential trafficking victims during a routine inspection of a private construction site in Montevideo; the case was still pending further investigation. Inmujeres continued 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.

Border officials did not have standard procedures to identify trafficking cases. The MOI and other law enforcement officers

closer to the capital used a standardized protocol to investigate, respond to, and assist trafficking victims. The government continued distribution of this protocol to law enforcement officials, labor inspectors, prosecutors, judges, and social workers. An NGO noted there were limited avenues available for the public to contact authorities with suspected cases of trafficking. While a formal victim referral process existed between the government agencies and NGOs, numerous NGOs reported that they were not aware of this process or that the process was unclear.

The government provided 7.7 million pesos (\$267,730), an increase from 4.6 million pesos (\$159,940) in 2016, to *Inmujeres* to assist adult female sex trafficking victims and women in prostitution with psychological, medical, and other services and to an NGO to provide assistance for female trafficking victims. MIDES was the principal provider of services for trafficking victims. Services specialized exclusively for trafficking victims did not exist in Uruguay; the government provided trafficking victims services used for other vulnerable populations, such as the homeless, refugees, and citizens on welfare. There were no shelters designated for trafficking victims, so temporary and long-term housing solutions, funded by the government, 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. Foreign victims had the same access to care as domestic trafficking victims, including children.

The government provided protective measures, through formal victim protection protocols, to encourage victims to assist in the investigation and prosecution of their traffickers. According to an international organization, the government did not, in practice, provide several of the protective measures, such as victim relocation, changes of identity, and economic assistance. There were no reports victims were penalized for acts committed as a direct result of being subjected to 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

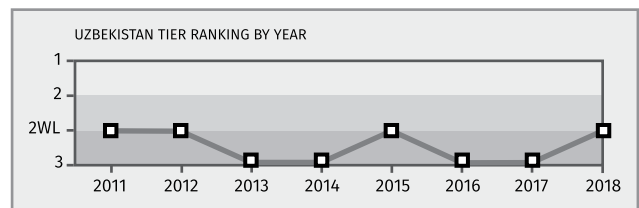
The government decreased prevention efforts. The interagency committee met monthly, including meetings specifically to develop a national action plan, which remained incomplete at the end of the reporting period. NGOs noted a decline in awareness campaigns conducted by the government during the reporting period. Local government committees hosted several awareness activities, including marches, and a seminar focusing on preventing gender-based violence. The Uruguayan parliament's trafficking committee hosted a screening of a trafficking-themed film by a Uruguayan filmmaker during International Trafficking Day in July. *Inmujeres* operated a free, 24-hour hotline to request assistance from MIDES. The government made efforts to prevent child sex tourism, but did not otherwise make efforts to reduce the demand for commercial sex or forced labor. While the government inspected legal brothels and massage parlors, inspectors lacked specific procedures to identify trafficking. Prior to their deployment, authorities gave peacekeeping troops a handbook that included a chapter on exploitation and sexual abuse.

## 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. 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 2 WATCH LIST

The Government of Uzbekistan 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 Uzbekistan was upgraded to Tier 2 Watch List. These achievements included taking substantive actions towards ending the use of forced adult labor during the annual cotton harvest by increasing remuneration to pickers and cotton procurement prices; demobilizing students and, to a lesser extent, partially demobilizing some in other government-directed labor sectors; allowing full unimpeded access to international third-party monitors; and engaging in dialogue with activists and treating them in a more humane manner. At the highest levels, the government publically acknowledged as a problem forced labor in the cotton harvest. The government conducted a substantial campaign to raise awareness of the prohibition against child labor in the harvest for a fourth year, and reports of children being mobilized were extremely limited. Despite these achievements, government-compelled forced labor remained during the 2017 cotton harvest; approximately 336,000 pickers of an estimated 2.6 million workforce were forced laborers. The government did not consistently implement its ban on the mobilization of public sector employees. It demonstrated decreased efforts in victim identification, as well as the investigation and prosecution of suspected traffickers.



## RECOMMENDATIONS FOR UZBEKISTAN

Continue substantive actions to end the use of forced adult labor, including 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; fully implement commitments to neither mobilize teachers, medical workers, and college and lyceum students in forced labor, nor require them to pay for



replacement pickers; provide adequate mechanisms to enable all citizens to refuse to participate in the cotton harvest or other work outside their professional duties without suffering consequences; respecting due process, increase investigations and, when sufficient evidence exists, criminally prosecute officials complicit in human trafficking, including officials involved in mobilizing forced labor; improve procedures for identifying trafficking victims to ensure they are systematic and proactive; continue efforts to investigate and prosecute suspected traffickers, respecting due process; continue granting 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; continue to modify agricultural policies to reduce pressure for farmers and officials to compulsorily mobilize labor for the cotton harvest; continue promoting awareness of labor rights, including in regard to the cotton harvest; continue improving processes for registering and investigating violations of labor rights; 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; and amend the criminal code to protect the identities of trafficking victims and encourage prosecutors to proactively seek victim restitution in criminal cases.

## PROSECUTION

The government decreased law enforcement efforts. Article 135 of the criminal code criminalized labor and sex trafficking and prescribed penalties of three to five years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. For the fourth year in a row, investigations, prosecutions, and convictions declined. The government conducted 609 investigations, including 204 cases of sexual exploitation and 32 cases of labor exploitation, and prosecuted 314 cases for crimes related to trafficking in 2017, compared to 651 investigations and 361 prosecutions in 2016 and 696 investigations and 372 prosecutions in 2015. Authorities reported convicting 405 people for crimes related to trafficking in 2017, compared to 451 in 2016. The government reported that 204 of the crimes investigated in 2017 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 convicting 391 perpetrators under article 135, including 33 recruiters; 233 convictions carried a prison sentence, 81 carried conditional sentences, 57 carried limitation of freedom, three carried a sentence of correctional labor, two were required to pay fines, and 15 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. 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. Despite 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 during the reporting period. It reported issuing administrative fines to 14 officials in 2017, compared to nine in 2016, for forced labor violations; the government levied administrative penalties also in Andijon region, in spite of the public promise made by the regional Hokim to criminally prosecute senior officials complicit in the recruitment of teachers, school and college students, as well as workers of medical institutions. For the first time, the government initiated investigations into allegations of forced labor when reported by activists.

## PROTECTION

The government decreased efforts to identify, assist, and protect victims of sex and transnational labor trafficking, and it made limited efforts to assist victims of forced labor in the cotton harvest or other internal sectors. The government identified 440 victims of trafficking-related crimes in 2017, a decrease from 714 in 2016 and 924 in 2015. Media reported that 47 percent of the government-assisted victims were women and 53 percent were men. The government did not provide details on how many of these victims endured exploitation in Uzbekistan. The government did not identify any victims of foreign origin and reported that the majority of identified victims were subjected to sex trafficking abroad. NGOs and an international organization identified and assisted 676 trafficking victims in 2017 (327 in 2016 and 774 in 2015), the vast majority of which were subjected to labor exploitation abroad. Uzbekistan's diplomatic missions abroad helped repatriate 40 victims, a decrease from 109 victims in 2016, by issuing travel documents, and worked with IOM to provide food, clothing, and transportation to victims to facilitate their repatriation to Uzbekistan. 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, which led to the penalization of potential victims, particularly those in prostitution. 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, the government required victims to file a criminal complaint with the authorities in their community of origin, after which the MOI had to decide whether or not to initiate an investigation and grant official victim status to the individual. As a result, NGOs reported local officials regularly referred victims who did not wish to pursue a criminal case to NGO offices for assistance.

The government allocated approximately 540 million soum (\$67,250), an increase from 496 million soum (approximately \$61,770) in 2016, to operate its Tashkent-based trafficking rehabilitation center for men, women, and children with official victim status. The government did not provide definitive data on the number of victims assisted at this facility in 2017, compared to 460 victims in 2016. 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 had the capacity to 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 victims of sex trafficking to them, 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. NGOs reported authorities dropped these charges when NGOs proved to authorities the victims were subjected to human trafficking. 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. 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; despite the absence of an effective mechanism to seek restitution from their traffickers, one trafficking victim received court ordered restitution in 2017.

## PREVENTION

The government increased prevention efforts. The government took steps to modify agricultural policies that created pressure for the use of forced labor, including by increasing wages to pickers, increasing cotton purchasing prices to farmers, and beginning implementation of its commitment not to mobilize teachers, medical workers, and college and lyceum students. The 2017 harvest marked the fourth consecutive year the government conducted a nationwide campaign to raise public awareness of its prohibition of child labor in the cotton harvest. International observers and Uzbek activists acknowledged the government's eradication of systemic child labor, including systemic compelled child labor, although anecdotal reports of forced child labor continued in a limited number of instances. The government, in coordination with the ILO, conducted an awareness raising campaign to ensure all citizens were aware of their labor rights. The campaign featured over 400 roadside banners along major highways, and the distribution of brochures and posters to educational and health care facilities, as well as informative commercials on major television and radio networks. However, the central government continued to demand farmers and local officials fulfill state-assigned cotton production quotas, leading to the mobilization of adult forced labor; the ILO estimated that of the workforce of approximately 2.6 million, at least 336,000 were forced or coerced to work. Farmers who were unable to fulfill their quotas risked losing the rights to farm their government leased land; there was at least one report of this occurring during the reporting period. Although teachers, students, and medical workers were initially mobilized, the government did implement a recall of these groups from the cotton fields in the early stages of the harvest in September 2017. The ban on these pickers was unevenly implemented, with reports that some public sector employees returned to the fields within weeks of the demobilization. According to observers, the 2017 harvest saw an unprecedented increase in the coercion of public sector employees to pick cotton, or pay for a replacement worker, creating a penalty for not participating in the forced labor system. Officials required, and in some cases compelled, state employees and adult students to sign labor agreements or statements that they would pick cotton voluntarily. Independent observers asserted that public employees were instructed to tell monitors that they were unemployed. "Cotton command units," led by local government officials, personally visited households of unemployed people or the homes of individuals who did not show up in the fields in order to ensure their mobilization.

For a third 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 the prevalence of child and forced labor during the 2017 harvest. ILO monitors were granted unimpeded access to interview laborers, unlike in previous years. Although, as in previous years, a government official accompanied ILO monitors to field observations, the official was not privy to the observation location before the monitoring team arrived at the destination, and did not observe or participate in the interviews. The official's participation served largely to ensure access to the fields if local officials questioned the ILO's presence. The government continued to publicize its Cotton Harvest Feedback Mechanism, which included telephone hotlines and messaging apps dedicated to receiving reports of labor violations, receiving over 7,300 inquiries and complaints, 121 of which were related to labor rights during the cotton harvest. Of the complaints received, 36 were related to forced labor and eight resulted in the discovery of confirmed child labor cases. Government officials identified 641 persons forced into the fields, opened 42 lawsuits, issued 116 administrative citations, and issued fines totaling 220.5 million soum (\$27,460) as a result of information received through the feedback mechanism. Observers reported concerns about the effectiveness of the feedback mechanism, stating that some pickers had concerns about reprisals or the effectiveness of investigations. Although activists reported less physical abuse and decreased harassment as compared to previous years, temporary detentions, surveillance, and some harassment continued. For the first time, in 2017 the government investigated forced labor cases identified by activists, resulting in administrative penalties for local officials. Media reported on forced labor practices for the first time; bloggers who highlighted forced labor problems were not penalized or censored. Some state media outlets featured audio or video recordings of public officials encouraging civil servants to participate in the cotton harvest, which publicly shamed the officials and increased labor rights awareness.

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 continued several projects aimed at modernization of the cotton industry, including a five-year partnership on agricultural reform with the World Bank, which included measures to prevent forced labor; a four year Decent Work Country Program extension to improve employment opportunities, working conditions and social protections; and began implementation of pilot projects with the International Finance Corporation and private companies to work on mechanization and responsibly cultivated cotton. Additionally, the government implemented ILO recommendations, such as increasing both remuneration to pickers and purchasing prices available to farmers.

The Uzbek Agency for Foreign Labor Migration increased outreach to prospective labor migrants, serving to reduce potential risks of trafficking among this population. The Agency conducted pre-departure consultations on labor and migration laws in the country of destination. The government reported 34 migrants used these centers before departures for work in Russia. The government also signed agreements with Russia, Japan, and Poland in 2017 to establish centers for training workers for jobs in these countries. A representative Russian Ministry of Interior office opened in Samarkand in November 2017. Media reports indicate that 12 Uzbek citizens found employment in Poland through the agreement.

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 maintained several hotlines in addition to the cotton harvest feedback mechanism—one of which provided free legal advice; in 2017 the lines received 125 requests related to migration and human trafficking. An NGO maintained a foreign donor-funded hotline. The NGO received 2,879 phone calls; among these calls were 224 allegations of human trafficking and 712 requests for repatriation. The organization accepted 70 repatriation requests by trafficking victims and assisted a total of 205 people. The government prohibited the participation of educational institutions in scrap metal collection. The government did not conduct efforts to reduce the demand for commercial sex acts.

### 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. The ILO and observers noted that the systemic mobilization of child labor was eliminated, 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 during the fall cotton harvest, and spring planting and weeding. During the 2017 cotton harvest, approximately 336,000 pickers of an estimated 2.6 million workforce were forced laborers. Despite its August decree banning mobilization of certain sectors, the government initially mobilized those under the age of 18, as well as employees in educational and medical sectors, university students, teachers, and medical workers for the 2017 cotton harvest. It unevenly implemented its September 2017 directive recalling employees of schools and medical facilities, as well as university students, from the cotton fields. 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. According to some observers, the 2017 harvest saw an increase in the coercion of public sector employees, creating a penalty for not participating in the forced labor system. Private companies in some regions mobilized employees for the harvest under threat of increased government inspections of and taxes on their operations. There were reports of employees of such companies being fired for not participating in the 2017 harvest. Independent harvest monitors noted that the government’s demobilization of lyceum and university students was largely successful.

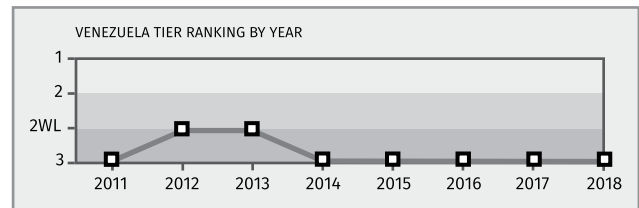
Government-compelled forced labor of adults remained in other sectors as well. There were isolated reports stating that local officials forced farmers to cultivate silk cocoons and, separately, that local officials forced teachers, students (including children), private businesses employees, and others to work in construction and other forms of non-cotton agriculture and to clean parks, streets, and buildings. During the 2017 harvest, the government continued to arrest independent activists attempting to observe the spring weeding and the fall harvest, though at decreased intervals and without reports of extreme abuses, as compared to previous years.

Uzbek women and children were 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, were subjected to forced labor in Kazakhstan, Russia, Moldova, Turkey, and in other Asian,

Middle Eastern, and European countries 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 training of government officials on trafficking indicators, vulnerable populations, and investigation techniques, and the arrest of at least seven individuals suspected of human trafficking. However, the government did not report prosecuting or convicting traffickers, and did not report identifying or assisting any trafficking victims.



### RECOMMENDATIONS FOR VENEZUELA

Provide specialized services for all trafficking victims, including comprehensive assistance and care to repatriated victims of trafficking, 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; draft and enact comprehensive anti-trafficking legislation criminalizing all forms of trafficking, including the criminalization of child sex trafficking without elements of force, fraud, or coercion, and the trafficking of men and boys; implement formal procedures and training for identifying trafficking victims among vulnerable populations, such as persons in prostitution, and for referring victims for care; develop and publish an anti-trafficking action plan and allocate resources to implement it; enhance interagency cooperation by forming a permanent anti-trafficking working group; ensure that upon exit, migrant 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 maintained inadequate law enforcement efforts. Venezuelan law criminalized all forms of trafficking of women and girls, through a 2007 law on women’s rights that prescribed penalties of 15 to 20 years imprisonment. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking, and therefore did not criminalize all forms of child sex trafficking. Venezuelan law failed to criminalize trafficking of men and boys when perpetrators were not part of an organized criminal organization. The law addressing organized crime criminalized trafficking by organized criminal groups of three or more individuals, with penalties of 20 to 30 years imprisonment. The penalties for these trafficking crimes were sufficiently stringent and, with respect to sex trafficking, commensurate



assistance; the government reported providing an unspecified number of victims with vocational training, employment opportunities, and lines of credit at a reduced interest rate. There were no shelters designated exclusively for male or child victims, although existing shelters assisted all victims as needed. The Ministry of Labor, Invalids, and Social Affairs (MoLISA) maintained two rooms in a government-run shelter devoted to trafficking victims transiting through Ho Chi Minh City, where they could stay for up to two months. MoLISA and a government-affiliated women's union often referred victims to NGOs depending on their individual needs. MoLISA operated a 24-hour hotline for trafficking victims; authorities reported receiving approximately 2,700 calls to this hotline—over half of which were from children—and referring 65 cases to NGO services. 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. The women's unions, in partnership with NGOs and with foreign donor funding, continued to operate three shelters in urban cities, including one dedicated to trafficking victims. The unions reported assisting 14 victims in 2017 and helped to repatriate 35 Vietnamese women and children subjected to trafficking overseas. An NGO collaborated with border guard and social service officials to provide initial support to more than 100 returnees. An international organization reported providing return and reintegration assistance to 11 victims, including 10 Vietnamese fishermen formerly subjected to forced labor and one sex trafficking victim. However, due to insufficient recordkeeping, the total number of identified victims benefiting from government or NGO protection services was unclear. NGOs reported psycho-social services for victims remained underdeveloped and provincial-level government officials focused too heavily on poverty reduction in lieu of strengthening more urgently needed services for victims. Authorities did not report how many victims received government cash subsidies for food, clothing, and other essential needs.

The government maintained labor representatives at diplomatic missions in countries with large numbers of documented Vietnamese migrant workers. These missions could provide basic provisions, transportation, and health care to Vietnamese citizens subjected to trafficking abroad. The government reported repatriating 138 Vietnamese victims identified in China and three from Cambodia, and providing other forms of assistance to five Vietnamese victims identified in Thailand and one in France. However, some diplomatic personnel reportedly lacked sufficient training to adequately assist victims, and NGOs reported some overseas missions were unresponsive to foreign countries' attempts to connect them with Vietnamese victims—especially in Malaysia. 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 protected 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 benefiting from protection services. According to an international organization, the government repatriated approximately 20 Cambodian and Indonesian female victims with the assistance of their respective embassies; it was unclear how these victims were identified or whether the government

provided other forms of assistance prior to their return. The government did not offer foreign victims legal alternatives to their removal to countries where they may face retribution or hardship.

## PREVENTION

The government maintained efforts to prevent trafficking. During the reporting period, it continued to implement the third phase of the 2016-2020 National Anti-Trafficking Action Plan (NAP) to address forced labor, improve victim services, and implement the revised anti-trafficking statute. It also initiated a five-year assessment on NAP implementation benchmarks. However, authorities did not allocate sufficient funding to carry out the plan for a third year; failure to issue implementing guidelines on new penal code statutes and a lack of inter-ministerial cooperation generally hampered effective implementation. The government was unable to complete some NAP activities absent the approval of implementation circulars. 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 vulnerable geographic areas, and broadcast media campaigns. Observers noted many high-risk communities found it difficult to connect with the content of these awareness campaigns, indicating a need for improved localization. During the reporting period, the Ministry of Information and Communications directed state-run media to air more than 1,000 documentaries and news stories to raise public awareness on trafficking.

In 2017, the government entered into a Memorandum of Cooperation with the Government of Japan to improve protections for Vietnamese participants in Japan's Technical Intern Training Program (TITP). NGOs reported pre-departure fees and deposit requirements for Vietnamese migrant workers ranging from 6.5 million to 65 million VND (\$290 to \$2,860) increased their vulnerability to debt bondage overseas, especially under the auspices of the TITP in Japan. The government continued efforts to reduce the demand for commercial sex acts, including through its ongoing Prostitution Prevention and Combating Program (2016-2020). The program aimed to reduce demand through educational campaigns targeting consumers of commercial sex and income-generation opportunities for persons in prostitution. 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 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 and Ireland (including on cannabis farms), continental Europe, the Middle East, and in Pacific maritime

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; amend the penal code to criminalize all forms of child sex trafficking consistent with international law; improve interagency cooperation to effectively implement the anti-trafficking national action plan, including by clarifying the roles of national and provincial-level government entities, fully integrating trafficking data collection into law enforcement efforts, and allocating sufficient resources to the national action plan; develop programs that reduce stigma and promote reintegration of trafficking returnees; in consultation with civil society, tailor awareness-raising campaigns to geographic- and sector-specific vulnerabilities and evaluate them to ensure maximum benefit to high-risk communities; allow independent verification that Vietnamese drug users are no longer subjected to forced labor in government-run rehabilitation centers; and expand training for consular officials on worker rights and international labor standards.

## PROSECUTION

The government increased law enforcement efforts. In January 2018, penal code amendments criminalizing all forms of labor trafficking and most forms of sex trafficking came into effect. Article 150 criminalized labor and sex trafficking of adults and prescribed penalties of five to 10 years imprisonment and fines of 20 million to 100 million Vietnamese dong (VND) (\$880 to \$4,400). Article 151 criminalized labor and sex trafficking of children under the age of 16 and prescribed penalties of seven to 12 years imprisonment and fines of 50 million to 200 million VND (\$2,200 to \$8,810). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with other serious crimes, such as rape. Inconsistent with international law, Article 150 required a demonstration of force, fraud, or coercion to constitute a sex trafficking offense involving children between the ages of 16 and 17 years old; it therefore did not criminalize all forms of child sex trafficking. The Ministry of Justice (MOJ) reported distributing updated legal documents on Articles 150 and 151 and training judges nationwide on their application. However, the government did not issue formal implementation circulars for the amendments; prosecutors cited this lack of guidance in failing to conclude eight trafficking cases initiated against as many as 14 suspected traffickers under disparate criminal code provisions. For the sixth consecutive year, the government did not prosecute any suspected traffickers under labor trafficking provisions of the 2012 anti-trafficking law. Authorities continued to develop a national database on trafficking statistics for the fourth year, but did not make demonstrable progress on bringing it closer to integration with law enforcement efforts or judicial proceedings. Disparate government bodies continued to report discrepant, overlapping, or incomplete data on anti-trafficking law enforcement and victim identification, and authorities often did not disaggregate trafficking offenses from possible migrant smuggling cases. According to MFA, the Ministry of Public Security (MPS), Vietnam Border Guards (under Ministry of Defense), and Vietnamese diplomatic missions—often in cooperation with foreign partners—identified 350 trafficking cases involving more than 500 alleged offenders (234 and 308, respectively, in 2016). The procuracies reported initiating the prosecution of 245 defendants for trafficking offenses (295 in 2016) and the court system secured 244 convictions (275 in 2016); sentences ranged from less than three years to 30 years imprisonment. During the reporting period, the government signed bilateral anti-trafficking agreements with Australia and continued similar negotiations with Malaysia and the United Kingdom.

A lack of coordination across provincial-level agencies, persistent budgetary constraints, poor understanding of the relevant legislation among local officials, and confusion about individual provinces' roles and responsibilities in the context of the national action plan continued to hamper effective law enforcement efforts. Observers noted the authorities often prosecuted domestic trafficking under statutes pertaining to operation of an illegal business, kidnapping, or illegal detention, all of which carried lesser penalties. 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 MPS—which led interagency anti-trafficking efforts—to transfer necessary funds to other government bodies for anti-trafficking activities. Police continued efforts to mainstream trafficking content into the training curriculum for new recruits, and the MPS organized trainings for local police in several cities. The Border Guard Command established a special anti-trafficking task force and conducted investigations in vulnerable border areas known for high prevalence of the crime, but statistics on the number of investigations or prosecutions initiated because of these efforts were unavailable. Some complicit officials, primarily at commune and village levels, reportedly 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 despite these trends.

## PROTECTION

The government decreased efforts to protect victims. In 2017, authorities reported identifying 670 victims—a decrease from 1,128 in 2016—but did not provide statistics disaggregating cases by type of trafficking, victim age or gender, source, or destination. Informally, MPS officials estimated the vast majority of identified cases involved transnational trafficking. The government maintained 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. 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 inter-jurisdictional cooperation, and incomplete data collection processes. NGO observers reported officials in the Mekong Delta Region deliberately ignored trafficking indicators or rescinded formal victim designations in order to downplay prevalence of the crime for political reasons, leading to fewer victim referrals to protection services. National authorities did not devote adequate funds for victim protection in 2017 and reportedly began encouraging provincial governments to use their own funds for trafficking programs to further decentralize this responsibility. The government did not report the status of the national survey it funded and conducted in 2016 on victim repatriation and reintegration. Foreign victims, including children, remained at high risk of deportation without screening or referral to protective services. Some officials continued to conflate trafficking with migrant smuggling, which precluded the identification of victims who voluntarily migrated abroad.

In 2017, the government reported assisting approximately 500 victims—a decrease from 600 in 2016—with initial psychological counseling, health care consultations, and legal and financial

assistance; the government reported providing an unspecified number of victims with vocational training, employment opportunities, and lines of credit at a reduced interest rate. There were no shelters designated exclusively for male or child victims, although existing shelters assisted all victims as needed. The Ministry of Labor, Invalids, and Social Affairs (MoLISA) maintained two rooms in a government-run shelter devoted to trafficking victims transiting through Ho Chi Minh City, where they could stay for up to two months. MoLISA and a government-affiliated women's union often referred victims to NGOs depending on their individual needs. MoLISA operated a 24-hour hotline for trafficking victims; authorities reported receiving approximately 2,700 calls to this hotline—over half of which were from children—and referring 65 cases to NGO services. 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. The women's unions, in partnership with NGOs and with foreign donor funding, continued to operate three shelters in urban cities, including one dedicated to trafficking victims. The unions reported assisting 14 victims in 2017 and helped to repatriate 35 Vietnamese women and children subjected to trafficking overseas. An NGO collaborated with border guard and social service officials to provide initial support to more than 100 returnees. An international organization reported providing return and reintegration assistance to 11 victims, including 10 Vietnamese fishermen formerly subjected to forced labor and one sex trafficking victim. However, due to insufficient recordkeeping, the total number of identified victims benefiting from government or NGO protection services was unclear. NGOs reported psycho-social services for victims remained underdeveloped and provincial-level government officials focused too heavily on poverty reduction in lieu of strengthening more urgently needed services for victims. Authorities did not report how many victims received government cash subsidies for food, clothing, and other essential needs.

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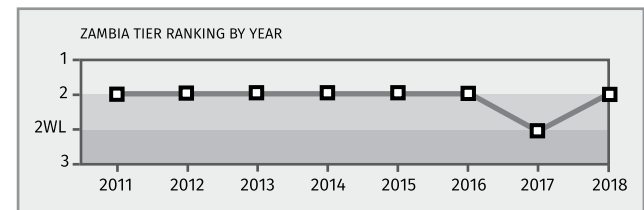
industries. Vietnamese women and children are subjected to sex trafficking abroad; many are misled by fraudulent employment opportunities and sold to brothel operators on the borders of China, Cambodia, and Laos, and elsewhere in Asia, including Thailand, Malaysia, Republic of Korea, Taiwan, and Singapore. Some Vietnamese women who travel abroad for internationally brokered marriages or jobs in restaurants, massage parlors, and karaoke bars—including to China, Japan, Korea, Malaysia, Saudi Arabia, Singapore, and Taiwan—are subjected to domestic servitude or forced prostitution. Pronounced social stigma associated with prostitution, especially in Vietnam’s rural areas, complicates protective service provision for female victims of sexual exploitation, and places them at higher risk of recidivism. 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; men often entice young women and girls with online dating relationships and persuade them to move abroad, then subject them to forced labor or sex trafficking. Some traffickers pose as police officers on social media networks to gain victims’ trust. 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. Adults are also reportedly subjected to trafficking for the purpose of organ removal. 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 gold mines. Many children from impoverished rural areas, and a rising number from middle class and urban settings, are subjected to sex trafficking. Girls from ethnic minority communities in the northwest highlands are increasingly subjected to forced services, including sex slavery and domestic servitude, by traffickers channeling their criminal activities through the traditional practice of bride kidnapping. 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 workday 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 and media 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

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 increasing efforts compared to the previous reporting period; therefore Zambia was upgraded to Tier 2. The government

demonstrated increasing efforts by initiating more prosecutions and securing more convictions than in the previous year. The government integrated modules on human trafficking into the training curricula for law enforcement and immigration officials and trained such officials. The government identified more victims and referred all identified victims to protective services; it refurbished a shelter for women and girls and increased its anti-trafficking budget for the second consecutive year. The government revived the national secretariat as well as its inter-ministerial committee, which met on December 1, 2017, and cooperated with neighboring governments to share expertise as part of a Southern African Development Community (SADC) regional cooperation initiative. However, the government did not meet the minimum standards in several key areas. Officials continued to conflate cases of migrant smuggling and trafficking, particularly with an influx of refugees fleeing conflict in the Democratic Republic of the Congo (DRC), and did not adequately screen potential Zambian victims of forced labor who returned from Namibia. The government reviewed and updated the 2012-2015 national action plan to combat trafficking, but it remained pending at the close of the reporting period.



## RECOMMENDATIONS FOR ZAMBIA

Proactively identify trafficking victims by accurately distinguishing between migrant smuggling and trafficking victims and refer them to protective services; amend the trafficking law to define child sex trafficking as not requiring that 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 among vulnerable populations; expand the availability of shelters; 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; strengthen coordination and collaboration efforts between relevant ministries; finalize 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 increased anti-trafficking law enforcement efforts. The Anti Trafficking Act of 2008 criminalized some forms of labor and sex trafficking. Inconsistent with the definition of trafficking under international law, the law only defined an offense as trafficking if it involved transnationality. Additionally, the law required a demonstration of threats, force, intimidation, or other forms of coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The act prescribed penalties ranging from 20 years to life imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated 22 potential trafficking cases involving Ethiopian, Congolese, Rwandan, Zambian, and Somali perpetrators or victims, both adults and children, compared to 23 in 2016. The government prosecuted four traffickers, convicted all four traffickers, and sentenced them to 25 years imprisonment, compared with zero prosecutions and zero convictions during the previous reporting period. All four prosecutions and convictions were the result of a single case involving three Congolese and one Zambian trafficker who exploited 14 Congolese victims in Zambia. The Ministry of Labor and Social Security (MLSS) Child Labor Unit used mediation with parents as the usual process for handling child labor cases and did not criminally investigate such cases for potential trafficking violations. 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; during the previous reporting period there were allegations that large or foreign companies and foreign governments exerted influence over officials, preventing investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government integrated modules on human trafficking into the training curricula for Zambia Correctional Service, the Zambian Police Service, and the Department of Immigration and during the year trained such officials using these modules. The national police academy trained an unknown number of new recruits on trafficking. The paramilitary police training school trained over 1,000 recruits on trafficking. The government maintained a database to track trafficking case data with other countries in the region.

## PROTECTION

The government increased efforts to assist victims. The government identified 41 victims during the reporting period, compared to one potential victim identified during the previous reporting period. Of the victims identified, 33 were children and eight were adults; 18 were female and 23 were male. The government referred all victims it identified to protective services. Of the victims identified, one was a sex trafficking victim and the government did not report the type of exploitation for the other 40 victims. Officials continued to conflate cases of migrant smuggling and trafficking, particularly with an influx of refugees fleeing conflict in the DRC during the reporting period.

The government partnered with international organizations to offer routine assistance to victims, including medical care and counseling, but it continued to rely on international organizations and local NGOs to provide the majority of care. Shelters across the country, especially outside Lusaka and Copperbelt Provinces, were heavily constrained by a lack of funding. The Ministry of Community Development, Mother and Child Health operated a 40 person shelter for victims of trafficking and victims of sexual abuse in Luapula province, and another in Central Province, both eligible to receive male victims of trafficking. In addition, it refurbished a shelter for vulnerable migrants and victims of trafficking in an area known to have a high prevalence of trafficking and opened a gender-based violence shelter in Chongwe for women and girls; the government did not report if any trafficking victims received care through these facilities during the year. The government increased its anti-trafficking budget for the second consecutive year to 143,000 new kwacha (\$14,340), an increase of \$4,000 over last reporting period.

Officials and service providers used standard procedures to screen and identify trafficking victims among vulnerable

populations, such as migrants and unaccompanied minors. However, the government did not adequately screen a significant number of potential Zambian victims of forced labor who returned from Namibia. Government officials, in partnership with international organizations, offered court preparation, and repatriation or regularization of immigration status. 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 granting such assistance in 2017. Foreign victims of trafficking were provided with the same protective services as Zambian nationals; however, availability of translators remained a barrier to providing timely, comprehensive care. 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 increased efforts to prevent trafficking. The government revived the national secretariat and its inter-ministerial committee, which resumed their duties in the oversight of national anti-trafficking efforts. The anti-trafficking inter-ministerial committee held its inaugural meeting on December 1, 2017. The government reviewed and updated the 2012-2015 national action plan to combat trafficking, although its finalization remained pending at the close of the reporting period. The government launched its seventh national development plan, which included guidelines on the prosecution, protection, and prevention of trafficking—the first time it has specifically included goals to combat trafficking. The government conducted a baseline survey in Nakonde and Sesheke, two border areas known to have a high prevalence of trafficking, to assess gaps in understanding of the crime. In coordination with an international organization, the Ministry of Community Development and Social Welfare updated and began implementation of the Communication Strategy on Mixed Migration and Human Trafficking, which aimed to educate the public on trafficking through community outreach and interviews on local radio stations.

The government continued its partnerships in the region through routine coordination of anti-trafficking efforts with Zimbabwe and South Africa. The government held three bilateral relationship cooperating meetings at border posts in Chirundu, Chanida, and Nakonde with Zimbabwean, Mozambican, and Tanzanian counterparts, respectively, to discuss cross-border initiatives and efforts to combat trafficking. The government hosted Malawi's anti-trafficking inter ministerial committee to facilitate a knowledge-sharing discussion as part of a SADC regional cooperation initiative. During 2016, MLSS employed 134 labor inspectors, compared to 110 labor officers employed the previous year. The government did not make efforts to reduce the demand for commercial sex or forced labor. An estimated 225 Zambian peacekeepers received anti-trafficking training on how to identify and protect potential trafficking victims.

## TRAFFICKING PROFILE

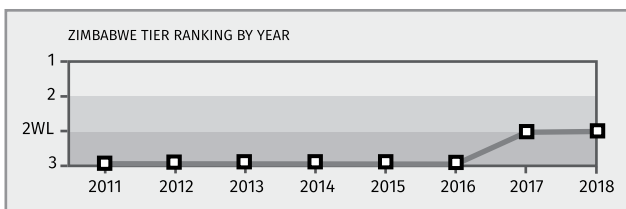
As reported over the past five years, Zambia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most trafficking occurs within the country's borders and involves women and children from rural areas exploited in cities in domestic 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. Zambians from the depressed rural areas in the Western Province are coerced into forced labor in Namibia.

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. Chinese nationals are increasingly exploited in forced labor in Chinese-owned companies in the construction and mining sectors. South African criminal groups subjected Southeast Asians transiting Zambia to forced labor in construction in South Africa. Potential trafficking victims from Ethiopia, DRC, 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 demonstrated significant efforts during the reporting period by securing its first convictions since 2007 and identifying and protecting more trafficking victims compared to the previous year. The government trained border and law enforcement officials, labor inspectors, social workers, and civil society organizations on victim identification and interview techniques. The anti-trafficking inter-ministerial committee (ATIMC) met quarterly and led the implementation of the national action plan, and the government launched provincial task teams in five provinces, and conducted awareness raising activities. However, the government did not demonstrate increasing efforts compared to the previous reporting period. It did not amend the 2014 Trafficking in Persons Act, which was inconsistent with international law. The government investigated and prosecuted fewer trafficking cases compared to the previous year. The government did not provide funding to its NGO partners on which it relied to provide protective services to victims and that struggled to operate without such support, and remained without formal identification and referral procedures. Therefore Zimbabwe remained on Tier 2 Watch List for the second consecutive year.



## RECOMMENDATIONS FOR ZIMBABWE

Amend the 2014 anti-trafficking legislation to incorporate a definition of trafficking consistent with the 2000 UN TIP Protocol; vigorously 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; provide financial or in-kind support to NGOs and international organizations that provide victim services; expand training for law enforcement on investigative techniques; train prosecutors and judges on trafficking and trafficking-related legislation; establish safe houses for trafficking victims in each province; implement, and allocate sufficient resources to, the national action plan to combat trafficking; and raise awareness of human trafficking and the availability of assistance for victims.

## PROSECUTION

The government had mixed anti-trafficking law enforcement efforts. Inconsistent with international law, the 2014 Trafficking in Persons Act defined trafficking in persons as a movement-based crime and did not adequately define "exploitation." The 2014 act criminalized 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" left Zimbabwe without comprehensive prohibitions of trafficking crimes. The law prescribed penalties of 10 years to life imprisonment, which was sufficiently stringent and, with respect to sex trafficking crimes, was commensurate with penalties for other serious crimes, such as rape. Zimbabwe's Labor Relations Amendment Act criminalized forced labor and prescribed penalties of up to two years imprisonment, which were not sufficiently stringent. The Criminal Law (Codification and Reform) Act criminalized procuring a person for unlawful sexual conduct, inside or outside of Zimbabwe and prescribed penalties of up to two years imprisonment; these penalties were not sufficiently stringent when applied to cases of sex trafficking. The act also criminalized 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 was punishable under the act, with penalties of up to two years imprisonment. These penalties, as applied to sex trafficking crimes, were not commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated two potential cases of forced labor, a decrease from 72 investigations in the previous reporting period. The government reported prosecuting 14 trafficking cases in 2017, compared with 42 prosecutions in 2016; it prosecuted five new defendants for alleged trafficking crimes, while an unknown number of defendants were involved in ongoing prosecutions. The government reported convicting three traffickers in one case, the first conviction since 2007. The case involved three Zimbabwean men who exploited four male Mozambicans in forced labor on farms in Chipinge; the government sentenced all three traffickers to five years imprisonment. The Ministry of Foreign Affairs continued the ongoing investigation of trafficking cases involving Zimbabweans exploited in Kuwait. The Zimbabwe Republic Police's Victim Friendly Unit (VFU) had 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.



In coordination with two international organizations, the government supported the training of 10 magistrates and 19 prosecutors from all 10 provinces throughout the country by peer prosecutors and magistrates from the South African Development Community (SADC) region. The training covered the international and Zimbabwean trafficking legal framework, jurisprudence in the SADC region, cross-border cooperation, and trafficking case studies. In December 2017, the Director Inspector of the Criminal Investigation Unit trained 20 police officers. Corruption in law enforcement and the judiciary may have 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. 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 victims. The government reported identifying 87 potential trafficking victims, compared with 72 victims identified by officials in 2016. The government repatriated 14 victims, all women between the ages of 22 and 45, including 13 from Kuwait and one from South Africa. The Ministry of Labor coordinated with a local NGO to identify and refer to care 73 potential child victims of sex trafficking from high-density areas in Harare. All potential child victims received protective services including counseling, medical care, and an education needs assessment by an NGO, which had 12 shelters throughout the country. The NGO did not receive funding from the government and struggled to operate without such support. Of the potential child victims, 10 girls were taken to a vocational training center to receive skills training and 46 children were placed in children's homes. In addition, the government assisted four foreign male victims of forced labor. Furthermore, a local NGO-operated hotline received calls from 146 boys and 143 girls seeking assistance for exploitation in domestic service; many reported they were subjected to sexual, physical, and verbal abuse by their employers. One boy and 53 girls called the hotline to report their exploitation in sex trafficking. The ministry established a system whereby each potential trafficking case reported was handled jointly by an NGO and a Department of Social Welfare case worker; however, the government did not provide financial support to the NGOs. The government paid the tuition for the children of trafficking victims. In coordination with an international organization, the government coordinated a two-day training for 80 female trafficking survivors on entrepreneurship and, following the training, the government purchased equipment to assist each participant in starting livelihood projects. The government supported monitoring activities to track the women's progress.

The Immigration Department also developed standard operating procedures, which provided guidance to immigration officers responding to vulnerable groups including potential trafficking victims. In 2016, the Ministry of Public Service, Labor and Social Welfare (MPSLSW) established the technical steering committee on the protection of victims of trafficking to oversee the protection and provision of re-integration assistance and referral services to victims of trafficking. The government also developed and adopted a national referral mechanism for vulnerable migrants in Zimbabwe, which included standard operating procedures to guide front-line responders in identifying potential trafficking cases. In partnership with an international organization, the government trained border and law enforcement officials, labor inspectors, social workers,

and civil society organizations on victim identification and interview techniques. 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. The government reported no victims were detained, fined, or jailed for unlawful acts committed as a result of being trafficked.

## PREVENTION

The government increased efforts to prevent trafficking. The ATIMC met quarterly and led the implementation of the national action plan. The ATIMC developed guidelines for engagement between the government and civil society actors; and reviewed various national, regional, and international instruments governing the fight against trafficking. In coordination with two international organizations, the government held a three-day capacity-building workshop for members of the ATIMC, which was opened and led by the Minister for Home Affairs. During the previous year, the ATIMC launched provincial task teams in Harare and Matabeleland South and during the reporting period it continued to implement plans to create provincial anti-trafficking task teams in all 10 provinces by launching task teams in five additional provinces, including Bulawayo, Mashonaland East, Mashonaland Central, Manicaland, and Masying. In coordination with an international organization, the government trained the members of the task teams to equip them in their mandate and each task team drafted a work plan in line with the National Plan of Action (NAPLAC). The government continued to participate in the SADC regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, an international organization and SADC launched the first annual draft analysis report for the region.

In September 2017, the government organized and funded a commemoration of the World Day Against Trafficking in Persons in Bulawayo following the launch of its anti-trafficking task force. The Minister of Home Affairs' permanent secretary held a live television interview discussing the government's anti-trafficking efforts, the Zimbabwean Police drama group performed for the public, using drama to explain the various types of trafficking and the government distributed pamphlets, brochures, t-shirts, and wrist bands. The government set up anti-trafficking booths at the annual Zimbabwe International Trade Fair and the Harare Agricultural Show, which drew thousands of participants, handing out educational materials and hosted focus group discussions. The government developed a national action plan on migration, which prioritized the protection of unaccompanied migrant children who were vulnerable to trafficking. In September 2017, the government rolled out a mobile registration system for national identity, birth and death certificates and separately put in place measures that ensured visa applications by local Zimbabweans to known destination countries were tightened, but it did not provide details on how this was accomplished. The government provided assistance acquiring lost or stolen identity documents for trafficking victims that were repatriated. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

## TRAFFICKING PROFILE

As reported over the past five years, 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. There were reports of Zimbabwean students being lured to Cyprus with false promises for education via scholarship schemes where they are exploited in forced labor and sex 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 third consecutive year. The Libyan Government of National Accord (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 violent extremism throughout 2017. The judicial system was not fully functioning during

the reporting period, 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. During the year, there were continued reports of the sale and trafficking of African migrants for labor or other exploitative purposes by criminal networks, government officials, and private employers. Accurate information on human trafficking continued to be difficult to obtain, in large part due to the withdrawal of many diplomatic missions, international organizations, and NGOs in 2014.

### GOVERNMENT EFFORTS

The government appointed an anti-trafficking focal point but lacked institutional capacity to address human trafficking crimes. Libyan law criminalized some forms of sex trafficking but did not criminalize labor trafficking. Articles 418, 419, and 420 criminalized some forms of sex trafficking involving women and children; however, inconsistent with international law, the definition of trafficking did not include trafficking offenses that were not transnational in nature and, with respect to women, did not criminalize sex trafficking acts that were induced through fraudulent or coercive means. The law did not criminalize sex trafficking involving adult male victims and it did not address labor trafficking. Article 418 prescribed penalties of up to 10 years imprisonment and a fine between 100 and 500 Libyan dinars (\$74-\$368), which were sufficiently stringent but not commensurate with penalties prescribed for other serious crimes such as rape. Articles 425 and 426 criminalized slavery and prescribed penalties of five to 15 years imprisonment. Article 426 criminalized the buying and selling of slaves and prescribed penalties of up to 10 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes.

As the criminal judicial system was not fully functioning in 2017, the government did not report prosecuting or convicting any trafficking offenders. The Ministry of Interior (MOI), 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. The MOI's Department to Combat Irregular Migration (DCIM) did not have full control over its approximately 24-33 detention centers where it detained migrants throughout the reporting period. After an international media outlet publicized a video in November 2017 depicting the sale of African migrants in Libya, the GNA initiated an investigation into allegations of trafficking through the formation of an inter-ministerial investigative committee and publicly committed to holding the perpetrators accountable. Libya's Office of the Attorney General publicly announced in March 2018 that it issued arrest warrants for 205 people for human trafficking and other crimes related to this case, noting that security forces and other government officials were allegedly complicit in the case; the case was ongoing at the end of the reporting period.

The government did not report additional investigations, prosecutions, or convictions of government officials who were allegedly complicit in trafficking crimes—including Libyan Coast Guard officials, immigration officers, security officials, as well as DCIM prison officials and detention camp guards

who allowed private employers to force detained migrants to work on farms and construction sites. According to an international organization, the Special Deterrence Force, an armed group affiliated with the MOI, arrested migrants in Tripoli and detained some of them at DCIM-run facilities or released them to various migrant smuggling rings, some of which may have also subjected the migrants to forced labor or sex trafficking. Additionally, during the reporting period, the defense ministry continued to operate an anti-illegal migration unit with strong affiliation to one of the two armed groups involved in migrant smuggling and human trafficking in northern Libya; this allegiance allowed the armed group to continually shift its activities from committing smuggling and trafficking crimes to policing migrants for the government. The government also did not report any 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, institutional capacity, or resources to proactively identify and protect trafficking victims among vulnerable groups, such as foreign migrants, street children, women in prostitution, child victims of sexual abuse, and those recruited and used by armed groups. The government regularly arrested, detained, and otherwise punished victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration and prostitution violations. The government continued to operate rehabilitation centers for women in prostitution and victims of sex trafficking and other forms of sexual abuse, which reportedly operated as de facto prisons. Female victims of crimes, including trafficking, faced ridicule, harassment, and humiliation by predominantly male law enforcement and judicial officials in Libya. The government also continued to arbitrarily detain migrants, potentially including trafficking victims, for indefinite periods of time in DCIM-run detention facilities, which suffered from massive overcrowding and dire sanitation problems; those detained had no access to medical care, legal aid, and other forms of protective services. Detained victims were also reportedly subjected to sexual violence and rape, ill-treatment, and unlawful killings. Moreover, authorities made no effort to protect detained foreign migrants, including those already potentially victimized in trafficking situations, in both official and unofficial detention centers from being sold into forced labor. The government did not have formal procedures to safely and humanely transfer identified trafficking victims, who were detained, arrested, or in custody, to protective care. During the reporting period, the government publicly welcomed international organizations to assist refugees and migrants, a population vulnerable to trafficking. For example, it allowed an organization to access DCIM-run detention facilities to administer basic services to migrants, and in November 2017, it finalized an agreement with an organization to open a migrant transit center in Tripoli, which would serve as a safe place for migrants and trafficking victims to register for repatriation or transit to third countries. Libyan authorities waived exit fees and facilitated exit visas for more than 300 refugees whom an international organization evacuated from the country, while it also allowed an international organization to assist in the voluntary repatriation of more than 19,000 third-country nationals, a group particularly vulnerable to trafficking. The government did not, however, provide foreign trafficking victims with legal alternatives to their removal to countries where they faced hardship or retribution. The government did not encourage victims to participate in the investigation and prosecution of traffickers.

Libya is a party to the 2000 UN TIP Protocol, but the government

lacked the institutional capacity and resources to prevent human trafficking. Alleged government complicity further exacerbated the overall human trafficking problem in the country and the region. The government did not implement measures to prevent government officials or armed groups from forcing detained migrants to work; on the contrary, the government's system of detaining migrants facilitated trafficking crimes. During the reporting period, the GNA coordinated with the Italian government to reduce the flow of irregular migrants crossing the Mediterranean. However, some European and international NGOs criticized this coordinated effort of turning migrant boats back to Libya and stopping other migrants from attempting the crossing to Italy, citing poor security and human rights conditions and an increased risk of trafficking for migrants forced to remain in Libya. The GNA and Italian government also maintained agreements on judicial cooperation and extraditions. During the reporting period, the GNA made several public statements condemning the exploitation and inhumane treatment of migrants and affirmed its commitment to investigate allegations of trafficking and to hold traffickers criminally accountable. During the reporting period, the government participated in regional meetings, seminars, and workshops related to human trafficking under the framework of the League of Arab Nations and the UN. The GNA foreign ministry co-chaired two migration working groups with an international organization, which aimed to coordinate strategies and policies on migration. The government did not have a national coordinating body responsible for combating human trafficking, but it named a point of contact for trafficking-related inquiries. 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 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 provide anti-trafficking training for its diplomatic personnel.

## TRAFFICKING PROFILE

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. 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. Instability and lack of government oversight in Libya continued to allow for human trafficking crimes to persist and become highly profitable for traffickers. 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, including unaccompanied minors, crossing the Mediterranean from North Africa. As of December 2017, 147,600 migrants departed from Libya to cross the central Mediterranean, while more than 3,000 died en route due to heavily overcrowded or capsized boats. A fear of GNA Libyan Coast Guard units, who allegedly return migrants rescued



at sea to detention centers in Libya where they are subjected to forced labor, caused some migrants to refuse the help of these units at sea. Highly organized trafficking and migrants 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, debt bondage, and verbal, physical, and sexual abuse. In some cases, migrants reportedly pay smuggling fees to reach Tripoli, but once they cross the Libyan border they are sometimes abandoned in southern cities or the desert where they are susceptible to severe forms of abuse and human trafficking. For example, in January 2018, 94 migrants escaped detention by their smugglers in the border area of Tazerbou Municipality while transiting northward to disembarkation points; these migrants were highly vulnerable to exploitation. Armed groups, criminal gangs and networks, smugglers, and traffickers have cooperated and competed in the smuggling and trafficking of migrants to and through Libya, while carrying out serious human rights abuses and violations against migrants. Elements of the GNA Libyan Coast Guard have reportedly worked with armed groups and other criminals, including traffickers, to exploit migrants for profit. There are financial incentives for smugglers and traffickers to prevent the disembarkation of migrants transiting the Mediterranean and to re-transit migrants back to Libya for detention and further exploitation. Several credible sources continue to report that migrants—some of whom are trafficking victims—held in detention centers controlled by both the DCIM and non-state armed groups and militias were subjected to severe abuse, rampant sexual violence, denial of medical care, and forced labor. Private employers and prison officials use detained migrants from official and unofficial detention centers for forced labor as domestic workers, garbage collectors, and construction, road paving, and agricultural workers. Once the work is completed, employers return the migrants to detention. In November 2017, an international media outlet released a video depicting unidentified individuals selling African migrants reportedly for labor in an undisclosed location in Libya. Migrant returnees from Libya have also reported being sold by individuals and employers for labor or other exploitative purposes. Additionally, an international organization reported in 2017 that many militias in Libya fill their ranks with migrants from Niger, Nigeria, and Chad to perform labor or serve in other non-combat roles.

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 and some girls to sex trafficking in brothels, particularly in southern Libya. Nigerian women and girls, in particular, seem to be at increased risk of being forced into prostitution. According to a European NGO, Nigerian gangs recruit Nigerian girls from rural regions of the country and facilitate the transportation of the girls through Libya for sex trafficking in Italy and other European countries. For example, in 2016 a trafficking network that spanned from Nigeria to Italy via Libya involved a group of Nigerian and Libyan traffickers that forced Nigerian women into prostitution in both Libya and Italy; the network held the victims in warehouses in Sebha and Tripoli until it transported them to Sicily for further sexual exploitation. In 2015 and 2016, ISIS in Libya abducted and took into captivity at least 540 migrants and refugees, including at least 63 women whom ISIS forced into sexual slavery for its

fighters. However, since the defeat of ISIS across most of eastern Libya, there were limited reports of such incidents in 2017.

## SPECIAL CASE: ST. MAARTEN<sup>‡</sup>

St. Maarten is a Special Case. In September 2017, the island experienced massive devastation by Hurricane Irma, the worst Atlantic hurricane ever recorded. The hurricane greatly impeded the government's ability to report on efforts made prior to September and the prospects for additional progress in the remainder of the reporting period. The hurricane destroyed government buildings, hospitalized public officials, and diminished critical resources to the justice system.

### GOVERNMENT EFFORTS

St. Maarten recognized that human trafficking, including the exploitation of women in prostitution and migrants, was a problem in the country. The penal code criminalized sex and labor trafficking, prescribing penalties ranging from 12 to 24 years imprisonment or a fine. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties for other serious crimes, such as rape. In 2017, accurate information on the country's efforts were difficult to obtain, in large part due to the absence of an operational anti-trafficking coordinator. During the reporting period, authorities conducted one investigation of trafficking, compared to three investigations involving five suspects in 2016, and one investigation involving six suspects in 2015. In 2016, the government brought charges of trafficking against six individuals from two investigations dating back to 2015; criminal proceedings were ongoing at the end of the reporting period. In 2017, the government prosecuted one trafficker, but it was unclear whether it had secured any convictions. Authorities had reported that lack of dedicated funding for anti-trafficking efforts hindered the country's ability to address trafficking.

Information about the country's identification and assistance efforts was not available for 2017. In 2016, the government identified 96 foreign victims, provided shelter and care for five victims, and funded the repatriation of 44 victims. While the government did not have standard operating procedures for the identification or referral of victims, informal agreements between government agencies were in place. Authorities confirmed government officials continued to use an NGO-developed checklist of trafficking indicators to screen illegal migrants for indicators of trafficking before returning them back to their country of origin. The National Reporting Bureau on Human Trafficking (NRB) continued to be responsible for coordinating the government's efforts to combat trafficking and emergency response to cases. Before the storm, the NRB periodically conducted outreach with immigrant communities, businesses, health officials, and the tourism sector on how to identify potential victims and report trafficking crimes, and it conducted quarterly inspections of all brothels and dance clubs. The NRB could fund victim assistance on a case-by-case basis, but services available were limited. The government could provide one NGO with subsidies on an ad hoc basis to provide shelter services for victims of trafficking in a facility dedicated to victims of domestic violence. The government-subsidized NGO was not equipped to deal with large trafficking cases, and psychological assistance to trafficking victims was inadequate.

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

The government offered a temporary residence program for victims who wish to assist in the investigation and prosecution of traffickers; however, it was unclear if the government provided such benefits during the reporting period.

In contrast to past years and for causes attributable to the storm, the NRB did not conduct prevention or outreach campaigns. The government continued to operate a national hotline, accessible by phone and email; however, no tips were reported during the reporting period. Government policy required foreign women to apply for adult entertainment work permits on their own and submit a labor agreement with their visa application. Government policy also prevented brothel and club owners from providing adult entertainers monetary loans and from confiscating their personal documentation.

### TRAFFICKING PROFILE

As reported over the past five years, St. Maarten is a transit, and destination country for women, children, and men subjected to sex trafficking and forced labor. Women and girls from Latin America, the Caribbean, Eastern Europe, and Russia are the most vulnerable to sex trafficking, including women working in regulated and unregulated brothels and dance clubs. Some foreign women in St. Maarten's commercial sex industry are subjected to debt bondage. A significant number of migrant workers from Asia and the Caribbean are vulnerable to forced domestic service or forced labor in construction, Chinese-owned markets, retail shops, landscaping, and housekeeping. Cuban and Brazilian migrants transiting St. Maarten en route to the United States and Canada may also be vulnerable to trafficking. Colombian and Venezuelan women may travel to the islands under false pretenses and are subjected to trafficking. Due to the deteriorating situation in Venezuela an increased number of Venezuelan migrants transited through St. Maarten before seeking asylum in St. Martin. Some Venezuelan migrants sought employment illegally in St. Maarten, while waiting for their cases to be processed in St. Martin. Migrants transiting through and working illegally in St. Maarten may be vulnerable to trafficking.

## SPECIAL CASE: SOMALIA

Somalia remains a Special Case for the sixteenth 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 FGS had limited influence outside Mogadishu; the al-Shabaab terrorist group continued to occupy and control rural areas in the Juba River Valley in south-central Somalia, which it used as a base to conduct attacks across the country, and was itself involved in human trafficking. The FGS focused on capacity-building and securing Mogadishu and government facilities from attacks by al-Shabaab. The sustained insurgency by al-Shabaab continued to be the main obstacle to the government's ability to address human trafficking in practice. The government had minimal capacity to address most crimes, including human trafficking, and thereby demonstrated minimal efforts in all regions on prosecution, protection, and prevention of trafficking. Some federal and regional armed forces were not paid regularly, limiting the government's effective control of its territory and its ability to undertake anti-trafficking efforts. Police across Somalia lacked proper investigatory capacity to deal with

trafficking cases. Although reportedly improved from previous years, some Somali officials continued to lack an understanding of trafficking crimes, which they often conflated with migrant smuggling. Previous reports allege certain regional government officials were beneficiaries of trafficking rings in Somalia.

### GOVERNMENT EFFORTS

Somaliland and Puntland authorities sustained limited efforts to combat trafficking during the reporting period. Due to 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) criminalized labor trafficking and some forms of sex trafficking. Article 455 criminalized slavery, prescribing penalties of five to 20 years imprisonment. Article 464 criminalized forced labor, prescribing penalties of six months to five years imprisonment. Article 457 criminalized the transferring, disposing, taking possession or holding of a person, and prescribed penalties of three to 12 years imprisonment. All of these penalties were sufficiently stringent. Article 408(1) criminalized compelled prostitution of a person through violence or threats, prescribing penalties of two to six years imprisonment, which was sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. The provisional constitution prohibited slavery, servitude, trafficking, and forced labor under Article 14. Article 29(6) under the provisional constitution prohibited the use of children in armed conflict. In September 2017, Somaliland endorsed a draft human trafficking law, designed in consultation with an international organization; although relevant line ministries endorsed the draft law, the Somaliland Parliament had not passed it by the close of the reporting period. In November 2017, Puntland ratified a human trafficking legislative framework after three years of consultations with an international organization. The legal framework was composed of new penal and criminal procedure codes and a law that specifically prohibited trafficking. Authorities in Puntland and Somaliland did not report on law enforcement efforts. In 2017, the Somali Police Force (SPF) under the FGS reportedly investigated one potential trafficking case involving South Sudanese traffickers, but it did not report any prosecutions or convictions; in 2016, SPF police also investigated one potential trafficking case that failed to progress through the judiciary. During the previous reporting period, authorities in Puntland prosecuted 23 child sex trafficking cases, three of which resulted in convictions and five-year prison sentences plus a fine of 1.6 million Somali shillings (\$2,780). However, analogous to previous years, no comprehensive statistics existed at either the federal or regional levels on investigations, prosecutions, or convictions of or related to trafficking. Information regarding officials alleged to be complicit in the facilitation of sex and labor trafficking remained largely unknown, and the government did not report efforts to investigate, prosecute, or convict any official for involvement in trafficking or criminal activities related to trafficking during the reporting period. It failed to take action against military officials for the unlawful recruitment and use of children during the year.

The inter-ministerial Trafficking and Smuggling Task Force served as the federal government's anti-trafficking coordinating body, which included representation from the SPE, Ministry of Internal Security, Ministry of Foreign Affairs, Ministry of Justice, and Ministry of Interior and Federal Affairs, and led by the permanent secretary of the Ministry of Interior and Federal Affairs. During the previous reporting period, the task force commenced

development of a national action plan on trafficking efforts, but did not report progress on this plan within the current reporting period. The criminal investigations division of the SPF had a 40-officer Counter-Trafficking and Organized Crime Unit, but according to an international organization, this unit has never received counter-trafficking training. The SPF counter-trafficking unit and coast guard officers participated in various trainings on the recognition of trafficking cases separately led by two international organizations during the reporting period. Justice officials from the FGS also participated in a workshop on prosecution and adjudication of trafficking cases also conducted by an international organization. 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. In Puntland, the state-level Counter-Trafficking Board, established in March 2013, was the lead and, during the reporting period, it established a referral mechanism to coordinate trafficking and irregular migration issues and facilitated a provision of direct assistance to trafficking victims, in addition to generating awareness of these issues. The Somaliland government established the Counter Human Trafficking Agency of Somaliland in 2016, which included representatives from immigration, police, coast guard, the attorney general's office, and the ministries of commerce, finance, and civil aviation. The agency was 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 to protective services, and all relied fully on international organizations and NGOs to provide victim assistance, including food, clothing, shelter, legal support, medical aid, counseling, and reintegration services. Statistics for trafficking victims in Somalia were unavailable; however, an international organization reported it received referrals of 21 trafficking victims during the reporting period. In the previous year, Puntland authorities partnered with civil society to provide protective care for 23 trafficking and smuggling victims; it also helped facilitate the return home of 29 child victims. Near the end of the current reporting period, Puntland authorities developed and operationalized a regional referral mechanism for trafficking victims, with support from an international organization. Victim care was inadequate and varied significantly across the country. Beyond the scope of an international organization's migrant response centers, victims had limited access to protective provisions. Specialized care, especially mental health, was unavailable to most victims due to a lack of practitioners. The FGS did not provide financial or in-kind support to organizations assisting victims. In Puntland and Somaliland, authorities provided building sites for migrant response centers in Bosasso and Hargeisa, and in some cases transportation costs to the victims to enable their return home. During the reporting period, the FGS facilitated the repatriation of 24 Somali migrants who wished to return home from Libya, with auxiliary support from the EU. In addition, the FGS, with backing from an international organization, provided medical attention to repatriated citizens, and other federal authorities provided psycho-social support. 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 limited 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 suspected cases of trafficking; members of the Puntland counter-trafficking board participated in some of the talks and presentations during this campaign, but the Puntland state government did not fund the program. Following the initial repatriation flight of 11 Somali migrants from Libya, the FGS used social and traditional media to cover the repatriations and highlight the risks of trafficking and abuses faced by victims. 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) and allied militias, Ahlu Sunna Wal Jama'a (ASWJ) militia, clan militia, and al-Shabaab unlawfully using child soldiers, with the latter committing the large majority of violations. UN officials documented the recruitment and use of more than 2,100 children in 2017. The reported number of children used or recruited by al-Shabaab increased significantly during the reporting period as compared to the previous period, while the reported number of those used and recruited by the SNA, ASWJ, and clan militias decreased. An unspecified number of children were also reportedly used as informants by the National Intelligence and Security Agency. Children identified in SNA units were primarily used for carrying equipment and running errands; however, there were unconfirmed reports of SNA units using children as front-line fighters in Hirshabelle, as well as child soldiers who defected from al-Shabaab and immediately involved in direct hostilities by government-affiliated forces. No children were reported abducted, recruited, or used by peacekeeping forces of the African Union Mission in Somalia (AMISOM) during the year.

The dire security situation and restrictions on movement precluded detailed child soldier reporting during the year. In 2017, al-Shabaab continued to involve children in conflict through recruitment and participation in direct hostilities, such as planting explosives and carrying out attacks, in addition to support roles such as carrying ammunition, water, and food; removing injured and deceased militants; gathering intelligence; and serving as guards. The terrorist organization also enslaved an indeterminate number of young girls and exploited them in sexual servitude. Al-Shabaab continued to raid schools, *madrassas*, and mosques for recruitment purposes, and in rural areas of Galmudug state and elsewhere, the terrorists forced students as young as 7 years old to enroll in al-Shabaab-managed *madrassas*, which included military training and indoctrination in their curricula.

The government continued to implement the 2014 action plan to end the recruitment and use of children by the SNA, although efforts to do so remained incomplete. However, during the reporting period, the SNA's Child Protection Unit (CPU) reported it conducted trainings for SNA officers and enlisted soldiers and expanded awareness outside of Mogadishu and visited SNA and SNA-affiliated units across five sites in Southwest, Hirshabelle, and Galmudug states, as well as two sites in Mogadishu and Banaadir regions. During these visits, the CPU screened approximately 1,500 soldiers and briefed them on the importance of preventing child recruitment into the security forces; of these, it identified 16 children and referred them to the FGS and UN authorities for care. Nonetheless, the UN continued to report concerns about the



arrest and detention of some children allegedly associated with al-Shabaab by government forces, particularly in Puntland. Beyond the screening and training trips, the FGS launched a public awareness campaign, with UN support, to promote broad awareness of child protection issues and means of removing children from armed conflict. It also produced advertisements for television and radio stations in south-central Somalia to discourage child recruitment, and it commissioned local artists for a series of counter-recruitment billboards and banners placed around Mogadishu, Puntland, Southwest, Hirshabelle, Galmudug, and Jubaland. Most Somalis lacked birth certificates, and without an established birth registration system or standardized method for recruitment, verifying claims of child soldiering remained difficult.

### TRAFFICKING PROFILE

As reported over the past five years, 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. Trafficking routes within the country are particularly opaque, but anecdotally, victims are more likely to be subjected to trafficking from south-central Somalia to the regions of 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. A majority of victims originate in south-central Somalia, with the main destinations being Europe (primarily Italy), Yemen, Gulf States (primarily Saudi Arabia), South Africa, and Kenya. Three cross-border trafficking routes are most commonly used by traffickers: (1) south-central Somalia to Yemen via Puntland; (2) Somalia to Europe via Kenya or Ethiopia and onward to Libya or Egypt; and (3) Somalia to South Africa via Kenya and Tanzania. A fourth route, to Europe via Turkey, is also employed by some traffickers, albeit in smaller numbers due to higher costs. Notwithstanding the unavailability of reliable figures, the FGS notes that, anecdotally, fewer Somalis arrive in their intended destination countries but rather become stranded in transit countries. Al-Shabaab continued to facilitate human trafficking crimes, using deception to recruit victims in south-central Somalia and Kenya and subsequently forcing them into sexual slavery, support roles, and marriages to al-Shabaab militants.

During the reporting period, an increasing number of middle-class Somalis and unaccompanied children were subjected to trafficking, though IDP and unemployed youth aged 18-35 remain the most vulnerable. 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. Driven by pressure to seek employment opportunities, youth and women working in the informal sector remain at high risk of trafficking. In addition, certain marginalized ethnic minorities continue to face greater risk of sex and labor trafficking, as do people living in areas under al-Shabaab control. Although there remains a dearth of reliable statistics, Somaliland and Puntland continued to receive an influx of economic migrants and refugees from war-torn Yemen and the Oromia region of Ethiopia during the reporting period. Exploitation of and gender-based violence

in refugee and IDP camps in Somalia, sometimes perpetrated by gatekeepers in control of the camps, remains a concern, particularly in exchange for food and services for what are otherwise free services; this establishes a cycle of debt and renders these individuals vulnerable to trafficking.

According to an international organization, traffickers employ deception as the predominant recruitment method, though al-Shabaab often uses coercion and force. Most trafficking networks are run by a combination of Somali, Djiboutian, Eritrean, and North African traffickers. Somali police reportedly investigated one network run by South Sudanese traffickers during the reporting period. An increasing number of traffickers target and recruit children, without their parents' awareness or support by false promises that no payment will be demanded until they reach their targeted destinations. 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 Djibouti 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. Authorities in Somaliland previously reported 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. 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.

### SPECIAL CASE: YEMEN

Yemen remains a Special Case for the third consecutive year. The civil conflict and humanitarian crisis in Yemen deepened during the reporting period. Information on human trafficking in the country has been increasingly difficult to obtain since March 2015 when the Republic of Yemen Government (ROYG) had to leave and stopped controlling portions of the country. NGOs reported vulnerable populations in Yemen were 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 or arrived in Yemen during the reporting period may have endured intensified violence, and women and children may have become more susceptible to trafficking. The international organizations and NGOs remaining in Yemen focused primarily on providing humanitarian assistance to the local population and lacked adequate resources to collect reliable data on trafficking; transit routes and entry points for humanitarian actors were increasingly dynamic and precarious, thereby impeding humanitarian support. A vast majority of Yemenis required broad assistance and basic social services, which have

collapsed. For the purposes of this report, Yemen retained Special Case status since the government continued to lack control over part of its territory.

## 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 weakening 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 criminalized slavery and prescribed penalties of up to 10 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other grave crimes, such as rape. However, Article 248 narrowly focused on transactions and movement and therefore did not criminalize many forms of labor and sex trafficking, as defined under international law. Article 279 criminalized child sex trafficking under its "child prostitution" provision and prescribed penalties of up to seven years imprisonment, which could be increased to up to 15 years imprisonment under aggravating circumstances; these penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. 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 oversight of the courts and therefore did not report efforts to prosecute, convict, or punish trafficking offenses during the year. In addition, the government was unable to pursue any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses, despite 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. Local government and security officials allegedly 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 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 was unable to 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 supported 12 victims of trafficking it identified in Yemen, including both adults and children. 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 made limited effort to release child soldiers from the military or provide them with protective or rehabilitation services during the reporting year. 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 active and aggressive 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 capacity limitations, 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 a previous reporting period, in coordination with an international organization, remained pending. The draft included 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, particularly Saudis and Emiratis who "temporarily" married young Yemeni women; however, officials continued to provide approval for such marriages 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 continued their unlawful 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, although the government did express interest in revitalizing the discussion on implementation. 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 unlawful recruitment of children into its armed forces, credible reports indicated the protraction of unlawful recruitment of children throughout the country, due to expansion of military activity by government forces and Houthi rebel forces, tribal and coalition militias, and al-Qaeda in the Arabian Peninsula (AQAP). During the year, these armed groups sustained, and in some cases intensified their recruitment, training, and mobilization of children as participants in the conflict. An international organization reported armed groups used children as uniformed soldiers in combat and at checkpoints during the reporting period. Armed boys, reportedly as young as 12 years old, are believed to have worked for Houthi militias and government forces. During the reporting period, verified cases of the unlawful recruitment and use of child soldiers occurred without familial knowledge or consent, and monetary and material support were utilized as incentives for joining the army, in addition to forced enrollment via abductions. According to an international organization, between January and September 2017, armed groups unlawfully recruited and used at least 370 children between the ages of 12-17, compared to 168 the previous reporting period. The majority of incidents were attributed to the Houthis, followed by the YAF, Popular Committees, and AQAP. In 2017, Yemeni officials did not report demobilizing any child soldiers. In 2016, the Saudi-led coalition demobilized

and referred to Yemeni officials 52 child soldiers alleged to have been recruited by the Houthis; the children were later detained in a YAF-controlled camp. 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.

### TRAFFICKING PROFILE

As reported over the past five years, 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, Eritreans, 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, and some were forced to work on *khat* farms. 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 from Sana'a, 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.